

Southern Planning Committee

Agenda

Date:	Wednesday, 21st July, 2010
Time:	2.00 pm
Venue:	Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ

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 foot of each report.

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

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

1. **Apologies for Absence**

To receive apologies for absence

2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests and for Members to declare if they have pre-determined any item on the agenda

3. **Minutes** (Pages 1 - 10)

To approve the minutes of the meeting held on 30 June 2010

4. **Public Speaking**

A total period of 5 minutes is allocated for each of the planning applications for Ward Councillors who are not Members of the Planning Committee.

Please contact Julie Zientek on 01270 686466
E-Mail: julie.zientek@cheshireeast.gov.uk with any apologies, requests for further information or to arrange to speak at the meeting

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 Planning Committee and are not Ward Members
- The Relevant Town/Parish Council
- Local Representative Groups/Civic Society
- Objectors
- Supporters
- Applicants

5. **09/4240C - Marsh Farm, Newcastle Road, Congleton: Residential Development of 52 Units on Marsh Farm, Congleton for JS Bloor (Wilmslow) Ltd & Jane Lowe** (Pages 11 - 32)

To consider the above planning application

6. **10/1179C - 14 Smithfield Lane, Sandbach: Demolition of Existing House and Erection of 7 No. 3 and 4 Bedroom Houses (Re-submission of Application No. 09/3069C for Mr S Bourne, Brighthouse Homes (Sandbach) Ltd** (Pages 33 - 42)

To consider the above planning application

7. **10/1125N - Aston Lower Hall, Dairy Lane, Aston Juxta Mondrum, CW5 6DS: Proposed Agricultural Hay, Straw and Farm Implements Storage Building for Mr J Thomasson** (Pages 43 - 48)

To consider the above planning application

8. **10/1409N - Nova Court, West Street, Crewe, CW1 3JD: Construction of 18 New Town Houses for Wulvern Housing** (Pages 49 - 60)

To consider the above planning application

9. **10/1551N - Audlem Country Home, School Lane, Audlem: Extension in Time Limit for P05/0007 Relating to Extensions and Alterations to Existing Care Home to Provide Self Contained Accommodation for the Elderly** (Pages 61 - 70)

To consider the above planning application

10. **10/1912N - Audlem Country Home, School Lane, Audlem: Extension in Time Limit for P05/0710 Relating to Extension and Alterations to Existing Care Home to Provide Self Contained Accommodation for the Elderly** (Pages 71 - 78)

To consider the above planning application

11. **10/1555C - Former Cardboard Factory, Betchton Road, Malkins Bank: Extension to Time Limit - Redevelopment of Former Factory to Provide 28 No. New Homes to Include 12 Affordable Homes Provided by RSL for Jokaro Ltd** (Pages 79 - 86)

To consider the above planning application

12. **10/1588N - Land North West of Travelodge and South West of Retail Unit, Beswick Drive, Crewe: Erection of an Office Development (B1 Use Class) with Associated Landscaping, Car Parking and Access Arrangements for Swansway Garages Ltd** (Pages 87 - 102)

To consider the above planning application

13. **10/1659N - Bombardier Transportation, West Street, Crewe, CW1 3JB: To Erect Two Storey 81 Bed Care Home (Class C2: Residential Institution) Following Site Removal of an Existing Car Park for Keenrick Care Homes & Seddon** (Pages 103 - 116)

To consider the above planning application

14. **10/2096N - Land to the Rear of 58 Wellington Road, Nantwich: Amalgamation of 58 and 58A Wellington Road and Construction of New House within Grounds of Existing Properties for Mr and Mrs Richards** (Pages 117 - 122)

To consider the above planning application

15. **10/1887M - Lumb Brook Livery, Woodford Lane, Newton, Macclesfield: Extension to Existing Manege, Erection of New Timber Stable and New Entrance to Yard (Retrospective) for Mr P Jackson** (Pages 123 - 128)

To consider the above planning application

16. **10/2026M - 11 Manor Park, South Knutsford: Single Storey Front and Side Extension Rear Conservatory Roof Light for Ms O Hunter** (Pages 129 - 132)

To consider the above planning application

There are no Part 2 Items

This page is intentionally left blank

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 30th June, 2010 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor L Gilbert (Vice-Chairman) – in the Chair

Councillors D Bebbington, S Davies, B Dykes, S Furlong, B Howell, J Jones,
S Jones, A Kolker, S McGrory, R Walker, J Weatherill and R Westwood

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors E Alcock, D Brown, Rhoda Bailey, D Flude, D Hough and
J Hammond

OFFICERS IN ATTENDANCE

Rachel Goddard	Senior Lawyer
Ben Haywood	Principal Planning Officer
David Townsend	Interim Business Lead Development Mangement (South)

APOLOGIES

Councillors G Merry and T Beard

21 CODE OF CONDUCT - DECLARATIONS OF INTEREST/PRE-DETERMINATION

Declarations of interest were made as indicated –

Councillor M J Weatherill declared that in calling-in Application No. 10/1427N – South Cheshire College of FE, Crewe (Item 5), she had expressed an opinion and therefore had fettered her discretion. Councillor Weatherill exercised her separate speaking rights as a Ward Councillor and withdrew from the Members' seating area during consideration of the item.

Councillor John Jones: Personal interest in Item 5 (Application No. 10/1427N) – South Cheshire College of FE, Crewe) on the basis of a business arrangement with the College 5-years previously.

Councillor M J Weatherill: Personal interest in Item 11 (Application No. 10/0999N – Church Minshull Village Hall) on the basis that one of the registered speakers on this item was a personal friend.

Councillor D N Bebbington: Personal interest in Item 11 (Application No. 10/0999N – Church Minshull Village Hall) as he was a resident of Church Minshull. He also reported that he was acquainted with the two registered speakers on this item and had received correspondence about the application, but had not responded.

Councillor W S Davies: Personal interest in item 11 (Application No. 10/0999N – Church Minshull Village Hall) on the basis that he had called-in the application. He was also acquainted with two of the registered speakers for the application. Councillor Davies clarified that the reason for the stated call-in expressed the concerns of local people and did not represent his own opinion. He had not, therefore, fettered his discretion.

Councillors W S Davies and R Walker each declared that they are members of the Public Rights of Way Committee and would not participate in the debate or vote on Item 10 (09/4240C – Marsh Farm, Congleton) in view of the likely implications for the public right of way on the site. Councillor Walker was the Vice-Chairman of the Public Rights of Way Committee and Councillor Davies was a Member and the Committee may be required to make a determination on the public right of way and they did not wish to fetter their discretion in respect of any such determination.

Councillor Shirley Jones: Personal interest in Item 6 (Application No. 10/1089C – 77 Sandbach Road North, Alsager) on the basis that she was a Member of Alsager Town Council which had commented on the application, but she had not participated in that discussion.

Councillor A Kolker: Personal interest in Item 8 (10/1746C – Owls Hoot, Goostrey) on the basis that he had called-in the application, but had formed no opinion on the application and had not, therefore, fettered his discretion.

Councillor A Kolker: Personal interest in Item 15 (Section 106 Agreement for Application 08/2059)OUT – Goostrey Youth Centre, Goostrey) on the basis that his father was the Chairman of the Goostrey Youth Centre Committee. Councillor Kolker was not a member of that Committee and had not attended any of the meetings.

The following Members reported that they had received correspondence in the form of e-mails and/or letters in respect of the items noted, but had not responded to the correspondence nor had they formed an opinion on the items referred to –

Councillors E Alcock (non-Committee Member), B H Dykes, D Flude (non-Committee Member), D Hough (non-Committee Member), S Jones, S McGrory, M J Weatherill, R Walker and R Westwood in respect of planning applications on the agenda.

Councillors E Howell and M J Weatherill

Item 7 Application No. 10/1657N: Holly Bush Inn, Winterley

Councillor L Gilbert

Item 5 Application No. 10/1427N: South Cheshire College
Item 6 Application No. 10/1089C: 77 Sandbach Road North,
 Alsager
Item 7 Application No. 10/1657N: Holly Bush Inn, Winterley
Item 12 Application No. 10/1179C: 14 Smithfield Lane, Sandbach

Councillor S Furlong

Item 7 Application No. 10/1657N Holly Bush Inn, Winterley
Item 9 Application No. 10/1865C 6 Rowan Close, Sandbach
Item 12 Application No. 10/1179C 14 Smithfield Lane, Sandbach

Councillor John Hammond (non-Committee Member) declared a personal interest in agenda Item No. 5 (10/1492N – Holly Bush Inn, Winterley) on the basis that he was a Member of Haslington Parish Council. He declared a personal and prejudicial interest in Item No. 7 (10/1657N – Holly Bush Inn, Winterley) on the basis that he was a former Member of the “Save the Holly Bush” Action Group.

22 MINUTES

RESOLVED:

That the minutes of the meeting held on 9 June 2010 be approved as a correct record.

23 10/1427N VARIATION OF CONDITIONS 8, 11, 15 AND 16 OF PLANNING PERMISSION P07/1053 AND CONDITION 4 OF P09/0016 TO ALLOW FOR THE RETENTION OF EXCAVATED MATERIAL ON SITE WHICH MEANS ALTERING SITE LEVELS, SOUTH CHESHIRE COLLEGE OF FURTHER EDUCATION, DANE BANK AVENUE, CREWE FOR MR. NIGEL PEET

The Committee gave consideration to a report on Planning Application No. 10/1427N (South Cheshire College, Crewe), together with an update on the application including in respect of the site visit and further representations.

Notes: (1) Having declared that she had expressed an opinion and therefore fettered her discretion, Councillor M J Weatherill exercised her separate speaking rights as a Ward Councillor and withdrew from the Members’ seating area during consideration of the item;

(2) Mrs J Savings (objector) was in attendance and addressed the Committee on this matter; and

(3) Mr T Hough (Construction Director of Bam Construction – on behalf of the applicant) was in attendance and addressed the Committee on this matter.

RESOLVED:

That the application be REFUSED contrary to Officer recommendation for the following reason –

Overbearing development resulting in adverse impact on amenity contrary to Planning Policy BE1

24 10/1089C OUTLINE APPLICATION FOR PROPOSED DEVELOPMENT CONSISTING OF 3NO. DETACHED PROPERTIES, 77 SANDBACH ROAD NORTH, ALSAGER FOR MR R MILLAR

The Committee gave consideration to a report, (including an oral report on the site visit) on Planning Application No. 10/1089C (77 Sandbach Road North, Alsager).

Notes: (1) Councillor D Hough, the Ward Councillor who had called-in the application, was in attendance and addressed the Committee on this matter; and

(2) Mr F Griffith (objector) was in attendance and addressed the Committee on this matter.

RESOLVED:

That Application No. 10/1089C be REFUSED contrary to Officer recommendation for the following reasons –

1. Drainage system inadequate to cope with new development
2. Unacceptable Amenity implications for existing properties contrary to Policy GR6

25 10/1657N NEW BUILDING ON LAND TO THE REAR OF EXISTING PUBLIC HOUSE INCORPORATING 15 BEDROOM GUEST ACCOMMODATION AND CONFERENCE FACILITY. THE ENCLOSING OF EXISTING DECK AREA, HOLLY BUSH INN, CREWE ROAD, WINTERLEY, SANDBACH, CW11 4RF FOR MR & MRS R WILLIAMS

The Committee gave consideration to a report on Planning Application No. 10/1657N (Holly Bush Inn, Winterley) together with an update.

Notes: (1) Councillor J Hammond, the Ward Councillor who had called-in this application, was in attendance and addressed the Committee on this matter. Having declared a personal and prejudicial interest in this item, Councillor J Hammond withdrew from the meeting following his statement;

(2) Mr R Hovey, member of Haslington Parish Council (objector), Mr L Playle (objector) were in attendance and addressed the Committee on this matter; and

(3) Mr R Moran (agent for the applicant) was in attendance and addressed the Committee on this matter. It was noted that Mr Moran had exceeded the deadline to register his intention to speak. The Committee agreed that in the interests of balance, he be allowed to speak in accordance with Paragraph 2.8 of the Protocol for Public Speaking Rights.)

RESOLVED:

That Application No. 10/1657N be APPROVED subject to the following conditions -

1. Commence development within 3 years
2. Development in accordance with approved plans
3. Materials to be submitted and approved
4. Details of hard and soft surfacing materials to be submitted and approved
5. Scheme of landscaping to be submitted and approved
6. Scheme of landscaping to be implemented
7. Scheme of drainage to be submitted and approved
8. Notwithstanding submitted information, details of boundary treatment to be submitted
9. Parking to be provided prior to first occupation of the guest accommodation
10. Noise attenuation measures to be implemented prior to development being first brought into use
11. Scheme for the acoustic enclosure of any fans, compressors or other equipment with the potential to create noise, to be submitted to, and approved prior to the commencement of development
12. Hours of construction to 08.00 – 18.00 Monday to Friday; 08.00 – 13.00 on Saturdays and not at all on Sundays or Bank Holiday Mondays
13. Details of pile driving to be submitted
14. Details of any floodlighting or security lighting to be submitted and approved.
15. Details of cycle storage to be submitted and approved.
16. Submission approval and implementation of slab levels
17. Hours of operation of the conference facility

- 26 **10/1865C PROPOSED DETACHED DWELLING (4 BED) WITHIN THE GARDEN OF 6 ROWAN CLOSE, SANDBACH, 6, ROWAN CLOSE, SANDBACH, CW11 1XN FOR MR FLOWERS**

WITHDRAWN.

- 27 **09/4240C RESIDENTIAL DEVELOPMENT OF 52 UNITS ON MARSH FARM, CONGLETON, MARSH FARM, NEWCASTLE ROAD, CONGLETON FOR JS BLOOR (WILMSLOW) LTD & JANE LOWE**

The Committee gave consideration to a report on Planning Application No. 09/4240C (Marsh Farm, Congleton) together with an update.

Notes: (1) Non-Committee Member, Councillor D Brown, was in attendance and addressed the Committee on this matter;

(2) Mrs J Unsworth (objector) was in attendance and addressed the Committee on this matter; and

(3) Mr M Waite (Bloor Homes – applicant) was in attendance and addressed the committee on this matter.

RESOLVED:

That, taking into account the requirements of PPS3, the item be DEFERRED for a site visit and additional information to be provided.

Note: Having each declared a personal and prejudicial interest in this item, Councillors W S Davies and R Walker withdrew from the meeting prior to discussion and voting on the item.

Councillors Davies and Walker re-joined the meeting after the voting.

- 28 **10/1179C DEMOLITION OF EXISTING HOUSE AND ERECTION OF 7 NO. 3 AND 4 BEDROOM HOUSES. RESUBMISSION OF APPLICATION NO. 09/3069C (DETERMINED 13TH NOVEMBER 2009), 14 SMITHFIELD LANE, SANDBACH FOR MR S BOURNE, BRIGHOUSE HOMES (SANDBACH) LTD**

The Committee gave consideration to a report on Planning Application No. 10/1179C (14 Smithfield Lane, Sandbach)

Notes: (1) Councillor E Alcock, the Ward Councillor who had called-in the application, was in attendance and addressed the Committee on this matter;

(2) Mr D Smith (objector) was in attendance and addressed the Committee on this matter; and

(3) Mr R Gasgoine (Emery Planning on behalf of the applicant) was in attendance and addressed the Committee on this matter.

RESOLVED:

That the application be DEFERRED for a site visit.

29 **10/1746C DEMOLITION OF THE EXISTING DWELLING, GARAGE AND BRICK WALL/PIERS AND THE ERECTION OF A NEW FOUR BEDROOM DETACHED DWELLING WITH A DETACHED DOUBLE GARAGE, OWLS HOOT, BLACKDEN LANE, GOOSTREY, CW4 8DG FOR COVENTRY BUILDING SOCIETY**

The Committee gave consideration to a report on Planning Application No. 10/1746C (Owls Hoot, Goostrey).

Notes: (1) Councillor A Kolker, the Ward Councillor who had called-in this application, was in attendance and addressed the Committee on this matter;

(2) Mr A Twamley, on behalf of the applicant, was in attendance and addressed the Committee on this matter.

RESOLVED:

That Application No. 10/1746C be APPROVED subject to the following conditions -

1. Commence development within 3 years.
2. Development in accordance with agreed drawings
3. Submission of details/samples of external materials including driveway
4. Submission of full details of boundary treatments
5. Limit on hours of construction
6. Limit on hours of piling

30 **10/0999N NEW ROOF COVERING, REPLACE WINDOWS AND REAR STORE ROOM AND CONSTRUCT NEW STORE ROOM, CHURCH MINSHULL VILLAGE HALL, MUSLIN ROW, CHURCH MINSHULL, NANTWICH, CW5 6EW FOR CHURCH MINSHULL VILLAGE HALL COMMITTEE**

The Committee gave consideration to a report on Planning Application No. 10/0999N (Church Minshull Village Hall).

Notes: (1) Mr G Griffiths (Clerk to Church Minshull Parish Council) was in attendance and addressed the Committee on this matter; and

(2) Mr P Barnard (for the applicant) was in attendance and addressed the Committee on this matter.

RESOLVED:

That the application be APPROVED subject to the following conditions –

1. Commence development within 3 years
2. Development in accordance with approved plans
3. Details of external materials

31 10/1492N CONSTRUCTION OF A NOISE ATTENUATION/SCREENING BUND, FIELDS FARM, SYDNEY ROAD, CREWE FOR VWJ EARTHMOVING LTD

The Committee gave consideration to a report on Planning Application No. 10/1492N (Fields Farm, Crewe) together with an update.

Notes: (1) Councillor J Hammond, the Ward Councillor who had requested that the application be referred to the Committee for consideration, was in attendance and addressed the Committee on this matter;

(2) Mr R Hovey (Haslington Parish Council) was in attendance and addressed the Committee on this matter; and

(3) Ms V Webb-Johns, the applicant, was in attendance and addressed the Committee on this matter;

RESOLVED:

That the application be APPROVED subject to the following conditions –

1. Standard 3 years
2. Development in accordance with the approved plans
3. Landscaping scheme including native species only to be submitted
4. Landscaping to be completed
5. Details of fencing required to be submitted and approved
6. Works to stop if protected species are found

32 10/1852C TWO STOREY SIDE EXTENSION, 62 PRINCESS DRIVE, SANDBACH FOR MR & MRS S GUNAY

The Committee gave consideration to a report on Application No. 10/1852C (62 Princess Drive, Sandbach) together with an update.

RESOLVED:

That Application No. 10/1852C be APPROVED subject to the following conditions –

1. Commence the development within 3 years

2. Materials to match existing
3. Development in accordance with the approved plans
4. Permitted development rights removed for new windows

**33 SECTION 106 AGREEMENT FOR PLANNING APPLICATION
08/2059/OUT FOR OUTLINE APPLICATION FOR RENEWAL OF
APPROVAL 06/0069/OUT FOR THE DEMOLITION OF EXISTING
YOUTH CENTRE AND ERECTION OF A SINGLE DWELLING AT
GOOSTREY YOUTH CENTRE, MAIN ROAD, GOOSTREY**

The Committee considered a report which sought a resolution in respect of the terms of the S.106 Legal Agreement relating to the demolition of the existing Goostrey Youth Centre, Goostrey and the erection of a single dwelling on the site, which had been the subject of planning application 08/2059/OUT considered by the former Congleton Borough Council.

Note: Mr D Craggs (Goostrey Parish Council) was in attendance and addressed the Committee on this matter.

RESOLVED:

That the terms of the S.106 Legal Agreement for Application 08/2059/OUT for renewal of Approval 06/0069/OUT, shall be those contained in the agreement with the former Congleton Borough Council, as a departure from Policy RC12 of the adopted Congleton Borough Local Plan First Review (2005).

The meeting commenced at 2.00 pm and concluded at 6.45 pm

Councillor Les Gilbert presiding (Vice-Chairman)

This page is intentionally left blank

Planning Reference No:	09/4240C
Application Address:	Marsh Farm, Newcastle Road, Congleton.
Proposal:	Residential Development of 52 Units on Marsh Farm, Congleton.
Applicant:	JS Bloor (Wilmslow) Ltd & Jane Lowe
Application Type:	Full Planning Permission
Grid Reference:	384558 362183
Ward:	Congleton Town West
Registration Date:	18 th December 2009
Earliest Determination Date:	26 th February 2010
Expiry Date:	28 th April 2010
Date report Prepared	16 th June 2010
Constraints:	Tree Protection Orders

SUMMARY RECOMMENDATION: Approve with conditions, subject to the completion of a Section 106 Agreement relating to affordable housing and public open space provision.

MAIN ISSUES

- Principle of the Development
- Highways and Parking
- Amenity
- Design and Layout
- Landscaping and Trees
- Flood Risk, Contamination and Drainage
- Tree Protection
- Contributions – Affordable Housing and Open Space/Play Area

1. REASON FOR REFERRAL

This application has been referred to the Southern Planning Committee, as the scheme is a major development for more than 10 houses.

2. PREVIOUS MEETING AND UPDATE

At the Planning Committee meeting held on 30th June 2010, members resolved to defer this application in order to undertake a site visit.

Since the meeting took place on 6th July 2010 the Government abolished Regional Spatial Strategies and therefore the previous references to the RSS for the North West have been removed from this report. In June 2010 PPS3 was amended and the result of this is that there is no longer a minimum required density for housing.

In addition Councillor David Brown asked for several issues to be clarified in the updated report. These included the proximity of the nearest local primary schools and travel arrangements. There are two primary schools within less than a mile of the site,

Quinta and Marlfields, and the Transport Assessment has concluded that the site is accessible by non-car modes.

Drainage of the site was questioned, in particular how the development would impact on existing dwellings in the vicinity. The report recommends conditions requiring drainage details to be submitted and should the application be approved the details will be assessed by United Utilities and the Environment Agency. It is therefore considered that these issues will be adequately addressed at this stage and measures put in place to reduce flood risk.

The removal of the hedgerow at the front of the site was another issue raised by Councillor Brown. As stated in the report, the landscaping proposed at the front of the site is not considered to be appropriate and more suitable landscaping can be secured by condition, should members resolve to approve the application.

The question of development on greenfield land was also raised, however as the site is contained within the settlement zone line and there are no policies in the local plan specifically precluding development on this type of land, the proposal should be assessed against the other relevant policies in the local plan. These policies state that there is a presumption in favour of development provided that the development is in character with the area, does not have an adverse impact on residential amenity and is in compliance with wider environmental requirements. It is considered that this proposal meets the necessary requirements and as such approval is recommended.

One of the objectors has expressed concerns that all their concerns had not been properly addressed in the report. The report did not discuss the concerns regarding what the objectors feel is the already unacceptable highway situation on the A34. They consider that a reduction in the speed limit and the provision of a roundabout could help to address these issues. It should be noted however that the Strategic Highways Manager has not requested these measures nor has he raised objections on the grounds of adverse impact on highway safety.

The other issue not addressed in the earlier report was the impact of noise on future residents of the proposed dwellings, as at the time of report writing the comments of the Environmental Health Section had not been received. PPG24, Noise and Development (Annex 1) states that planning permission should normally be refused for development within Category D areas, which this site is. However Environmental Health have stated that conditions could be imposed that would mitigate against any adverse impacts. Subject to adequate mitigation measures being submitted prior to the commencement of development, it is considered that the proposal would be acceptable in terms of protection from noise.

At the time the previous report was prepared, no comments had been received from Environmental Health. These have now been received and these recommend conditions relating to land contamination, protection from noise, both during development and for future occupiers.

Members requested an additional condition requiring a provision of 10% renewable energy on site. It should be noted however that this was a requirement laid down in the

RSS and as such members will need to decide whether it would be reasonable to impose such a condition in the present circumstances.

Adjacent to the existing farmhouse and running along the western boundary of the site, there is Public Footpath 10 and this footpath appears to be within the application site where Plot 1 would be sited. This has been advertised and advice from the Public Rights of Way unit has been requested. No response has been received at the time of report writing and an update will be provided to members prior to the meeting.

3. DESCRIPTION AND SITE CONTEXT

The application site comprises an area of land approximately 1.66 hectares in size and is situated on the eastern side of Newcastle Road, Congleton. To the north and east is the Astbury Mere Country Park; the village of Astbury is to the south and Congleton town centre to the north. The site is within the Settlement Zone Line of Congleton as defined in the adopted local plan.

The site includes the farmhouse and associated agricultural buildings, which would be demolished and an area of greenfield land. It is level adjacent to Newcastle Road and then slopes upwards to the northern and eastern boundaries. There are existing trees and hedgerows on the boundaries of the site.

4. DETAILS OF PROPOSAL

The proposal is for the development of 52 houses and the layout would take the form of a central spine access road leading to 2 offshoots north and south with turning heads at both ends. An area of public open space is proposed in the centre of the site, opposite the junction as you enter the site.

There are a variety of house types included in the scheme, providing, 2, 3, 4 and 5 bedroom dwellings. These would take the form of detached, semi-detached and terraced dwellings; the detached and semi-detached would be interspersed within the site with the terraced properties facing onto Newcastle Road.

The proposal includes an undertaking to provide 15 affordable homes within the site comprising 8no. social rented and 7no. for open market sale at a discount of 30% to the open market value at the time of marketing. The social rented properties would comprise 5no. two bed homes and 3no. three bed homes. The open market discount sale properties would comprise 7no. three bed homes.

5. RELEVANT HISTORY

No relevant planning history relating to this site.

6. POLICIES

National Guidance

PPS1 Delivering Sustainable Development
PPS3 Housing
PPS9 Biodiversity and Geological Conservation
PPG13 Transport
PPS23 Planning and Pollution Control
PPG24 Planning and Noise

Congleton Local Plan 2005

The site is not allocated in the Local Plan but the following policies apply:

PS4 Towns
H1 & H2 Provision of New Housing Development
H13 Affordable and Low Cost Housing
GR1 New Development
GR2 & GR3 Design
GR6 Amenity and Health
GR9 Parking and Access
GR10 New Development & Travel
GR18 Traffic Generation
NR1 Trees & Woodlands
GR22 Open Space Provision
SPG2 Provision of Private Open Space in New Residential Developments
SPD6 Affordable Housing and Mixed Communities

7. CONSIDERATIONS

Housing:

Our supply and demand analysis shows a shortfall of over 116no 2 bedroom houses and 41no 3 bedroom houses.

In line with Supplementary Planning Document 6 (Affordable Housing and Mixed Communities) we will be seeking 30% of the site to be classed as Affordable Housing. This housing should be in line with the definition in PPS3 which includes social rented housing or intermediate affordable housing including shared equity schemes. Of this 30% we would ordinarily expect 50% to be social rented and 50% to be either shared ownership or discounted for sale.

The proposal for affordable housing in this application put forward by Bloor Homes is therefore acceptable under the current planning policy. On housing sites where an element of affordable housing is to be provided and the applicant is a registered social landlord planning permission will normally be granted subject to a condition restricting the occupation of the houses to persons who meet the objectives of the registered social landlord. Where the applicant is not a registered social landlord planning permission may be granted for the whole scheme providing the applicant enters into a legal agreement whereby there are secure arrangements to ensure that the benefits of the affordable housing will be enjoyed by subsequent occupiers as well as the initial occupiers.

It is therefore my preferred option that the developer undertakes to provide the social rented element through an RSL who becomes a signatory to the section 106 agreement

Environmental Health:

Request conditions relating to land contamination and protection from noise both during construction and for future occupiers of the dwellings.

United Utilities:

No objections to the proposal providing the site is drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge directly into the adjacent watercourse and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system the flow may be required to be attenuated to a maximum discharge rate determined by United Utilities.

Highways:

The Strategic Highways Manager has assessed this application and offers the following comments:

This site has been the subject of extended negotiations with the applicants and now has an amended layout which has been agreed in principle by the LPA.

The proposed development offers a new junction with the A34 to access the site and has a ratified Transport Assessment which has been scrutinised and validated by the S.H.M.

There have been discussions regarding the accessibility of the site as much of this was made in the Design and Access Statement. Given the claims of accessibility to this site, it would be more appropriate for the proposed layout to better support the optional accessibility modes through better provisional measures. To this end the S.H.M. requires some additions to the proposed site provisions and these are covered by attached conditions and informatives.

As a result there are few comments to make on the proposed layout and it remains for the S.H.M. to recommend conditions and informatives to the LPA which should be attached to any permission which may be granted.

Informative:- A 2.0 metre wide footpath will be provided for the full frontage of the site with the A34 Newcastle Road. The new footway will include for a tactile paved desire line across the A34, with tactile paving and dropped kerbs to both sides of the A34, at the northern most point along the site frontage. This will form part of the off-site highway works.

Informative:- The A34 Newcastle Road carriageway will be re-surfaced with a new wearing course in the vicinity of the junction, for a distance of 25 metres to either side of the centre-line of the access road into the proposed development. This will form part of the off-site highway works.

Informative:- Any identified and necessary alterations to the system of street-lighting on the A34 Newcastle Road will be undertaken by the developer as part of the S278 work. This will form part of the off-site highway works.

Condition:- Prior to first development the developer will enter into and sign a Section 278 Agreement under the Highways Act 1980 with regard to all related off-site highway works.

Condition:- Prior to first development the applicant/developer will provide a suite of plans detailing the design and construction specifications for the new junction with and re-surfacing of the A34, to the satisfaction of the LPA. This suite of plans will be utilised for the basis of the S278 Agreement.

Condition:- The service strip on the western side of the northern cul-de-sac will be replaced with a 2.0 metre wide footpath to provide a permanent link to the pedestrian access into the grounds of the church.

Condition:- The two lateral deflections – one on each cul-de-sac, will be omitted from the layout.

Conclusion.

The Design and Access Statement for the proposal suggests that: 'an opportunity exists to produce a unique development proposal that reflects current Government guidance on improving the design quality of the urban environment.'

Unfortunately, whilst the D&A St. goes on to claim interface with the Astbury Mere Country Park and the local wooded areas – and this may be the case, the internal highway infrastructure does not align with the current Government guidance in Manual for Streets and only offers a design which reflects the older and superseded principles of Design Bulletin 32 and the Cheshire County Council Design Aid 1996.

The Strategic Highways Manager acknowledges that this format of road design does offer clear adoptable boundaries to the Highway Authority. It does not however, satisfy the need for innovative design under the principles of Manual for Streets. Manual for Streets design could offer distinct adoptable boundaries at the same time as offering a better quality design and layout intended to support all forms of accessibility and the encouragement of wider modal choice by the Public Highway user, from pedestrian to vehicle driver.

To this end the Strategic Highways Manager expresses mild concern that full opportunity for quality design has not been taken by the developer, but recognises that the site has restrictions which lend itself to design under the 1996 Cheshire County Council Design Aid – a document still in use locally.

As a result the S.H.M. cannot offer any reason to refuse this development and recommends the above listed conditions and informatives be attached to any permission which may be granted for this site.

Senior Landscape and Tree Officer:

24th February 2010

There are a number of trees within the site and on its boundaries. The submission includes a tree survey report and a plan indicating recommended tree root protection zones. There is also an outline plan for soft layout proposals.

None of the trees on site are subject to TPO protection. Nonetheless, some specimens are prominent in the landscape, in particular the lines of Poplar trees on the Astbury Mere boundary and three mature trees close to the farm buildings. In addition there are sections of hedgerow which would be affected, including lengths fronting Newcastle Road.

Whilst all annotated as 1:500 scale, when compared the submitted site layout plan MF/PL-01 does not appear to be the same scale as the Tree Root protection zones plan 3720.02 or the sketch highway/drainage layout 09011/SK1 SS. The discrepancies need to be addressed.

On the basis of the tree survey data and the layout indicated on the 1:250 Outline Soft Layout proposals 09/264/-01, I am concerned that the layout does not take sufficient account of the presence of existing trees. My principal concerns relate to plots where retained trees are likely to have a strong influence on the amenity of future residents, are likely to cause nuisance to residents or are likely to suffer damage during construction. Such plots include:

- Plots 6 & 7 where three existing mature trees would dominate the gardens (only two trees are shown) and the root protection area is not sufficient. I am aware that the bat survey recommends the retention of these trees and that the Council's Nature Conservation Officer is of the same view. In these circumstances, the layout needs to ensure that the trees can be retained successfully;
- Plot 11 where the garage is too close to the boundary hedge;
- Plot 15 where the house and garage would be within the root protection area and crown spread of trees;
- Plots 21, 22, 24, 25, 26, 27 and 28 which would be heavily influenced by Poplar trees on adjacent land. These lines of trees are prominent skyline features and publicly visible. Nonetheless, the species is not suitable for retention is close proximity to dwellings. I would not recommend the siting of dwellings so close to this species. Careful consideration needs to be given to the long term proposals for these trees and if necessary to secure alternative planting;
- Plot 29 where the garage is within the root protection area and crown spread of a tree.

There appears to be no intention to attempt to retain or reinstate the Newcastle roadside boundary hedge, which I consider to be a typical boundary treatment in the area. On the adjacent development sites, the retention of the roadside boundary hedge was considered important. As the hedge has formed the boundary to agricultural land it should be assessed in accordance with the criteria in the Hedgerow Regulations 1997. If the hedge is found to be 'important' under the Regulations, this would be a material consideration.

It may be possible to address some of my concerns through an amended layout and I would be happy to discuss options. Should an acceptable form of layout be achieved, a detailed landscape and tree protection scheme would be required. I also consider boundary treatment will require further consideration. I am not convinced all the boundary treatment proposed is appropriate.

10th June 2010

Amended plan Rev D + additional tree survey data.

As far as I am aware, notwithstanding the varying levels on site, no levels data has been supplied.

The amended plan makes some improvement to the relationship between plots and retained trees/hedgerows and it should be possible to provide recommended tree root protection areas.

Although separation distances have increased, plots 21 – 25 inclusive remain likely to be influenced by Poplar trees on adjacent land. The later tree survey dated 7/4/10 proposes that these trees are either felled if 3rd party consent is secured, or their branch spread over the site is reduced. Whilst prominent landscape features due to their height, I am not convinced these trees are in keeping with the local landscape character or suitable for long term retention. If they were removed, the development would be visible when viewed from the north/north east in particular. Therefore if screening is considered important, and development of the site is deemed acceptable, I suggest it would be important to secure suitable additional planting along the boundaries in question, either on or off site. (If the Poplars remain, on site planting opportunities would be limited).

As far as I am aware, the original landscape plan has not been updated. In addition to the layout revisions and the issue above, the landscape treatment of the frontage needs further consideration. A revised landscape scheme will be necessary. This element and a tree protection scheme could be covered by condition. Boundary treatment will also require further consideration.

Archaeology Planning Advisory Service

Thank you for your enquiry to the Cheshire Historic Environment Record. I have checked this hedgerow against the Cheshire Historic Environment Record under the following criteria as defined in Schedule 1, Part II of the Hedgerow Regulations:-

Paragraph 1: *The hedgerow marks the boundary, or part of the boundary, of at least one historic parish or township.*

Paragraph 2: *The hedgerow incorporates an archaeological feature which is*
(a) *included in the schedule of monuments compiled by the Secretary of State under section 1 (schedule of monuments) of the Ancient Monuments and Archaeological Areas Act 1979; or*

(b) *recorded at the relevant date in a Sites and Monuments Record.*

Paragraph 3: *The hedgerow*

(a) *is situated wholly or partly within an archaeological site included or recorded as mentioned in Paragraph 2 or on land adjacent to and associated with such a site; and*

(b) or is associated with any monument or feature on that site

Paragraph 4: The hedgerow

(a) marks the boundary of a pre-1600 AD estate or manor recorded in a Sites and Monuments Record or in a document held at that date at a Record Office; or

(b) is visibly related to any building or other feature of such an estate or manor.

Paragraph 5: The hedgerow

(a) is recorded in a document held at the relevant date at a Record Office as an integral part of a field system pre-dating the Inclosure Acts; or

(b) is part of, or visibly related to, any building or other feature associated with such a system, and that system –

(i) is substantially complete; or

(ii) is of a pattern which is recorded in a document prepared before the relevant date by a local planning authority, within the meaning of the 1990 Act, for the purposes of development control within the authority's area, as a key landscape characteristic.

I can confirm that these hedgerows are not covered under the stated criteria. Further advice on the hedgerows status, as defined by the above criteria, will be required from the Record Office as stated in the 1997 Regulations.

Nature Conservation Officer:

3rd February 2010

Bats

The submitted bat survey has been undertaken to a high standard and whilst bats are active on the site there is no evidence of a roost being present.

To avoid the loss of any foraging habitat the submitted report recommends the retention of three specific trees. From the layout plan for the site it appears that this recommendation has not been adopted by the applicant and only two of the three trees appear to be retained. I recommend that the submitted plan be amended to show retention of all three trees and preferably shows increased native species planting in this area to increase the available bat foraging habitat.

To secure an enhancement of the site for roosting bats I recommend that a condition is attached that features for bats are incorporated in the new buildings. Wording of this condition is given in the breeding bird section below.

Breeding Birds

I recommend that the following two conditions are attached to any permission granted to ensure birds are not disturbed during the breeding season and to secure the provision of replacement nesting opportunities.

Prior to any commencement of works between 1st March and 31st August in any year, a detailed survey is required to check for nesting birds. Where nests are found in any building, hedgerow, tree or scrub to be removed (or converted or demolished in the case of buildings), a 4m exclusion zone to be left around the nest until breeding is complete. Completion of nesting should be confirmed by a suitably qualified person and a report submitted to the Council.

Reason:- to safeguard protected species in accordance with PPS9.

Prior to the commencement of development the applicant to submit detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds and roosting bats. Such proposals to be agreed by the LPA. The proposals shall be permanently installed in accordance with approved details.

Reason: To secure an enhancement for biodiversity in accordance with PPS9.

Badgers

Badgers are active across the site, however the level of foraging activity is likely to be low enough that the proposed development of the site would not have an adverse impact on the species. No active setts have been recorded; however there is one mammal burrow which may possibly be used by badgers and the submitted survey report recommends that this is resurveyed to determine its current usage. I advise that this burrow should be re-inspected to confirm its usage by badgers and an updated report together with any mitigation required should be submitted prior to the determination of the application.

Phase One Habitat map

I do not appear to have a full copy of the phase one habitat map produced as part of the submitted survey.

Whilst the habitats present on site do not appear to be particularly important in ecological terms it would be useful to have a full colour copy of the habitat plan prior to making final comments.

3rd March 2010

The updated badger survey is acceptable. No evidence of a badger sett was recorded on site and the site only appears to be used occasionally for foraging/commuting purposes. I advise that this species does not present a constraint on the proposed development.

My original comments in relation to other nature conservation issues and suggested conditions still stand.

Greenspaces:

If the development were to be granted planning permission (in accordance with the submitted details on the plans submitted by Bloor Homes dated November 09 for 53 dwellings varying in size) there would be a deficiency in the quantity of provision, having regard to the adopted local standards set out in the Council's Open Space Study for both Amenity Green Space and Children and Young Persons provision.

Amenity Greenspace

Following an assessment of provision of Amenity Greenspace accessible to the proposed development, it has been identified that there will be a quantitative deficiency in this type of provision in the event that planning permission is granted.

Due to the size of the proposed development site rendering it inappropriate for the on site provision of public open space, subject to discussion and negotiations

with the Astbury Country Park Trust, an opportunity has been identified whereby there is the potential to increase the capacity of the existing amenity space at Astbury Mere Park adjacent to the development site by linking public rights of way to permissive path ways around the park.

The upgrading of this site by the improvement of access links to and around Astbury Mere would expand the Country Park's capacity via accessibility of the site and also connectivity to other areas that are open to the general public. Improvements to wildlife habitats, infrastructure and management service would also be beneficial to wildlife and the public.

With reference to the above suggestions to increase the Country Park's capacity and the revised site layout, it is felt that the footpath link indicated on the South West side of the development site on to the A34 would be better relocated to the North West of the site to adjoin the access road to Astbury Country Park. Although a footpath link in the above mentioned preferred location is indicated on the site plan, the path currently appears to stop on the boundary of the site and Greenspaces would prefer that consideration be given for enhancements of this existing public right of way to increase accessibility to the Park. In addition there is also the potential to construct pedestrian access from the South West of the site to the lane that leads to the sailing centre.

Greenspaces would also be in favour of the opening up of a link path between the development site and the newly constructed Care Home to improve accessibility for elderly residents by providing a quieter and safer access route to the Country Park.

Clarification as to the landscape impact of the development site on the Country Park and how the existing vistas will be affected, including information relating to any proposed screening, is something that requires consideration by the Country Park and Greenspaces.

The proposed landscaped buffer strip adjacent to Newcastle Road is not an area that would be considered useable open space and would not therefore off set the amount of Amenity Greenspace available on site. Additional information relating to the type of landscaping proposals intended to shield the traffic noise would be required so that comment can be provided as to whether existing maintenance regimes could accommodate any new design requirements.

Whilst potential exists for the enhancement of the Country Park's amenity spaces via path work improvements, opportunities to improve CE maintained PROW in the vicinity of the new proposed development also exist, thereby providing ample opportunity for the deficit in Amenity Greenspace on the development to be off set by improvements in other areas. It should be noted that Greenspaces would need to be involved in any discussion relating to PROW improvements and specifications for new paths, and it would be anticipated that any new paths should become PROW or be to adoption standards by highways.

Given that an opportunity has been identified for enhancing the capacity of existing Amenity Greenspace to serve the development based on the Council's

Interim Policy Note on Public Open Space Requirements for New Residential Development the financial contributions sought from the developer would be;

Enhanced Provision:	<u>£ 9,033.93</u>
Maintenance:	<u>£20,220.75</u>

Children and Young Persons Provision

Following an assessment of the existing provision of Children and Young Persons Provision accessible to the proposed development, if the development were to be granted planning permission there would be a deficiency in the quantity of provision, having regard to the local standards set out in the Council's Open Space Study.

Consequently there is a requirement for new Children and Young Persons provision to meet the future needs arising from the development. Whilst Bloor Homes have agreed to provide on site provision due to the absence of any in the local vicinity, the proposed location of the play area on the revised site layout is something that may need to be reconsidered.

The Revised Supplementary Planning Guidance Notes state that in relation to the location of public open space in new residential developments; *"The open space should not adjoin a main road or estate distributor road"*. Due to the T-junction of the main estate in-road occurring directly to the front of the POS the relocation of the play area or the redirection of the traffic may be something for consideration.

A small Local Equipped Area for Play (LEAP) is to be provided and will contain at least 3 items of equipment (including a multi-unit) for the 6 and under age range.

This would take into account play area infrastructure, equipment including elements of DDA equipment, safer surfacing and safety inspection. We would request that the final layout and choice of play equipment be agreed with CEC, and obtained from a supplier on the Council's select list; the construction should be to the Council's specification. Full plans must be submitted prior to the play area being installed and these must be approved, in writing prior to the commencement of any works.

Given that an opportunity has been identified for increasing the quantity of Children and Young Persons Provision, based on the Council's Guidance Note on its Draft Interim Policy Note on Public Open Space Requirements for New Residential Development the financial contributions sought from the developer would be:

New Provision:	Bloor Homes to provide LEAP
Maintenance:	<u>£51,044 (25 years)</u>

Environment Agency:

The proposed development will only be acceptable if the following planning conditions are imposed:

Condition:

The development hereby permitted shall not be commenced until such time as a scheme to; limit the surface water run-off generated by the proposed development so that it will not exceed the run-off from the undeveloped site, has been submitted to and approved in writing by the Local Planning Authority.

Reason:

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

The Flood Risk Assessment (FRA) explains that the discharge of surface water from the proposed development is to be via a soakaway system, which is acceptable in principle. The system is to be designed for up to the 1 in 100 years design event.

Condition:

The development hereby permitted shall not be commenced until such time as a scheme to manage the risk of flooding from surface water overland flow so that it will not cause flooding on-site and not increase the risk of flooding off-site, has been submitted to and approved in writing by the Local Planning Authority.

Reason:

To reduce the increased risk of flooding.

During a severe rainfall event overland flow of surface water could cause a flooding problem. This flood risk is not to affect proposed buildings and is to be contained within the site.

Condition:

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority.

- 1) A preliminary risk assessment which has identified:
 - All previous uses- Potential contaminants associated with those uses
 - A conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason:

To ensure a safe form of development which poses no unacceptable risk of pollution.

Based on the information provided it would appear that the site will pose a low risk to controlled waters. However, a number of areas require further investigation as stated in section 23 of the report. Therefore it is recommended that the above condition is specified to enable the risk to controlled waters to be re-assessed once the additional works have been completed.

The following informatives should be included on the decision notice.

Informatives:

We are promoting, with the help of Local Planning Authorities, Sustainable Urban Drainage Systems (SuDS). It would be beneficial for nature conservation and biodiversity to have sustainable urban drainage systems including swales and ponds.

The Environment Agency recommends the use of native species with any landscaping scheme. If there are distinct local varieties where the local gene pool should be maintained, then stocks of local provenance should be used. British forms tend to be more resistant to frost and damp than their European counterparts, and flower and fruit at times more appropriate to the British animals that depend on them.

8. VIEWS OF TOWN/PARISH COUNCIL

Recommend approval of the application subject to any highway concerns being taken into consideration.

9. OTHER REPRESENTATIONS

Astbury Mere Trust:

- The Trustees are concerned with the density of the development and the possible visual impact from the Country Park, particularly from the north eastern section of the development;
- The Trustees expect that because there is a pre-existing public footpath which runs through the site onto the southern entrance to the Country Park, in effect, the park will be used as an amenity provision;
- The Trustees presume these residents will make full use of the facility and as the Trust is running this country park at a significant loss the Trustees request

that if there is any S106 provision that the Astbury Mere Trust is granted this to cover some of its running cost.

Sustrans:

We note the application for the residential development at Marsh Farm, Congleton.

Should this land use be approved our comments are as follows:

- 1) The estate should be designed for slow speed re 20mph or less.
- 2) The new estate should be integrated with existing residential areas/facilities for both walking and cycling.
- 3) There should be a contribution from a development of this scale toward encouraging more walking and cycling in this area of Congleton such as to the town centre.
- 4) We suggest travel planning for a site of this size.

Eight other representations have been received relating to this proposal expressing concern over the following issues:

- Highway Safety
- Impact of increased traffic especially combined with traffic from the church and care home
- Ecological impact
- Loss of wild plants
- Impact on trees
- Increased pressure on drainage
- Flooding
- Increase in noise levels
- Impact on local infrastructure
- Scale and density of the development
- Disruption during construction
- Loss of pleasant rural fields
- Impact on Astbury Country Park
- Light Pollution
- Poor living conditions due to road noise

10. APPLICANT'S SUPPORTING INFORMATION

- Contaminated Land Survey
- Tree Survey Report with Update
- Design and Access Statement
- Affordable Housing Statement Including Draft Heads of Terms
- Transport Assessment
- Assessment of Traffic Noise Impact
- Air Quality Assessment
- Protected Species Surveys
- Flood Risk Assessment

11. OFFICER APPRAISAL

Principle of Development

The site is designated as being within the Settlement Zone Line of Congleton where there is a general presumption in favour of development provided that it is in keeping with the scale and character of the town. Although the site is largely greenfield in appearance and nature, one of the key considerations is whether the development meets the requirements of the relevant local plan policies.

Having regard to the greenfield character of the site, it should be noted that this is a relatively small area of private land, sandwiched between development. It is not considered that its loss would cause significant detriment to the character and appearance of the area. In addition, it is a site which would complete the development of this part of Congleton, and as it is surrounded by existing development with the Country Park to the west, its development would not lead to pressure for future development.

Highways and Parking

The Highways Officer has assessed the application and negotiated amendments to the layout in combination with the Planning Officers advice. The amended design does not comply with advice given in 'Manual for Streets', however due to the constraints of the site this would be difficult to achieve and the Strategic Highways Manager states that the site has restrictions which lend themselves to design principles under the 1996 Cheshire County Council Design Aid, which is a document still in use locally. In addition the level of parking provision for each of the dwellings is considered to be acceptable. It is therefore considered that a refusal on the grounds of non-compliance with Manual for Streets could not be sustained.

A Transport Assessment was submitted with the application and the Strategic Highways Manager has assessed this and verified its findings. The Assessment concludes that the site is considered to be accessible by a range of non-car modes of travel, is in close proximity to the existing public transport infrastructure and that the development would not have a detrimental impact on the local highway network, including the nearby junction of Newcastle Road and Padgbury Lane.

The Strategic Highways Manager requests a condition requiring a footpath leading to the pedestrian link with the church. This, however, has been included in the amended layout, and therefore this would not be necessary.

Taking into account the issues covered above it is considered that the proposal is in compliance with Policies PPG13, GR9, GR10 and GR18 and acceptable in terms of highway safety, traffic generation and parking provision.

Ecology - Protected Species & Nature Conservation

Reports have been submitted with the application relating to the ecology of the site and protected species and the site. The Nature Conservation Officer has concluded that the development would not have a significant impact on protected species subject to the retention of three trees within the site and conditions relating to the prevention of disturbance of breeding birds and the enhancement of the site for roosting bats.

Having regard to the three trees mentioned, they are in a group consisting of two Sycamores and one Ash. An updated Tree Survey undertaken in April of this year recommends the felling of the Ash as it is situated between the two Sycamores, resulting in it having a suppressed crown and being in decline with the western stem dead and an estimated remaining contribution of ten years. It is therefore considered that allowing this tree to be felled would benefit the two Sycamores and provided that these trees are retained there would still be a foraging area on the site for bats.

It is recommended that conditions be imposed relating to the protection of breeding birds and features to enhance the area as a habitat for bats and breeding birds.

Amenity

The development would meet the requirements required by Supplementary Planning Document 2 (Private Open Space), in that the private amenity space provided to the dwellings would be acceptable as would the separation distances between the individual properties. It is therefore considered that the residential amenities of future occupiers would be acceptable. It is considered however, that Permitted Development Rights should be removed from Plots 4 and 5, 32 to 41 inclusive, and 44 to 52 inclusive, as future extensions could have the potential to be detrimental to residential amenity.

Design and Layout

The layout of the site would take the form of a main spine road entering the site with two offshoots forming a curved 'T' shape with turning heads at either end. The majority of the dwellings would be arranged around the proposed roads, with nine of the dwellings facing onto Newcastle Road, creating an active frontage to this part of the site adjacent to Astbury Care Home. The spine road has footpaths on both sides and in the northern part of the site a footpath is proposed leading to a pedestrian link through to the rear of the adjacent church. An area of public open space is proposed at the entrance to the site, at the junction of the spine road, which it is considered would create an attractive feature for people entering the development.

The dwellings would consist of detached, semi-detached and terraced properties. The designs are considered to be acceptable, subject to the use of appropriate materials in their construction and this could be controlled by condition should the application be approved.

Landscaping and Trees

None of the trees within the site are subject to Tree Preservation Orders; however some of the specimens are very prominent. The layout as originally submitted caused concerns in relation to the impact that retained trees would have on the future amenities of the proposed dwellings and where buildings would be within tree root protection zones or too close to boundary hedges, as such an amended layout was sought. The amendments have increased the separation distances between the properties sited near the lines of Poplar trees on the boundary with Astbury Mere Country Park. The Senior Tree and Landscape Officer still has concerns over the impact that these trees would have on the amenities of these properties but accepts that the relationship has been improved. She considers

that these trees are not in keeping with the local landscape character or suitable for long term retention but do provide valuable screening to the site. They are not within the control of the applicants so it will be important to ensure that appropriate planting is secured by condition should planning permission be granted.

The planting proposed on the frontage of the site, adjacent to Newcastle Road, is not considered to be an appropriate replacement for the existing hedgerow and it is recommended that alternative landscaping is secured by condition. The hedgerow does not fall under the relevant criteria of the Hedgerow Regulations 1997 in archaeological terms and a response is awaited from the Cheshire Record Office in relation to the Hedgerow Regulations.

On balance it is considered that suitable landscaping for the proposal can be achieved and it is recommended that this be controlled by conditions should the application be approved.

Flood Risk, Contamination and Drainage

The Environment Agency were consulted on the application and considered it acceptable subject to conditions. The conditions would address the issues of surface water run off and land contamination and it is considered that subject to the implementation of the requirements of these conditions, the proposal would be acceptable in terms of flood risk and remediation of the site (if it is found to be necessary).

Having regard to drainage, United Utilities have no objections to the development provided the site is drained on a separate system, with only foul drainage connected into the foul sewer. Subject to the submission, approval and implementation of a detailed scheme, drainage of the site is considered to be acceptable.

Contributions

The application includes an undertaking for the provision of 15 affordable homes within the site as agreed following negotiations with the Housing Officer. These would consist of 5 two bedroom and 3 three bedroom homes for social rent and 7 three bedroom homes for open market discount (30%) sale. Supplementary Planning Document 6: Affordable Housing and Mixed Communities, requires 30% of the development to be classed as affordable housing in line with the definition in Planning Policy Statement 3: Housing and the Housing Manager is satisfied with the level of provision put forward. In addition the proposal also meets the requirement to be 50% social rented and 50% discounted for sale.

The Strategic Planning Officer states that the proposal does not provide the level of affordable housing required by Supplementary Planning Document 6, (Affordable Housing and Mixed Communities). The level to be provided would be 28%, however as the Housing Officer is satisfied with the level of provision and given the current economic climate, it is considered that this small shortfall (2%) is acceptable.

Provided that the developers and the Registered Social Landlord chosen to manage the social rented properties enter into a Section 106 Agreement securing the provision and retention of the affordable housing, it is considered that this renders the proposal acceptable in terms of the provision of affordable housing.

The Greenspaces Officer has assessed the proposal and states that due to the size of the development, it would be inappropriate to provide a large enough area of public open space within the development to offset the deficiency of provision set out by the adopted local standards in the Council's Open Space Study for both Amenity Green Space and Children and Young Persons provision. As such commuted sums would need to be secured by Section 106 Agreement and these are fully explained in the consultation response from the Greenspaces Officer. In summary they would comprise a sum of £9,033.93 for enhanced provision of Amenity Greenspace, with £20,220.75 for maintenance and £51,044 for maintenance of a small Local Equipped Area for Play, the specification of which should be agreed with the Council.

The Astbury Mere Trust has requested that they are granted Section 106 monies to offset the running costs of the Trust; however as the Trust is a private Limited Company and a registered charity and is not part of the development site, it would not meet the requirements of the Act. As such it would not be possible to acquiesce to this request.

12. CONCLUSIONS

In conclusion, it is considered that the proposal meets the requirements of the national policy and the development plan in terms of the issues addressed above and therefore approval of this application is recommended subject to the following conditions.

13. RECOMMENDATION

APPROVE subject to the signing of a Section 106 Agreement and the following conditions

- 1. Commence development within 3 years**
- 2. Development in accordance with agreed drawings**
- 3. Submission of details/samples of external materials**
- 4. Submission and implementation of a scheme of tree protection measures**
- 5. Submission and implementation of a method statement for construction in relation to trees and landscaping on the site**
- 6. Submission and implementation of a scheme of landscaping of the site**
- 7. Submission and implementation of details of boundary treatments**
- 8. Submission of a detailed drainage scheme**
- 9. Limits on hours of construction**
- 10. Limits on hours of piling**
- 11. Submission of detailed access and junction plans**
- 12. The dwellings shall not be occupied until the access and junction are completed in accordance with the approved details**
- 13. Omission of the lateral deflections on the submitted layout plan**

- 14. Submission of surveys and mitigation methods for the protection of breeding birds**
- 15. Submission of details of features for breeding birds and bats**
- 16. Submission of details of Local Equipped Area of Play**
- 17. Submission of scheme to limit surface water run-off**
- 18. Submission of a scheme to manage flood risk**
- 19. Submission of a scheme to deal with the risks associated with contamination on the site**
- 20. Submission of a scheme of acoustic measures required to protect the amenities of future occupiers**



This page is intentionally left blank

Planning Reference No:	10/1179C
Application Address:	14 Smithfield Lane, Sandbach.
Proposal:	Demolition of Existing House and Erection of 7No. 3 and 4 Bedroom Houses. Resubmission of Application No. 09/3069C (determined 13 th November 2009).
Applicant:	Mr S Bourne, Brighthouse Homes (Sandbach) Ltd
Grid Reference:	376430 360684
Application Type:	Full Planning Permission
Ward:	Sandbach East and Rode
Registration Date:	26 th April 2010
Earliest Determination Date:	14 th June 2010
Expiry Date:	21 st June 2010
Date report Prepared	18 th June 2010

SUMMARY RECOMMENDATION

Approve with conditions.

MAIN ISSUES

- Principle of the development
- Highways
- Design, layout and scale
- Density
- Impact on the amenities of neighbouring properties

1. REASON FOR REFERRAL

Called in by Councillor E Alcock on the grounds that:

The previous application failed under GR1, GR2, GR6 and GR9. The new application still contravenes GR1, especially i. design, ii. landscape, v. traffic generation, vii. open space provision. GR2, especially i. A and D, ii. A, B, C and D and all of iii and greatly contravenes GR6.

The significant concerns are as follows:

Overdevelopment, no open space provision, not in character with surrounding properties, height is a great concern, overbearing to adjoining properties, loss of privacy, sunlight and daylight, visual intrusion, noise and pollution, traffic, extra parking on well used road.”

2. PREVIOUS MEETING

At the Planning Committee meeting held on 30th June 2010, members resolved to defer this application in order to undertake a site visit.

Since the original report was prepared a further four letters of objection were received raising similar concerns to those already laid out below. In addition a letter has been received from the purchasers of 12 Smithfield Lane stating that having checked with Land Registry it appears that their side and rear boundaries are not designated and saying that they will contact the developers regarding boundary treatments. They also point out that there is an electricity pole that may have to be moved to allow the development to take place.

3. DESCRIPTION AND SITE CONTEXT

The application site is currently occupied by a bungalow with a large rear garden situated on the eastern side of Smithfield Lane. It is located within the Settlement Zone Line of Sandbach. The surrounding development is residential.

4. DETAILS OF PROPOSAL

The proposal is for seven dwellings, five to the rear of the site and two facing onto Smithfield Lane. Access would be taken from Smithfield Lane. A block of three garages would be sited to the rear of 12 Smithfield Lane. A small area between the access road and 12 Smithfield Lane is proposed for placing bins and recycling on collection day.

Plots 1 and 2 would face onto Smithfield Lane and would be semi-detached dwellings. Plots 3 to 7 would be five bedroom properties, with four bedrooms at first floor level and the master bedrooms accommodated in the roof space.

5. RELEVANT HISTORY

09/3069C 2009 Refusal for demolition of existing house and erection of 7 dwellings

6. POLICIES

National Guidance

PPS3 – Housing

Congleton Local Plan 2005

The site is not allocated in the Local Plan but the following policies apply:

PS4 – Towns

H1 & H2 – Provision of New Housing Development

GR1 – New Development

GR2 & GR3 – Design

GR6 – Amenity and Health

GR9 – Parking and Access

SPG2 – Provision of Private Open Space in New Residential Developments

7. CONSIDERATIONS

Environmental Health:

I have taken the opportunity to examine the above application and would like to make the following comments:

Prior to commencement of development

Contaminated land observations

- (a) A contaminated land Phase 1 report shall be submitted to, and approved in writing by the Local Planning Authority (LPA).
- (b) Should the Phase 1 report recommend that a Phase 2 investigation is required, a Phase 2 investigation shall be carried out and the results submitted to, and approved in writing by the LPA.
- (c) If the Phase 2 investigations indicate that remediation is necessary, a Remediation Statement including details of the timescale for the work to be undertaken shall be submitted to, and approved in writing by, the LPA. The remedial scheme in the approved Remediation Statement shall then be carried out in accordance with the submitted details.
- (d) Should remediation be required, a Site Completion Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the first use or occupation of any part of the development hereby approved.

Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to site users or neighbours during the course of the development and to comply with Policy NR6 of the adopted Congleton Borough Local Plan First Review

Construction phase of development:

Protection from noise during construction (hours of construction)

The hours of construction (and associated deliveries to the site) of the development shall be restricted to 08:00 to 18:00 hours on Monday to Friday, 08:00 to 13:00 hours on Saturday, with no work at any other time including Sundays and Public Holidays.

Reason: To protect the amenities of nearby residents and the occupiers of nearby property in accordance with Policies GR2 and GR6 of the adopted Congleton Borough Council Local Plan First Review 2005.

Pile Driving

Details of the method, timing and duration of any pile driving operations connected with the construction of the development hereby approved shall be approved in writing by the Local Planning Authority prior to such works taking place and shall be implemented in accordance with the approved details.

Reason: In the interests of amenity, having regard to the location of the site in accordance with policies GR2 and GR6 of the adopted Congleton Borough Council Local Plan First Review 2005.

Vehicle Movements

Due to the development taking place amongst residential properties, heavy goods vehicles should be restricted and shall only access the site from 9 am to 5 pm Monday to Friday and 9 am to 1 pm on a Saturday. Therefore prohibiting overnight parking and early morning deliveries so reducing any unnecessary disturbance.

Highways:

The Strategic Highways Manager has assessed this application and offers the following comments:

Condition: Prior to first development the developer will provide a detailed design and construction specification plan of the proposed access for the approval of the LPA.

Condition: Prior to first development the developer will substantially construct the access (to exclude wearing course) so that an appropriate level of access is provided for the site construction. This will form part of the off-site highway works.

Condition: Prior to first occupation the proposed access will be completed and any remedial works to the partially completed access will be rectified. This will form part of the off-site highway works.

Informative: Prior to first development the developer will enter into and sign a Section 278 Agreement under the Highways Act 1980 to protect CEC Highway Authority against Part 1 Claims.

Senior Landscape and Tree Officer:

The layout has only minor amendments to the layout from the previous submission 09/3069C and therefore my previous comments are replicated below with some minor changes. The site contains a number of trees and there are some lengths of hedge. The submission includes a tree survey report, which covers the site and adjacent land. (The survey is dated August 2008. I suggest the consultant arboriculturalist be requested to provide a statement confirming whether or not the findings are still valid). The majority of the trees and hedges are given relatively low ratings in the report although it is important to note that two Oak trees in the north eastern corner (one off site, one in the site), are given higher grades.

As a minimum the development as proposed would require the removal of some existing lengths of hedgerow and an Apple tree of relatively low value. The lengths of hedge which would be lost are not significant and subject to replacement planting I have no objection. Plot 7 and the adjacent garages are very tight to the southern boundary and greater separation would be preferable to ensure retention of the boundary hedge.

Whilst a young Oak is shown for retention in the garden of plot 3, (Grade B1), I consider this tree could not reasonably be retained in the long term in the situation. The loss of this tree would be regrettable although I do not consider it to be so prominent to wider public view as to merit TPO protection.

The form of development proposed appears to be out of keeping with the character of the surrounding area.

In the event the application is deemed acceptable, I recommend tree and hedge protection conditions together with landscape conditions.

Nature Conservation Officer;

No significant impacts identified.

8. VIEWS OF TOWN/PARISH COUNCIL

Members were unanimous in **objecting** to this application as it contravenes Policies GR1 and GR2 through detracting from the character and appearance of the area. In addition the proposed development would result in the erection of new dwellings in close proximity to, and directly overlooking, rear gardens of the adjoining properties. The proposed development would therefore result in overbearing development and loss of privacy thereby having a harmful effect on residential amenity. The proposals are therefore contrary to the Congleton Borough Local Plan as policy GR6 seeks to ensure that proposals would not have an unduly detrimental effect on amenity due to i) loss of privacy and iii) visual intrusion.

9. OTHER REPRESENTATIONS

20 representations have been received relating to this proposal expressing concern over the following issues:

- Highway safety
- Increase in traffic movements
- Drainage
- Loss of light
- Loss of privacy
- Visual intrusion
- Overdevelopment
- Size of the dwellings
- Density
- Out of character with the area
- Lack of need for the dwellings
- Loss of a green space
- No provision of open space
- Impact of construction traffic
- Increase in noise levels
- Loss of trees
- Inadequate parking provision
- Extra bins creating disruption on pavements
- Proposed bin area could lead to smells and vermin
- Boundaries
- Existing power lines

10. APPLICANT'S SUPPORTING INFORMATION

- Design and Access Statement, detailing the design rationale supporting the application

- Tree Survey Report
- Report on Bat Survey

11. OFFICER APPRAISAL

Principle of Development

The site is designated as being within the Settlement Zone Line of Sandbach where there is a general presumption in favour of development provided that it is in keeping with the scale and character of the town. One of the key considerations is whether the development complies with the relevant local plan policies.

The development would be on garden land and the Government has recently made an announcement stating that this would no longer be classified as brownfield. However the development should still be determined against the criteria set out in the adopted Congleton Borough Local Plan First Review that does not have a saved policy relating to backland development.

Highways

Several of the objectors have expressed concerns relating to highway safety, traffic generation and parking provision. It is noted however that the Strategic Highways Manager has not objected to the proposal, subject to conditions being imposed. These conditions would ensure that detailed drawings of the access should be approved prior to the commencement of development, the access must be substantially constructed prior to the construction of the dwellings and the access must be completed prior to the occupation of the dwellings. It is therefore considered that a refusal on the grounds of adverse impact on highway safety could not be sustained.

Design, Layout and Scale

The proposal is for seven dwellings; five to the rear of the site and two facing onto Smithfield Lane. Access would be taken from Smithfield Lane. A block of three garages would be sited to the rear of 12 Smithfield Lane. A small area between the access road and 12 Smithfield Lane is proposed for placing bins and recycling on collection day.

Plots 1 and 2 would face onto Smithfield Lane and would be semi-detached dwellings. Plots 3 to 7 would be five bedroom properties, with four bedrooms at first floor level and the master bedroom accommodated in the roof space.

Following the refusal of the previous application, some changes have been made to the proposal and a detailed assessment of the character and style of the properties, in relation to those in the surrounding area, has been submitted. This highlights that there are properties in close proximity to the site that consist of many different designs and a variety of sizes. These include the two new dwellings at the end of Mill Row that are situated on the southern boundary of the site. These are large detached dwellings with rooms in the roof. To the east Booth Avenue contains detached properties and Smithfield Lane contains a mixture of bungalows and two storey properties.

Density

The proposal would provide a development equivalent to a density of 40 dwellings per hectare. Following the Ministerial announcement on 9th June 2010 PPS3 no longer specifies a minimum density for housing development. Local authorities now have the flexibility to decide what density would be appropriate. Having regard to this proposal, the surrounding development does not have a uniform density of development and therefore the density of the proposal is considered to be acceptable.

Impact on Existing Amenity Levels

Having regard to neighbouring amenity, the properties at the rear of the site would face the rear elevations on Booth Lane. All of five of these dwellings would be in excess of 23 metres away from the properties on Booth Avenue, which exceeds the requirements set out in SPD2 (Private Open Space). These are the dwellings that would have the master bedroom in the roof, however the rear roof slope would only contain a rooflight, which would not cause detriment to residential amenity through overlooking.

The dwellings proposed for Plots 1 and 2 would be adjacent to 16 Smithfield Lane, and this property has two small windows in the ground floor, side elevation. The proposed dwelling on Plot 2 would have a landing and a hall window facing this side elevation and it is not considered that these would have any significant impact on the residential amenities of this property.

Amenity Levels of Future Occupiers

Having regard to the amenities of future occupiers of the proposed dwellings, it is considered that the usable amenity space provided for each dwelling would be in compliance with SPD2 and would be acceptable.

As discussed above, the new dwellings would be sited in such a way as to meet the required separation distances set out in SPD2. It is considered however, that Permitted Development Rights should be removed from the proposed dwellings, as future extensions could have the potential to be detrimental to residential amenity.

Landscaping

The application contains a Tree Survey Report which gives relatively low ratings to the majority of trees and hedges on the site, other than two Oak trees in the north eastern corner, one of which is not in the control of the applicants. Some lengths of hedgerow would be lost, as would an Apple tree, however it is considered that subject to the submission of an acceptable landscaping scheme the site could be landscaped successfully. It is therefore considered that conditions should be imposed requiring the submission of details of tree protection, landscaping and boundary treatments in order to ensure appropriate landscaping of the site.

12. CONCLUSIONS AND REASONS FOR THE DECISION:

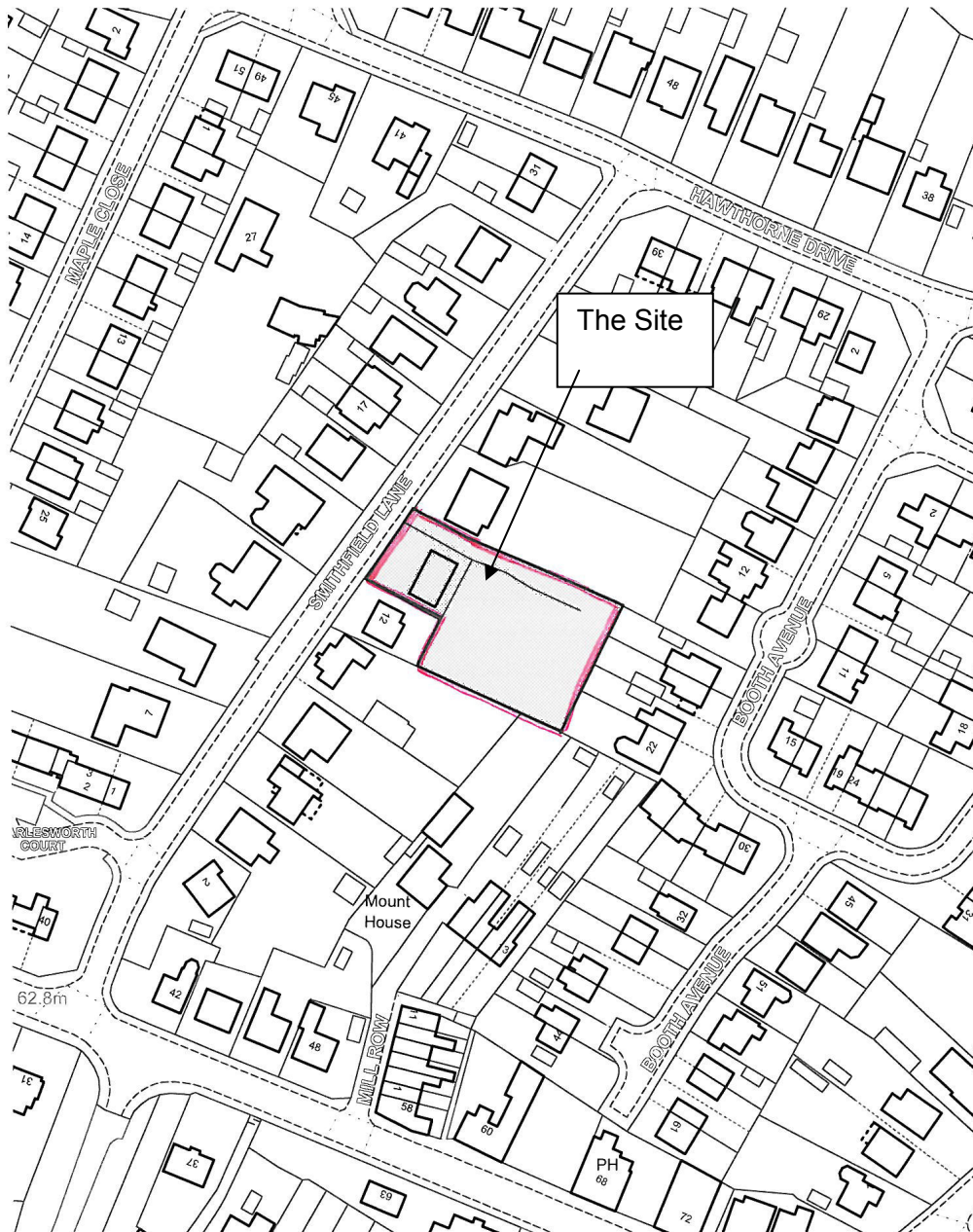
In conclusion, it is considered that the proposal meets the requirements of the national policy and the development plan in terms of the issues addressed above and therefore approval of this application is recommended subject to the following conditions.

13. RECOMMENDATION:

Approve subject to the following conditions

- 1. Commence development within 3 years**
- 2. Development in accordance with agreed drawings**
- 3. Removal of permitted development rights**
- 4. Submission of details/samples of external materials**
- 5. Submission of detailed drainage scheme**
- 6. Submission of a Phase 1 contaminated land survey**
- 7. Limits on hours of construction**
- 8. Limits on hours of piling**
- 9. Submission of detailed access and junction plans**
- 10. Submission of landscaping scheme**
- 11. Implementation of landscaping scheme**
- 12. Submission of details of boundary treatments**
- 13. Tree protection scheme**

Location Plan: Cheshire East Council Licence No. 100049045



This page is intentionally left blank

Planning Reference No:	10/1125N
Application Address:	Aston Lower Hall, Dairy Lane, Aston Juxta Mondrum CW5 6DS
Proposal:	Proposed Agricultural Hay, Straw and Farm Implements Storage Building
Applicant:	Mr J Thomasson
Application Type:	Full Planning Permission
Grid Reference:	363967356575
Ward:	Cholmodeley
Earliest Determination Date:	5 July 2010
Expiry Dated:	27 August 2010
Date of Officer's Site Visit:	1 July 2010
Date Report Prepared:	2 July 2010
Constraints:	Wind Turbine Dev Consultation Area

SUMMARY RECOMMENDATION

APPROVE (subject to conditions)

MAIN ISSUES

Impact of the development on:-

- Neighbouring Residential Amenity
- The Character And Appearance Of The Open Countryside
- Highway Safety
- Protected Species

1. REASON FOR REFERRAL

This application is to be determined by the Southern Area Planning Committee because the floor area of the proposed building is between 1,000 -9,999 square metres.

2. DESCRIPTION OF SITE AND CONTEXT

The site measures 9.1ha and is an operational dairy farm characterised by portal framed buildings and traditional farm buildings. The planning history for the farm refers to planning permissions and GPDO determinations for previous agricultural buildings, which have resulted in an L-shape farm complex.

There is a stream running through the farm complex approximately 50m north east of the proposed building and the site lies within the open countryside.

There is a pond approximately 300m from the proposed storage building.

3. DETAILS OF PROPOSAL

The building would be sited to the rear (north) of the existing cubicle building which houses cattle; the building would measure 92m x 43m have a floor area of 3956 sq. m and would reach a height of 11m to the apex of the roof and 4m to the eaves height.

The building would be constructed of reinforced concrete walls with tanalized space boarding the doors would be metal sheeted and the roof would be constructed of grey profile sheets. The building would be used for the storage of agricultural machinery and feed. The design also incorporates strip rooflights.

4. RELEVANT HISTORY

P07/0152 cattle shed approved 11/04/2007

5. POLICIES

The development plan includes the North West of England Plan Regional Spatial Strategy 2021 (RSS) and the Congleton Borough Local Plan First Review 2005.

The relevant development plan policies are:

Regional Spatial Strategy

DP1 – Spatial Principles

DP2 – Promote Sustainable Communities

DP4 – Make the Best Use of Existing Resources and Infrastructure

DP7 – Promote Environmental Quality

Local Plan Policy

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Access and Parking)

NE.2 (Open Countryside)

NE.14 Agricultural Buildings that Require Planning Permission

NE.5 (Nature Conservation and Habitats)

NE.9 (Protected Species)

Other Material Considerations

Planning Policy Statement 1 (Delivering Sustainable Development)

Planning Policy Statement 9 (Biodiversity and Geological Conservation)

6. CONSULTATIONS (External to Planning)

Strategic Highways Manager: no comments received at time of writing report

7. VIEWS OF THE PARISH COUNCIL

No comments received at time of writing report

8. OTHER REPRESENTATIONS

No comments received at time of writing report

9. APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement produced by MJ & MC Thomasson

- The proposed building is to be used for storage of farm machinery, seed, feeding concentrates and straw;
- Machinery currently stored outside;
- Building would enable bulk buying of feed and secure store for farm equipment;
- Building to be sited on grazing land adjacent to existing buildings and hidden behind existing buildings from the public highway;
- Dig into ground contours to lessen the visual impact;
- Access via existing farm entrance;
- Construct building using same materials used on existing buildings i.e. steel framed, fibre cement roof and clad with wooden boarding.

Protected Species Survey produced by N Baskerville

- Habitat Suitability Index indicates that Pond A is of poor suitability for Great Crested Newts due to the presence of wildfowl and fish;
- Pond B is of average potential but is unlikely to support a large breeding population due to the low cover of aquatic vegetation;
- Unlikely proposed development will have a negative impact on potential GCN population;
- Precautionary measures suggested.

10. OFFICER APPRAISAL

Principle of Development

The principle of building an agricultural building that is essential for the purposes of agriculture is acceptable in the open countryside and accords with Policy NE.2 (Open Countryside). The requirement for the new building is in respect of an existing agricultural operation; the building will keep the machinery secure and will enable the bulk buying of feed which will facilitate the efficient working of the farm and as such is essential to the operation of the farm. The key issues therefore are whether the proposed siting is appropriate in terms of safeguarding neighbouring amenities; the proposed siting, design and external appearance are appropriate in terms of safeguarding the appearance of the open countryside; and whether the proposed building would have an adverse impact upon protected species.

Amenity

The proposed siting of the agricultural building is considered satisfactory in relation to the nearest residential properties. The proposed storage building would be positioned adjacent to an existing cubicle building and therefore the impact would be no different given the distance to the nearest properties to the west or north of the farm complex (approximately 400 m). The building would be screened by the existing farm complex to the south and east. As such the proposal would not have a detrimental impact to surrounding residential amenities. Environmental Health has raised no objection.

Visual Impact upon Open Countryside

The proposed building is appropriately scaled and designed for its purpose, and would be in keeping with the adjacent agricultural buildings and would be complementary to the rural setting. The building would be of typical construction and include natural grey sheeting for the roof and timber clad boarding and concrete panels for the walls. The proposed location for the building would ensure that it would successfully relate to the existing cluster of buildings within the landscape and would therefore not appear as an alien or divorced feature within the open countryside. From the northern and western viewpoint the building would be read against the existing farm buildings. The proposed materials are appropriate and would help the building to blend into the surrounding landscape. The proposal therefore would have no further impact to the character and appearance of the surrounding open countryside than the current circumstance.

Highway Matters

The development would not generate additional traffic movements and would not adversely affect the existing access and parking arrangements. The proposal would utilise an existing access and would not have an adverse impact upon highway safety in the vicinity.

Protected Species

Ponds are suitable habitats for Great Crested Newts which are listed as a protected species under schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and the existing mature trees on the site are suitable habitats for Bats, Barn Owls and Breeding Birds. Protected species are considered to be a material consideration in the determination of a planning application, and therefore any impact must be considered and mitigated accordingly.

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or nesting places,

- In the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment and provided that there is
- No satisfactory alternative and
- No detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK implemented the Directive by introducing The Conservation (Natural Habitats etc) Regulations 1994 which contain two layers of protection

- A requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and
- A licensing system administered by Natural England.

Local Plan Policy NE.9 (Protected Species) seeks to prevent harm to protected species and their habitats.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. "This may potentially justify a refusal of planning permission."

PPS9 (2005) advises LPAs to ensure that appropriate weight is attached to protected species “Where granting planning permission would result in significant harm [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm. In the absence of such alternatives [LPAs] should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where significant harm cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused.”

PPS9 encourages the use of planning conditions or obligations where appropriate and again advises [LPAs] to “refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm.”

The converse of this advice is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

The results section of the survey indicates that the proposals would be unlikely to have a significant adverse impact upon protected species. The recommendations section of the report will be conditioned accordingly.

In conclusion, the proposals, if conditioned to be in accordance with the recommendations of the protected species survey, would not have an adverse impact upon protected species provided that there are no objections from the Council’s ecologist.

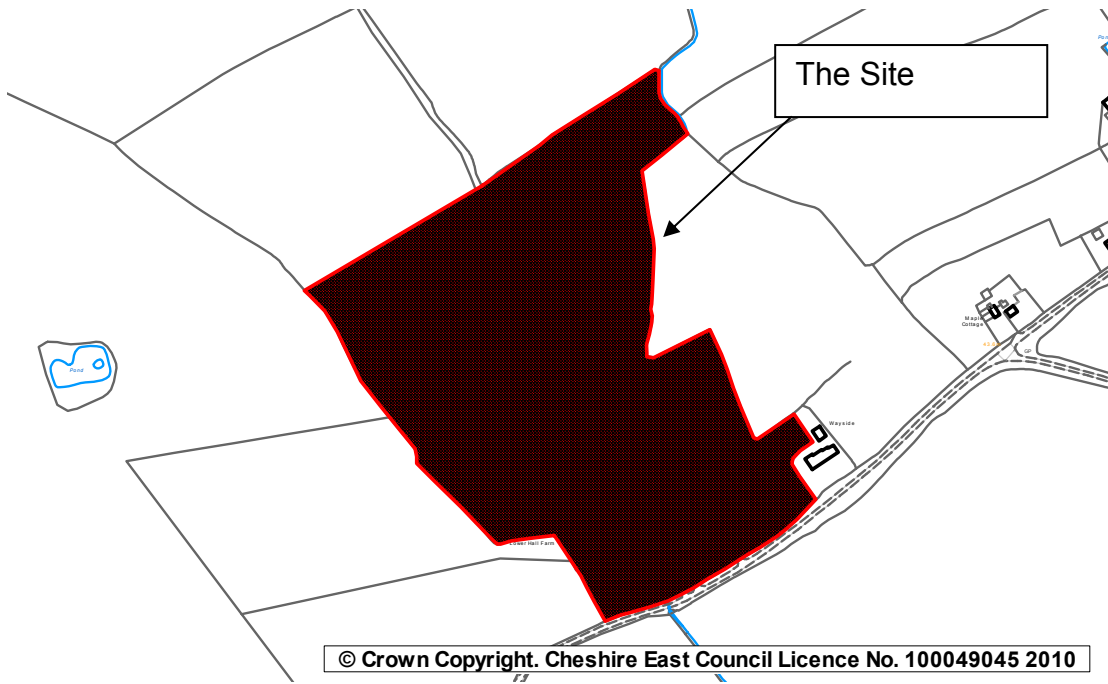
11. CONCLUSIONS

The proposed storage building represents essential development associated with an existing agricultural business which is considered an appropriate use within the open countryside. The building will be viewed in the context of the existing farm complex and would therefore not have an adverse visual impact upon the open countryside. In addition the proposals as conditioned will not have an adverse impact upon ecology and the proposals will have no discernable impact upon highway safety or neighbouring residential amenity.

12. RECOMMENDATIONS

APPROVE subject to conditions:

- 1. Commence development within 3 years**
- 2. Development in accordance with the Approved Plans**
- 3. Materials as specified in application forms**
- 4. Recommendations of Protected Species Survey to be implemented**



Planning Reference No:	10/1409N
Application Address:	Nova Court, West Street, Crewe, CW1 3JD
Proposal:	Construction of 18 New Town Houses
Applicant:	Wulvern Housing
Application Type:	Full Planning Application
Grid Reference:	369980356133
Ward:	Crewe East
Earliest Determination Date:	2 June 2010
Expiry Dated:	19 July 2010
Date of Officer's Site Visit:	30 June 2010
Date Report Prepared:	9 July 2010
Constraints:	

SUMMARY RECOMMENDATION

APPROVE subject to conditions and subject to the completion of Section 106 Agreement

MAIN ISSUES

- Principle of Residential Development
- Sustainability, Climate Change and Renewable Energy
- Highway Safety
- Design Standards
- Trees
- Amenity
- Community Use
- Affordable Housing
- Protected Species

1. REASON FOR REFERRAL

The proposals relate to a residential scheme of over 10 units and therefore the application is to be determined by the Southern Planning Committee under the terms of the Scheme of Delegation.

2. DESCRIPTION OF SITE AND CONTEXT

The site did comprise a disused property with some existing trees in generally poor condition. However, the site has since been completely cleared with the building demolished and trees and hardstanding removed. The site is now surrounded by construction fencing.

There were 17 trees on the site; all of these trees have been removed.

The site is within Crewe town centre and lies approximately half a mile to the west of the primary shopping area. It is rhombus-shaped with each side being approximately fifty metres long. The site is generally level and bounded by highway on all sides - West Street and Stafford Street being the two most prominent roads and Dewes Street which connects

them. West Street has a mix of one, two and three storey shops and residential buildings which are generally on the back edge of pavement.

St Paul's church is to the east of the site and there is a petrol station to the opposite corner of West Street and Stafford Street.

The built fabric along Stafford Street is more disjointed, with a mix of housing and larger buildings at varying distances from the pavement including Adelaide School which lies to the immediate east of the site. Dewes Street services the back of two storey social housing to the north of the site and an industrial building operating as a motor mechanic garage to the west.

Nova Court was a typical 1970's style two storey brick building with a mansard tiled attic storey culminating in a flat roof. The building had a cruciform plan with each of four wings containing eight sheltered housing units. Planning consent was granted in March 2006 for refurbishing the housing units in the northern half of the building and converting the southern half of the building into a café, information point and offices.

This refurbishment project was later abandoned in favour of re-developing the site for social housing. Nova Court has since been demolished and the site has been cleared.

There were formerly thirty two sheltered housing units for Wulvern Housing on the site.

There is a 2m wide pavement around the perimeter of the site, with a 1.35m front garden zone between the building and pavement.

3. DETAILS OF PROPOSAL

In summary the proposals relate to the erection of 18 town houses with 27 car parking spaces.

The following is to occur:

- Erect two blocks of townhouses; one would face Dewes Street and the other would face West Street with an unadopted access road sited between the two terraces. This would run from Dewes Street (west) to Stafford Street although vehicular access would only be available from Stafford Street. The access road measures 4.8m x 49m in length;
- The West Street block would comprise 4x 4bed townhouses with floor areas of 102 sq. m, 8 x 3 bed townhouses with floor areas of 94 sq. m;
- West Street block will measure 7.8m wide (excluding canopies), 48.5m in length, reaching a height of 8.3m;
- The Dewes Street block would comprise 4 x 3 bed townhouses with a floor area of 102 sq. m and 4 x 2 bedroom townhouses with a floor area of 88 sq. m;
- Dewes Street block would measure 7.8m wide (excluding canopies), 39m in length, reaching a height of 8.3m;
- The design incorporates green roofs, metal cladding, galvanised metal rainwater goods, glazed canopies over the entrance porches and timber framed windows and doors;
- Terraces are proposed on the rear elevations and galvanised metal lintels and green roofs to the rear canopies;
- 0.5m high low boundary wall to West Street, 0.9m high boundary wall to Dewes Street and Stafford Street.

Amended plans have been received. The main changes relate to:

- Altered window proportions
- Reduced height of third storey
- Additional windows to gable end
- Alteration from flat to sloping roof

4. RELEVANT HISTORY

7/03485- Category 2 sheltered accommodation comprising 31 dwellings approved 24/11/1997

P06/0077- change of use of part of building to community café and offices and associated alterations approved 7/3/2006

P07/1183- change of use of part of building to community café and offices with 20 sheltered accommodation units approved 19/10/2007

5. POLICIES

The development plan comprises the Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP)

The relevant development plan policies are:

Local Plan Policy

NE.5 (Nature Conservation and Habitats)

NE.9 (Protected Species)

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Access and Parking)

BE.4 (Drainage, Utilities and Resources)

BE.5 (Infrastructure)

RES.2 (Unallocated Housing Sites)

RES.3 (Housing Densities)

RES.7 (Affordable Housing)

TRAN.1 (Public Transport)

TRAN.3 (Pedestrians)

TRAN.4 (Access for the Disabled)

TRAN.5 (Provision for Cyclists)

TRAN.9 (Car Parking Standards)

CF.3 (Retention of Community Facilities)

Other Material Considerations

PPS3 Housing

PPS1 Delivering Sustainable Development

PPS1 Climate Change Supplement

PPS22 Renewable Energy

PPG24 Planning and Noise

SPD Development on Backland and Gardens

PPS9 Biodiversity and geological Conservation

6. CONSULTATIONS (External to Planning)

Environmental Health: None received at time of writing report

Highways: None received at time of writing report

Sustrans: None received at time of writing report

Landscaping: None received at time of writing report

7. OTHER REPRESENTATIONS:

None received at time of writing report

8. APPLICANT'S SUPPORTING INFORMATION

Tree Report and Survey; summary

- Most of the trees were either put into R category for removal or C category which means they have a low value;
- T1 and T2 were Flowering Cherries and were in poor condition;
- T3 Lime had a structurally weak fork;
- T11 and T13 Alders were also in very poor condition- these would normally be removed on the grounds of safety even if the development did not take place;
- Trees T3-T10, T12 and T14-T16 are all category C trees. This means that they were generally in poor condition or could be easily replaced by planting new trees in more suitable locations;
- T17 Sycamore was the only category B tree that would need to be removed. It was not of a high enough value to warrant an attempt to re-locate it;
- There would appear to be adequate room within the proposed development to plant suitable trees to enhance the site. These should be dealt with within as part of the landscape proposals for the site.

Bat and Bird Survey; summary

- No bats, barn owls, birds or evidence of said species was recorded from the external and internal surveys of the buildings;
- The proposed redevelopment would have no negative impact on barn owls, bats or birds as none were evident during this site scoping survey;
- Recommends installing bat and bird boxes, shrubs and climbers, plantation of native standard trees and that external lighting is downward facing.

Design and Access Statement; summary

- There are a variety of building types, fabrics and heights in the immediate vicinity of the site. West Street provides the most homogenous urban context;
- Extensive pre-application discussions with the Local Planning Authority and the design has been exhibited by Wulvern Housing to the local community;
- Acknowledge that Highways Dept preference is for 100% rather than 150% parking proposed;

- The site is clearly well suited to residential use being flanked by a mix of housing, community and retail facilities. The built up urban frontage proposed along West Street and Dewes Street would relate strongly to the immediate context of terrace type buildings and will reinforce the existing street scene;
- The site was formerly thirty two sheltered housing units for Wulvern Housing. Permission was granted in 2006 for refurbishment of the whole building with conversion of the front address to West Street into offices and café but this was not implemented. The previous building has since been demolished and the site cleared.

Noise Survey; summary

- West Street due to general road traffic conditions was identified as a main source of noise affecting the proposed dwellings;
- Adequate residential protection can be provided against typical road traffic events and emissions;
- Proposed development can easily meet minimum build standards required of current Building Regulations and with selective fitment of noise attenuation articles, allow a good standard of internal living;
- Condition could be applied to allow control over the implementation of basic noise attenuation.

10. OFFICER APPRAISAL

Principle of Residential Development

The application site constitutes previously developed land and is therefore a Brownfield site as defined by PPS3.

The site lies within the settlement boundary of Crewe where there is a presumption in favour of development. Policy RES.2 states that residential development on such sites is acceptable in principle.

Turning to density issues, para 50 of PPS3 states that the density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style or form. If done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment.

Notably, PPS3 does not set any density thresholds; policy RES.3 suggests that densities of 30-50 dwellings per hectare would be acceptable provided that the quality of the local environment is not compromised and that the higher level of density is achieved in locations where there is good access to public transport.

In this instance, the proposals achieve a density of 72 dwellings per hectare. Whilst this is over the density within the local plan, PPS3 is a material consideration and was published after the local plan was adopted and as such represents current thinking in respect of development densities.

Based on the above and given that the development would not appear to be shoe horned into the site and given the relative density of the environs, it is considered that the proposed redevelopment of the site for 18 town houses is acceptable in principle.

Sustainability, Climate Change and Renewable Energy

The properties have been designed to meet Code for Sustainable Homes Level 4. The proposed sustainability measures include the following:

- Green roof to encourage biodiversity, reduce the urban heat island effect and reduce storm water run-off;
- Flat roof form to simplify the installation and maintenance of photo-voltaic panels to provide renewable energy;
- Chimneys to enable passive stack ventilation, house vertical service runs and enable heat recovery or mechanical ventilation where required;
- The inclusion of a separate home office in the majority of units and an enlarged second floor bedroom allowing for office space in all other units;
- Enhanced thermal insulation to the building fabric;
- External washing lines, sheds, composting areas, covered porches and cycle storage within private garden areas;
- Good levels of natural light and ventilation to all rooms;
- Semi-abundant stairs with straight flights to ease access and simplify retro-fitting of stair lifts;
- Sourcing of local labour and sustainable materials where possible;
- Over-hanging eaves to provide solar shading and additional all-weather amenity space.

PPS1 places increasing importance on climate change and the importance of the inclusion of renewable energy measures within new development. The North West of England Regional Spatial Strategy required 10% of the energy needs of new housing developments to come from renewable energy sources. This spatial strategy has now been cancelled. However, national guidance still prioritises renewable energy measures and therefore the measures suggested above will be conditioned accordingly to promote development which contributes towards sustainability objectives.

Highway Safety

As a railway town, Crewe is well connected with frequent trains on main line routes. It is also easily accessible by road being close to the A500 and M6 motorway. Manchester airport is twenty seven miles away.

The application site is within Crewe Town Centre and therefore easily accessible on foot, by cycle and public transport. There is a bus stop on West Street immediately adjacent to the site.

27 car parking spaces were to be provided with three of these spaces in tandem and would be reserved for the 3 or 4 bedroom units situated on the corners. This has since been reduced to 18 spaces (one per unit), following on from the Council's Highways Department.

The access would have a 2 metre radius leading to a 4.2 metre wide lane (narrowed to discourage parking) with a 900mm service strip to each side for lighting and other services. All parking bays would be accessed directly from the lane and all cars would be able to turn and egress the site in a forward gear.

Following the reduction in the number of car parking spaces to 18 spaces (one per unit) the layout has been amended to include a turning head as requested by the Highways Manager and a cycle storage area. The layout as amended would encourage more sustainable methods of travel, ensure the development does not appear car dominated and provide a more appropriate layout in respect of highway movement and highway safety.

Design Standards

There are a variety of building types, fabrics and heights in the immediate vicinity of the site. West Street provides the most homogenous urban context. The prevailing character of the area is typified by Victorian terraces along West Street; these comprise two storey terraces which comprise shop fronts at ground floor level with bay windows above and often a third storey in the roofspace. There are also residential terraces comprising bay windows at ground floor level with smaller windows at first floor level and dormer windows in the roof. There is a regimented pattern to the streetscene and these Victorian terraces are tall buildings with projecting and recessed elements which add texture to the streetscene. Buildings are back of pavement and development is dense.

The scale and massing of the proposal is appropriate to this context. The adjacent three storey Victorian building on the corner of Adelaide Street and West Street has an eaves height which is similar to the height of the proposed town houses. There are other large scale existing buildings in the immediate area such as Adelaide Street School and St Paul's Church on West Street.

The central part of the site would be given over to amenity space and car parking. Each town house would have a private garden of approximately fifty square metres. The lower part of the building would be constructed from brickwork in response to the local vernacular. The top floor accommodation would be set back by approximately one metre on the street elevations and would be clad in metal to reduce impact and respond to the more varied roofscape of Crewe Town Centre. The development would have a green roof which is both an attractive and sustainable feature. The 1.35m garden zone would set the building back from the pavement. Good quality planting would soften the boundary and prevent the building from being too hard and close to the street.

The vertical emphasis of the entrance areas and the chimneys would provide a rhythm to the street elevations whilst breaking the elevations up into distinct and legible residential units. This would reflect the proportions and alignment of the Victorian terraces.

The top storey would be set back from the street by approximately one metre which would both reduce the scale of the town houses and unify the proposal.

Amended plans were received in response to officer concerns regarding the design of the proposals; the windows on the gable ends would provide visual interest to these gables which would be prominent to the streetscene; the provision of the sloped roof would respect the roof form of the Victorian terraces and would result in projecting and recessed elements which would add visual interest.

In conclusion, the design of these townhouses is a modern interpretation of the Victorian terraces present along West Street. The design and layout of the dwellings would respect the regimented and built up pattern of development along West Street. The detailing and proportions of the units are typical of the Victorian terraces, and the choice of materials

and unique design features such as the recessed third storey, green roof and sloping roof would introduce modern design features which would respect the historic character of the area. In so doing, the proposals would make a positive contribution to the character and appearance of the area.

Trees

A tree report was submitted as part of the proposals which indicated that the trees which have been removed were either diseased or of limited aesthetic value. Whilst the removal of these trees prior to the submission of the application is regrettable, the applicant did enter into pre-application discussions and the case officer did not consider that these trees were worthy of retention or had an amenity value which would warrant protecting the trees with a Tree Preservation Order.

As the tree report represents an accurate record of the trees that were present on the site, it is considered appropriate to include replacement tree planting within the garden areas of the units to ensure that greenery is provided to soften the urban edge of the development. Landscaping conditions will be incorporated within the decision notice in the event the application is approved.

Amenity

A commercial building is sited to the west of the application site and Adelaide Primary School is to the east. There are residential properties to the rear and a mix of shop units with flats above and residential properties opposite.

The SPD Development on Backland and Gardens suggests separation distances of 21m between principal windows. The proposals achieve 14m to the properties along West Street which is below this figure. That said, the relationship between the proposals and the properties to the front reflects the existing pattern of development within the locality; moreover this pattern is commonplace within the urban area of Crewe amongst its Victorian and Edwardian terraces. Whilst the proximity of the townhouses to the residential properties opposite would result in overlooking, given the existing pattern of development within the locality and the intimate nature of properties, it is not considered the development would have a detrimental impact upon neighbouring properties.

The separation distances between the two blocks is over 21m and the separation distances to 1-5 Dewes Street is 21m which accords with the guidance within the SPD.

Turning to garden space, the SPD suggests a minimum of 50 sq. M per unit. As the units would have in the region of 65 sq. M of private amenity space this is considered appropriate taking into consideration the built up nature of the location and the relative size of the units.

The proposals do not raise any overshadowing issues to principal windows of existing properties given the separation distances between the proposed units and existing properties. There would be no overshadowing of the gardens as these are in excess of 10m in length and given that the built form is restricted to the north and south aspects.

Turning to noise, a Noise Survey has been submitted as part of the application which indicates that whilst West Street does suffer from background noise due to road traffic this

can easily be mitigated with noise attenuation measures. These will be conditioned accordingly.

Community Use

The former Nova Court building was a community facility. That said this was a long term vacancy and had been periodically vandalised and as such this had an adverse impact both on the character of the area and the wellbeing of the community. Moreover it should be noted that the loss of this community facility was considered acceptable in 2007 when permission was granted for Change of Use into Community Cafe and Offices with 20 Sheltered Accommodation Units.

In any event, this is a moot point given that the building has already been demolished.

For the reasons above it is considered that the proposals do not facilitate the loss of a community facility which contributes to the prosperity of the community.

Affordable Housing

Policy RES.7 as modified states that affordable housing targets on windfall sites will be 35%. The scheme proposed shows 18 units. 35% of 35 is 6.3 equating to 6 units. The applicant is a Housing Association and therefore all the units would be affordable. The policy also requires that account is taken of the need to provide rental and subsidised units.

The developer has not indicated whether the units to be provided will be for rent or shared ownership. Clarification from the applicant has been sought in this regard.

However Housing Officers have indicated on other schemes that subsidised units are 'out of reach' of many people in housing need living in Crewe due to the rising cost of living, incomes and the recent downturn in the economy.

Wulvern Housing have submitted a draft section 106 Agreement which is currently being ratified by the Council's legal services department.

The proposals would include 4 four bed units and 12 three bed units and 4 two bed units which provides a mix of different accommodation types which accords with the Housing Needs Survey 2005.

The section 106 agreement will require the provision of 6 affordable units for rent or shared ownership (subject to stair casing), on the site as detailed above along with the following;

- A trigger for delivery of the affordable housing;
- A 'cascade' will need to be included to ensure that first priority is given to those in housing need who are resident in or who have connections to the wards of Crewe (wards of Alexandra, Coppenhall, Delamere, Grosvenor, Leighton, Maw Green, St Barnabas, St Johns, St Marys, Valley, Waldron, Wells Green, Willaston, Wistaston Green) followed by the whole of the former Borough of Crewe and Nantwich area;
- Provision for nomination rights to be given to Cheshire East Borough Council;
- The affordable units shall be units to rent, subject to a rent which is accepted as affordable by the Homes and Communities Agency for the Borough area which shall, so

far as the law allows, exclude any right which the lessee may otherwise have to acquire the freehold or long leasehold interest in such units.

Protected Species

The trees were suitable habitats for Bats and Barn Owls which are listed as a protected species under schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Protected species are considered to be a material consideration in the determination of a planning application, and therefore any impact must be considered and mitigated accordingly.

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or nesting places,

- In the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment and provided that there is
- No satisfactory alternative and
- No detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK implemented the Directive by introducing The Conservation (Natural Habitats etc) Regulations 1994 which contain two layers of protection

- A requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and
- A licensing system administered by Natural England.

Local Plan Policy NE.9 (Protected Species) seeks to prevent harm to protected species and their habitats.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. "This may potentially justify a refusal of planning permission."

PPS9 (2005) advises LPAs to ensure that appropriate weight is attached to protected species "Where granting planning permission would result in significant harm [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm. In the absence of such alternatives [LPAs] should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where significant harm cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused."

PPS9 encourages the use of planning conditions or obligations where appropriate and again advises [LPAs] to "refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm."

The converse of this advice is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

The ecologist's report indicates that the development would not have an adverse impact upon bats, barn owls or breeding birds but recommends as best practice, installing bat and bird boxes, shrubs and climbers, plantation of native standard trees and that external lighting is downward facing. His recommendations will be conditioned accordingly.

In conclusion, the proposals, if conditioned to be in accordance with the recommendations of the protected species survey, would not have an adverse impact upon protected species provided that there are no objections from the Council's ecologist.

11. CONCLUSIONS

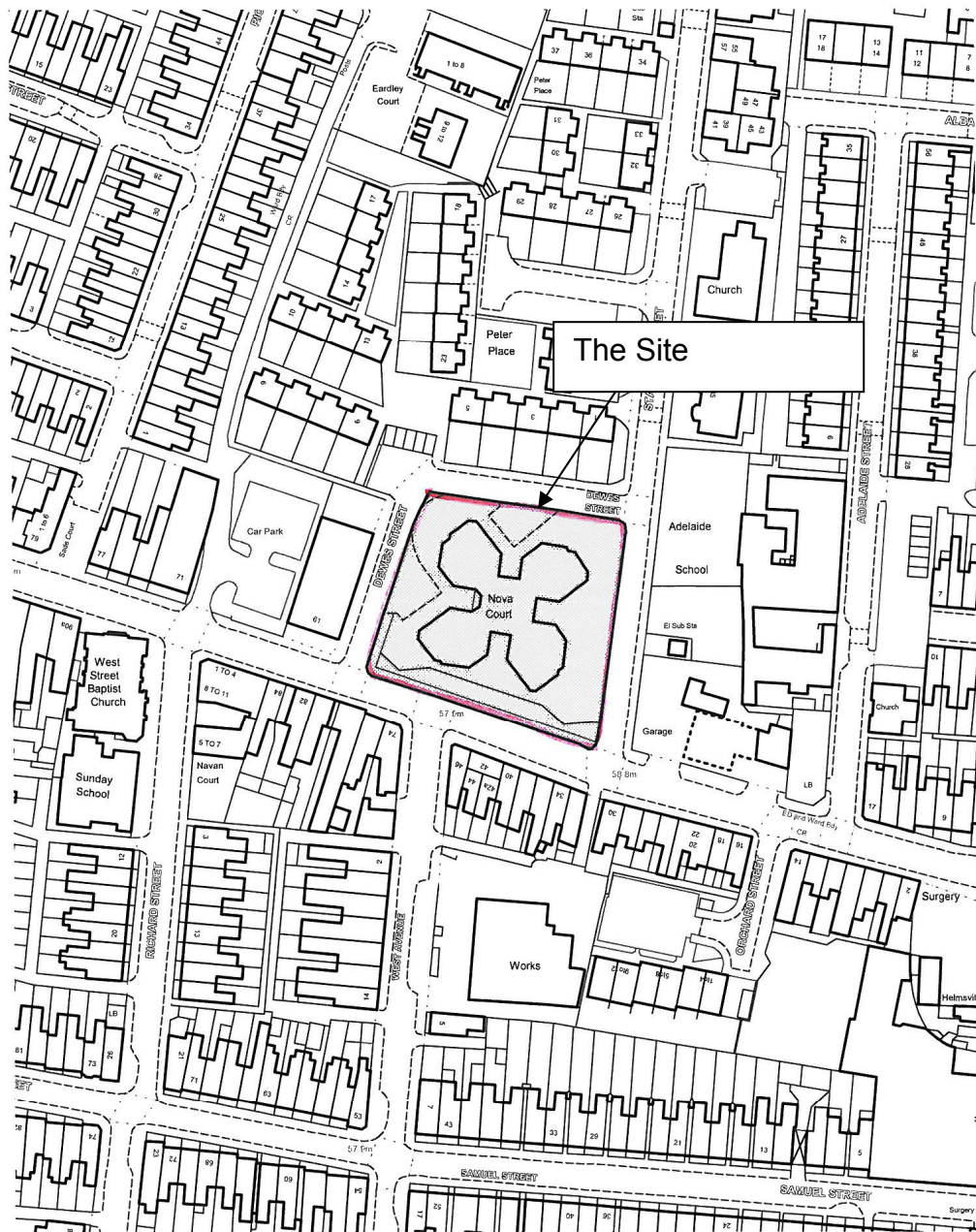
In conclusion the site lies within the settlement boundary of Crewe where there is a presumption in favour of development. The design is modern but respects the character of the area and would make a positive contribution to the character of the area by redeveloping a vacant site. In addition the scheme would not have a significant adverse impact upon neighbouring residential amenity, the amenities of future occupants, highway safety, protected species or nature conservation. In so doing the proposals therefore accord with policies NE.5 Nature Conservation and Habitats, BE.1 Amenity, BE.2 Design Standards, BE.3 Access and Parking, BE.4 Drainage, Utilities and Resources, BE.5 Infrastructure, RES.2 Unallocated Housing Sites, RES.3 Housing Densities, RES.7 Affordable Housing, TRAN.1 Public Transport, TRAN.3 Pedestrians, TRAN.4 Access for the Disabled, TRAN.5 Provision for Cyclists, TRAN.9 Car Parking Standards and CF.3 Retention of Community Facilities of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

12. RECOMMENDATIONS

APPROVE subject to the completion of Section 106 Agreement and subject to the following conditions:

- 1. Commence development within 3 years**
- 2. Submission of sample materials**
- 3. Development in accordance with the approved plans**
- 4. Removal of all permitted development rights**
- 5. Submission of boundary treatment details**
- 6. Submission of sample surfacing materials**
- 7. Submission of noise attenuation details**
- 8. Implementation of renewable energy measures as specified**
- 9. Submission of landscaping plan**
- 10. Implementation of landscaping plan**
- 11. Car parking and turning head shown on plans to be provided and maintained**
- 12. Submission of cycle parking and bin storage details**
- 13. Implementation of mitigation measures specified within protected species survey**
- 14. Submission of drainage details**

Location Plan: Cheshire East Council Licence No. 100049045



Planning Reference No:	10/1551N
Application Address:	Audlem Country Home, School Lane, Audlem
Proposal:	Extension in Time Limit for P05/0007 Relating to Extensions and Alterations to Existing Care Home to Provide Self Contained Accommodation for the Elderly.
Applicant:	Keenrick Nursing Homes
Application Type:	Extension in time for outline permission
Grid Reference:	366090 343572
Ward:	Cholmondeley
Earliest Determination Date:	7 th July 2010
Expiry Dated:	26 th July 2010
Date of Officer's Site Visit:	8 th July 2010
Date Report Prepared:	8 th July 2010
Constraints:	Wind Turbine consultation area

SUMMARY RECOMMENDATION

Approve subject to conditions

MAIN ISSUES

- Principle of development
- Amenity
- Impact of the extensions on the character and appearance of the Listed Building, the Conservation Area and the locality
- Highway matters
- Affordable housing

1. REASON FOR REFERRAL

This application is to be determined by the Southern Committee because planning permission is sought for 13 new-build dwelling units and the conversion of an existing building to an additional 9 units.

2. DESCRIPTION OF SITE AND CONTEXT

The site is an area of sloping grass / garden land within the curtilage of Audlem Nursing Home which fronts Vicarage Lane. The site is bounded on the southern and western sides by timber post and rail and trellis fencing with boundary planting in the form of established hedging and trees. Breeze House, part of the existing accommodation, is located to the east and the existing home to the north. Audlem Nursing Home is based around the original Audlem Grammar School which has itself had many extensions at different times in its history. The land which is the subject of these extensions was at one time covered in buildings. The site is clearly seen from the public footpaths to the south but trees and hedges around the site screen views into the site for much of the summer when seen from Vicarage Lane, when close to the site.

The nursing home is a Grade II* listed building constructed in brick with a slate roof, the earlier part having been built in 1655 with the Headmaster's House added in 1770. Later nineteenth and twentieth century additions are also present. The modern extension to the main building is single storey and Breeze House, adjacent to the site entrance, is one and a half storey. The site is also within the Audlem Conservation Area and within the settlement boundary for Audlem.

3. DETAILS OF PROPOSAL

This is an application for an extension in time to the planning permission granted under reference P05/0007. In considering the application the Authority should consider whether there have been any material changes in circumstance since the original permission was issued, which would justify a different decision on the application.

The 2005 planning permission granted consent for one and a half and two storey extensions with one area, where the lift would be accommodated, rising to three storeys. The development seeks planning permission for a total of 22 new units some of which would be accommodated in the single storey extension on the west of the nursing home. However the application is also considered to be for a change of use from a C2 nursing home to a sui-generis use which would include fully nursed care and independent living units and also the facility for people living independently to receive some degree of care and nursing when required. In total the existing buildings and new accommodation would be fully refurbished to form accommodation for 17 residents with full care nursing who would be housed in the original nursing home, 3 residents in Breeze House and 28 residents in new or converted apartments. This would include 9 units created from the existing single storey accommodation and 13 in new build apartments. The extended nursing home would provide accommodation for a maximum of 48 residents.

It is anticipated that a maximum of 10 staff would be present at any one time and 24 hour care would be provided. There would be no resident warden or manager. A total of 20 car parking spaces would be provided to serve the development as a whole. This would provide an increase of 8 new spaces for the new development.

The development would be divided into small units, broken by gables with some elements set forward of others. The design includes dormer windows, balconies, bays and a galleried walkway at first floor level on the rear. This would overlook a garden area surrounded on three sides by built development. A lounge extension is also proposed to the existing single storey accommodation.

4. RELEVANT HISTORY

P05/0007 Extensions and Alterations to existing care home to provide self contained accommodation for the elderly. Approved 3rd May 2005

P05/0710 LBC for extensions and alteration to existing care home for self contained accommodation for the elderly. Approved 9th September 2005

P01/0543 Extension and detached building to provide additional accommodation. Approved 17th July 2001.

P01/0533 LBC for extension and detached building to provide additional accommodation. Approved 3rd August 2001

P98/0065 LBC for extensions to provide staff room, day room and three bedrooms. Approved 9th July 1998.

P98/0064 Extensions to provide staff room, day room and three bedrooms. Approved 10th June 1998.

P97/0982 LBC for single storey extension. Withdrawn.

7/15784 LBC for single storey extension. Approved 14th October 1988.

7/15783 Single storey extension. Approved 4th August 1988.

7/15246 Extension to nursing home. Refused 9th June 1988.

7/15247 LBC for a 22 bedroom extension to nursing home. Refused 9th June 1988

7/12212 LBC for 2 bed extension to nursing home. Approved 1st August 1985.

7/12212 Two bed extension to nursing home. Approved 1st August 1985

7/11196 Conversion to a 24 bed residential home for elderly. Approved 19th July 1984.

7/11197 Conversion to a 24 bed residential home for elderly. Approved 13th August 1984.

5. POLICIES

The development plan for this area is the Borough of Crewe and Nantwich Replacement Local Plan 2011.

Local Plan Policy

BE.1 (Amenity)

BE.2 (Design)

BE.3 (Access and parking)

BE.4 (Drainage Utilities and Resources)

BE.7 (Conservation Areas)

BE.9 (Listed Buildings: Alterations and Extensions)

BE.16 (Development and Archaeology)

RES. 4 (Housing in Villages with Settlement Boundaries)

RES.7 (Affordable Housing within Settlement Boundaries)

TRAN.9 and Appendix 8.1 (Car Parking)

Other Material Considerations

PPS1: Delivering Sustainable Development

PPS5: Planning for the Historic Environment.

PPG13: Transport

6. CONSULTATIONS

Strategic Highways Manager: No highway objections.

English Heritage: The application should be determined in accordance with local and national policy guidance and in consultation with the local conservation officer.

Conservation Officer: Given that this is an application for an extension in time the proposal raises no new issues. Conditions of the original permission should be repeated.

Archaeology: PPS:5 Planning for the Historic Environment has replaced PPG16 and the wording for the reason for the archaeological condition can be revised to accommodate the wording of the up to date policy.

Audlem and District Amenity Society: Re-iterate comments from 2005 namely:-

- Regret the loss of the green space which is an amenity for existing residents;
- Access will be a big problem during construction;
- Additional visitors' cars will add to congestion in the lane.

Ancient Monuments Society: No response at the time of writing this report.

Georgian Society: No response at the time of writing this report.

Head of Housing Strategy and Development: The Housing Needs Survey carried out in the Crewe and Nantwich Borough in 2005 shows there is a housing need in Audlem, including a need for new affordable elderly persons' accommodation. Also, the survey carried out by the Rural Housing Enabler, Bob Vass, in 2007 confirms the need for affordable housing in Audlem.

United Utilities: No objection subject to the site being drained on a separate system if possible, water meters to be provided at the applicant's expense.

Environment Agency: No response at the time of writing this report.

7. AUDLEM PARISH COUNCIL

Do not propose to make a representation.

8. OTHER REPRESENTATIONS:

One letter from a resident in Vicarage Lane, Audlem.

The representation notes that the sewerage system may be barely adequate for the existing complex.

9. APPLICANT'S SUPPORTING INFORMATION:

A Design and Access Statement was submitted with the original application and is resubmitted with this application.

Design and Access Statement (R W Woodward dated 2005)

The Design and Access Statement can be summarised as follows:-

- The 1989 extension now falls short of the standards required for care homes. All bedrooms must have a minimum of 12 sq m in area and have en-suite facilities. To accommodate this in the existing buildings would reduce the number of bedrooms from 39 to 26. However, the home cannot operate with the related reduction in income. It is therefore essential to add facilities to provide additional income to make the business viable;
- The alternative would be closure and loss of jobs with upheaval of the present residents, many of whom are frail;
- It has therefore been decided to improve the standards and adopt the new "care

homes" approach;

- Government advice indicates that 60 bedrooms are generally required for units to be viable. However it is considered that by offering a variety of styles of accommodation in an "assisted care" situation, viability can be achieved with 45 units;
- Cottage-style semi-independent living units are proposed which will create a "village feel", providing close-knit accommodation but retaining an element of watching at a discreet distance for those who may need this;
- The gables, dormers, varied ridge heights, narrow spaces, and irregular building forms are deliberately intended to suggest a village character;
- The Headmaster's House hides a large proportion of the original school building right up to roof level and Victorian additions have largely obscured the views of the north west elevation up to first floor level. Twentieth century additions hide the building even more;
- When the building was acquired by the owners many unattractive modern school buildings were removed and the roof rebuilt. The present lawns resulted from the demolition of the surplus buildings;
- Previous consent prior to acquisition by the present owner allowed for building over the whole site and other extensions have been permitted for the nursing home, some of which have not yet been implemented;
- The site has evolved organically throughout its history and many additions were added to the school but it is considered that of all the extensions which have been added over time the Headmaster's House was the most damaging;
- The property is located to the south east of Audlem Church conveniently close to the shops and village services for elderly persons;
- Many local residents are not aware of the home and this is considered to be due to the manner in which the existing buildings cluster around the 1655 school building so that only fleeting glimpses of it are seen;
- The exception to this is the view from public footpaths to the south east. This view will not be obscured by the proposed extensions;
- Breeze House on the southern site frontage to Vicarage Lane was constructed to a design using materials approved by the local planning authority and this will form the pattern for the proposed extension;
- In order to mitigate the effects of the new development on the original building when approaching from the south west and Vicarage Lane, it is proposed to provide an archway at the foot of a tower on the south western side of the development. A second view will be encountered between the proposed development and Breeze House. A further view will be afforded up the existing drive. This will create a series of snapshots of the older buildings rather than the gradual emergence of views which exist at present. However, there will be no view of the new development, say from the Stafford Street or Audlem Church, because the proposed development is of much lower height than the original buildings.

10. OFFICER APPRAISAL

Principle of Development

The site is located within the settlement boundary for Audlem in the Borough of Crewe and Nantwich Replacement Local Plan. The nursing home on the site is a Grade II* Listed Building. As such, Policy BE.9 of the Replacement Local Plan applies. However, the site is in the Conservation Area and Policy BE.7 also applies. There are no policies specific to residential institutions in the Replacement Local Plan but Policy RES.4 allows for new residential development in Audlem. General policies

BE.1-BE.4 are applicable to all new development. Policy TRAN.9 relates to parking requirements.

In summary, policies seek to ensure that extensions and alterations respect the scale, materials, colour, detailing and features of the listed building concerned and the conservation area, and do not detract from the character, appearance and setting, especially with regard to gardens, landscaping and impact on the street scene.

The original application did not specifically seek consent for a change of use. However, it was considered that the new units to be built and the alterations to change existing bedroom accommodation to small dwelling units with bedroom, lounge/kitchen and bathroom facilities would change the nature of the use from a C2 residential institution to a sui-generis use, including both nursing home accommodation and accommodation which may be occupied by persons wishing to live independently or making some use of facilities offered. In support of this view, it is noted that 17 residents would be accommodated in the nursing unit, with 28 residents in 22 units which would offer facilities for independent living.

PPS5: Planning for the Historic Environment has replaced the former PPG15. However the principles of the need to preserve and enhance both the conservation area and the setting of the listed building are still maintained and therefore this does not present a reason to refuse the application.

The application site is located within the settlement boundary of Audlem. There are, therefore, no objections in principle to the extensions to the nursing home and the inclusion of new units for independent living either on policy grounds or the fact that the development would result in a change of use.

Amenity

There are no dwellings so close to the proposed extensions as to be adversely affected by the new units themselves. Whilst Rose Cottage is close to the site access, the amount of traffic which would be generated by the alterations, once constructed, is not considered to be sufficient to justify refusal of the application on the grounds of detriment to living conditions at that dwelling. Breeze House separates Rose Cottage from the proposed extensions.

Impact on the character and appearance of the Listed Building, the Conservation Area and the locality

The design of the building is based on that of Breeze House which was constructed in the 1990s. The bulk and mass of the building would be reduced by stepping the building height down in line with the fall of the land, setting some elements back and others forward, the use of gables, balconies and dormer windows. The proposed building would be located fairly well forward to reflect the general pattern of development in the area and the small size of built elements would reflect the smaller buildings in the conservation area. The proposed materials for external finishes are brick and tile which are appropriate for this listed building in the conservation area.

At the officer site inspection it was noted the hedgerow and trees around the site boundary have matured since the original application was submitted in 2005. The views of the original listed building, the grammar school, were less visible through the

hedging in summer as a result. Also one tree close to the north side of Breeze House, within the grounds of the nursing home, has matured limiting views of the grammar school building from the public rights of way in the fields to the south. It is likely therefore that the boundary vegetation would need to be removed to allow construction of the units. This would include two established trees. The original application form submitted in 2005 noted that trees and planting along the site boundary would be removed and the area replanted. There are therefore no objections to this work.

The original application was subject to amendments particularly to allow enhanced views of the original school building and to remove elements which detracted from the setting of the listed building and appearance of the conservation area. It is considered that the design which was accepted in 2005 is still acceptable in this location and will preserve the character and appearance of the listed building and the conservation area.

Highway Matters

The site is within the settlement boundary of Audlem and close to the centre of the village within easy walking distance of the shops for the more mobile residents. In 2005 the Highway Authority raised no concerns about access to the site but had concerns about the level of parking. Additional information was submitted at that time and it was accepted that the proposed layout with 20 car parking spaces was adequate to serve the needs of the staff, residents and visitors. Eight of the independent units would be less than 30 sq m in total floor area and another three units would vary in size between 30 – 40 sq m in area. Only six of the twenty two units are proposed as two bedroom accommodation. With this number of very small units, it was considered that the level of parking was adequate, particularly since the home operates a minibus and the site is very close to the shops in the village. It is not considered that there have been any changes in circumstances which would warrant a different opinion now.

Affordable Housing

The 2005 application was submitted, prior to the formal adoption of the Borough of Crewe and Nantwich Replacement Local Plan 2011, which took place before the determination of the application. The former Crewe and Nantwich Borough Council did not seek any affordable housing provision for this institution which is currently a nursing home but seeking to offer a range of living accommodation through these extensions. More recently the Council has required a number of extra care facilities/ homes to provide some affordable housing when extending in this manner or providing a whole new development. Further, PPS3 which came into force in November 2006 and was to be used for the determination of planning applications from 1st April 2007 now includes extensive requirements to ensure that the planning system delivers “a mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas both urban and rural.” (Para10). Para 68 notes that PPS3 may supersede planning policies in existence at that time and advises Local Planning Authorities to ensure that developments “achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular families and older people.”

The site is located close the village centre where there is a range of local shops. The village has a bus service and the units offered in this application would meet a need for the elderly, a group of people for which PPS 3 specifically refers.

The Head of Housing notes that the 2005 Housing Needs Survey identified a need for elderly persons' accommodation in Audlem and the need for affordable dwellings was further shown in the local survey in 2007. However there are concerns that those surveys are now quite old. The current need for affordable dwelling units for the elderly in Audlem will be known when the Strategic Housing Market Assessment is published.

Paragraph 30 of PPS3 advises in relation to the delivery of affordable housing for rural areas "This requires planning at local (and regional) level adopting a positive and pro-active approach which is informed by evidence with clear targets for the delivery of rural affordable housing."

The grant of planning permission for this development for a further three years will allow the delivery of dwellings for use by the elderly whether with or without care, which is in accordance with the requirements of PPS3. The application makes no reference to the provision of affordable units or the viability of the development to allow delivery of such units or a commuted payment as a contribution to affordable housing provision. However this is an application for an extension in time of an existing planning permission. At this point in time, with the absence of up to date information to demonstrate the need for elderly persons affordable dwellings (ie the Strategic Housing Market Assessment) it is considered that it would be difficult to justify refusal of the application.

11. OTHER MATTERS

One representation raises concerns about the existing sewerage system to cope with the current effluent. However United Utilities have raised no objections and in the absence of such an objection it would be difficult to substantiate any such reason for refusal.

The original permission was granted for elderly persons' accommodation but conditions did not define elderly. It is recommended that the condition limiting the occupation of the independent units to persons in need of close care or living more independently should also specify that persons should be aged 60 years and over, or in the case of the occupation of 2-person units, at least one of the occupants should be aged 60 years and over. Since the existing home is for nursing care the age restrictions should not apply to the nursing accommodation.

12. CONCLUSIONS

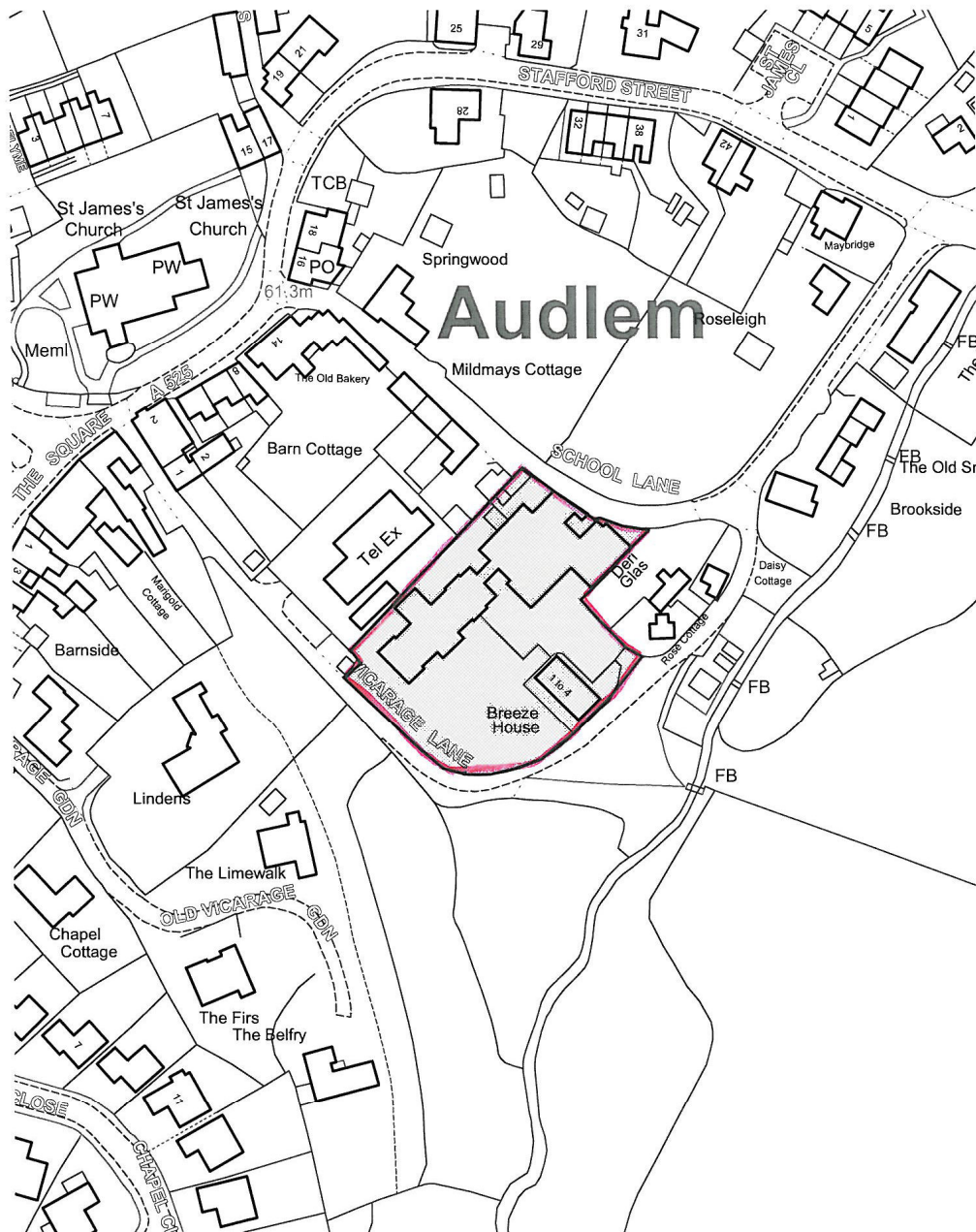
The development will allow the delivery of specialist accommodation offering care to those in need together with additional dwelling units for persons wishing to live independently but who may require care in future years. The development is considered to be of an appropriate design, to preserve the

character and appearance of the Grade II* Listed Building and the Audlem Conservation Area. The development includes adequate parking provision and would not adversely impact on existing residential amenities at nearby dwellings. There are no material circumstances which would justify refusal of this application at this point in time.

13. RECOMMENDATION

APPROVE with conditions

- 1. Commence development within 3 years.**
- 2. Development in accordance with approved plans.**
- 3. Samples of materials to be submitted, approved and used in the construction of the building.**
- 4. Use of the premises as a nursing home together with self contained units for persons needing close care and other persons who may wish to live more independently where nursing care may be available if required and for no other purpose whatsoever. Occupants of the independent living units including close care units should be aged 60 years or more, or in the case of 2 bed units at least one of the occupants should be aged 60 years or more.**
- 4. Details of boundary treatment to be submitted, approved and implemented**
- 6. Details of appearance of ramps, guides, rails and finishes to be submitted, approved and implemented.**
- 7. Details of appearance of balconies and galleries to be submitted, approved and implemented**
- 8. Details of surfacing materials to be submitted, approved and implemented.**
- 9. Landscaping scheme together with any trees/hedges to be retained and measures for their protection to be submitted and approved.**
- 10. Implementation and maintenance of landscaping and tree protection measures.**
- 11. Archway between the reception area/ lift and unit 12 shall not be enclosed without the prior submission and approval of a separate planning application.**
- 12. Prior to first use of the development, provision of car park as per site layout and retention.**
- 13. Programme of archaeological work to be submitted, approved and implemented.**
- 14. Access to the site only via School Lane between Roseleigh and The Smithy and sign to be provided at entrance to the site to confirm this in accordance with details to be submitted and approved.**



Planning Reference No:	10/1912N
Application Address:	Audlem Country Home, School Lane, Audlem
Proposal:	Extension in Time Limit for P05/0710 Relating to Extensions and Alterations to Existing Care Home to Provide Self Contained Accommodation for the Elderly.
Applicant:	Keenrick Nursing Homes
Application Type:	Extension in time for listed building consent
Grid Reference:	366090 343572
Ward:	Cholmondeley
Earliest Determination Date:	7 th July 2010
Expiry Dated:	26 rd August 2010
Date of Officer's Site Visit:	8 th July 2010
Date Report Prepared:	8 th July 2010
Constraints:	Wind Turbine consultation area

SUMMARY RECOMMENDATION

Approve subject to conditions

MAIN ISSUES

- Impact of the extensions on the character and appearance of the listed building.

1. REASON FOR REFERRAL

This application is to be determined by the Southern Committee because listed building consent is sought for 13 new-build dwelling units and the conversion of an existing building to an additional 9 units.

2. DESCRIPTION OF SITE AND CONTEXT

The site is an area of sloping grass / garden land within the curtilage of Audlem Nursing Home which fronts Vicarage Lane. The site is bounded on the southern and western sides by timber post and rail and trellis fencing with established hedging and trees. Breeze House, a small detached building which forms part of the existing accommodation, is located to the east and the existing home to the north. Audlem Nursing Home is based around the original Audlem Grammar School which has itself had many extensions at different times in its history. The land which is the subject of these extensions was at one time covered in buildings. The site is clearly seen from the public footpaths to the south but the trees and hedges around the site screen views into the site for much of the summer when seen from Vicarage Lane, when close to the site.

The nursing home is a Grade II* listed building constructed in brick with a slate roof, the earlier part having been built in 1655 with the Headmaster's House added in 1770. Later nineteenth and twentieth century additions are also present. The modern extension to the main building is single storey and Breeze House, adjacent to the site

entrance, is one and a half storey. The site is also within the Audlem Conservation Area and within the settlement boundary for Audlem.

3. DETAILS OF PROPOSAL

This is an application for an extension in time to the Listed Building consent granted under reference P05/0710. In considering the application the Authority should consider whether there have any material changes in circumstance since the original permission was issued, which would justify a different decision on the application.

The 2005 planning permission granted consent for one and a half and two storey extensions with one area, where the lift is accommodated rising to three storeys. The development seeks approval for a total of 22 new units some of which would be accommodated in the existing single storey extension on the west of the nursing home. A total of 20 car parking spaces would be provided to serve the home as a whole. This provides an increase of 8 new spaces for the new development.

The development would be divided into small units, broken by gables with some elements set forward of others. The design includes dormer windows, balconies, bays and a galleried walkway at first floor level on the rear. This would overlook a garden area surrounded on all sides by built development. A lounge extension is also proposed to the existing single storey accommodation.

The application is submitted with application 10/1551N also reported on this agenda.

4. RELEVANT HISTORY

P05/0007 Extensions and Alterations to existing care home to provide self contained accommodation for the elderly. Approved 3rd May 2005

P05/0710 LBC for extensions and alteration to existing care home for self contained accommodation for the elderly. Approved 9th September 2005

P01/0543 Extension and detached building to provide additional accommodation. Approved 17th July 2001.

P01/0533 LBC for extension and detached building to provide additional accommodation. Approved 3rd August 2001

P98/0065 LBC for extensions to provide staff room, day room and three bedrooms. Approved 9th July 1998.

P98/0064 Extensions to provide staff room, day room and three bedrooms. Approved 10th June 1998.

P97/0982 LBC for single storey extension. Withdrawn.

7/15784 LBC for single storey extension. Approved 14th October 1988.

7/15783 Single storey extension. Approved 4th August 1988.

7/15246 Extension to nursing home. Refused 9th June 1988.

7/15247 LBC for a 22 bedroom extension to nursing home. Refused 9th June 1988

7/12212 LBC for 2 bed extension to nursing home. Approved 1st August 1985.

7/12212 Two bed extension to nursing home. Approved 1st August 1985

7/11196 Conversion to a 24 bed residential home for elderly. Approved 19th July 1984.

7/11197 Conversion to a 24 bed residential home for elderly. Approved 13th August 1984.

5. POLICIES

The development plan for this area is the Borough of Crewe and Nantwich Replacement Local Plan 2011.

Local Plan Policy

BE.7 (Conservation Areas)

BE.9 (Listed Buildings: Alterations and Extensions)

BE.16 (Development and Archaeology)

Other Material Considerations

PPS5: Planning for the Historic Environment.

6. CONSULTATIONS

English Heritage: The application should be determined in accordance with local and national policy guidance and in consultation with the local conservation officer.

Conservation Officer: Given that this is an application for an extension in time the proposal raises no new issues. Conditions of the original consent should be repeated.

Archaeology: PPS:5 Planning for the Historic Environment has replaced PPG16 and the wording for the reason for the archaeological condition can be revised to accommodate the wording of the up to date policy.

Audlem and District Amenity Society: Re-iterate comments from 2005 namely:-

- Regret the loss of the green space which is an amenity for existing residents
- Access will be a big problem during construction
- Additional visitors' cars will add to congestion in the lane.

Ancient Monuments Society: No response at the time of writing this report.

Georgian Society: No response at the time of writing this report.

7. AUDLEM PARISH COUNCIL

Do not propose to make a representation.

8. OTHER REPRESENTATIONS:

None relevant to the listed building application.

9. APPLICANT'S SUPPORTING INFORMATION:

A Design and Access Statement was submitted with the original application and is resubmitted with this application.

Design and Access Statement (R W Woodward dated 2005)

The Design and Access Statement can be summarised as follows:-

- The 1989 extension now falls short of the standards required for care homes. All bedrooms must have a minimum of 12 sq m in area and have en-suite facilities. To accommodate this in the existing buildings would reduce the number of bedrooms from 39 to 26. However, the home cannot operate with the related reduction in income. It is therefore essential to add facilities to provide additional income to make the business viable;
- The alternative would be closure and loss of jobs with upheaval of the present residents, many of whom are frail;
- It has therefore been decided to improve the standards and adopt the new "care homes" approach.
- Government advice indicates that 60 bedrooms are generally required for units to be viable. However it is considered that by offering a variety of styles of accommodation in an "assisted care" situation, viability can be achieved with 45 units;
- Cottage-style semi-independent living units are proposed which will create a "village feel", providing close-knit accommodation but retaining an element of watching at a discreet distance for those who may need this;
- The gables, dormers, varied ridge heights, narrow spaces, and irregular building forms are deliberately intended to suggest a village character;
- The Headmaster's House hides a large proportion of the original school building right up to roof level and Victorian additions have largely obscured the views of the north west elevation up to first floor level. Twentieth century additions hide the building even more;
- When the building was acquired by the owners many unattractive modern school buildings were removed and the roof rebuilt. The present lawns resulted from the demolition of the surplus buildings;
- Previous consent prior to acquisition by the present owner allowed for building over the whole site and other extensions have been permitted for the nursing home, some of which have not yet been implemented;
- The site has evolved organically throughout its history and many additions were added to the school but it is considered that of all the extensions which have been added over time the Headmaster's House was the most damaging;
- The property is located to the south east of Audlem Church conveniently close to the shops and village services for elderly persons.
- Many local residents are not aware of the home and this is considered to be due to the manner in which the existing buildings cluster around the 1655 school building so that only fleeting glimpses of it are seen;
- The exception to this is the view from public footpaths to the south east. This view will not be obscured by the proposed extensions;
- Breeze House on the southern site frontage to Vicarage Lane was constructed to a design using materials approved by the local planning authority and this will form the pattern for the proposed extension;
- In order to mitigate the effects of the new development on the original building when approaching from the south west and Vicarage Lane, it is proposed to provide an archway at the foot of a tower on the south western side of the development. A second view will be encountered between the proposed development and Breeze House. A further view will be afforded up the existing drive. This will create a series of snapshots of the older buildings rather than the gradual emergence of views which exist at present. However, there will be no view of the new development, say from the

Stafford Street or Audlem Church, because the proposed development is of much lower height than the original buildings.

10. OFFICER APPRAISAL

Principle of Development

The site is located within the settlement boundary for Audlem in the Borough of Crewe and Nantwich Replacement Local Plan where new residential accommodation is acceptable in principle. The principle building on the site is a Grade II* Listed Building. As such, Policy BE.9 of the Replacement Local Plan applies. In summary, this policy seeks to ensure that extensions and alterations respect the scale, materials, colour, detailing and features of the listed building concerned and do not detract from its character, appearance and setting, especially with regard to gardens, landscaping and impact on the street scene.

PPS5: Planning for the Historic Environment has replaced the former PPG15. However the principles of the need to preserve and enhance the character, appearance and setting of the listed building are still maintained.

Impact on the character and appearance of the listed building.

The design of the building is based on that of Breeze House which was constructed in the 1990s. The bulk and mass of the building would be reduced by stepping the building height down in line with the fall of the land, setting some elements back and others forward, the use of gables, balconies and dormer windows. The proposed building would be located fairly well forward to reflect the general pattern of development in the area and the small size of built elements would reflect the smaller buildings in the conservation area. The proposed materials for the external finishes are brick and tile appropriate for the conservation area.

At the officer site inspection for the current application, it was noted the hedgerow and trees around the site boundary have matured since the original application was submitted in 2005. The views of the original listed building, the grammar school, were less visible through the hedging in summer as a result. It is likely therefore that the boundary vegetation would need to be removed to allow construction of the units. This would include two established trees. The original application form submitted in 2005 noted that trees and planting along the site boundary would be removed and the area replanted. There are therefore no objections to this work.

Also one tree close to the north side of Breeze House, within the grounds of the nursing home, has matured limiting views of the grammar school building from the public rights of way in the fields to the south.

The original application was subject to amendments particularly to allow enhanced views of the original school building and to remove elements which detracted from the setting of the listed building and appearance of the conservation area. It is considered that the design which was accepted in 2005 is still acceptable in this location and will preserve the character and appearance of the listed building.

11. CONCLUSIONS

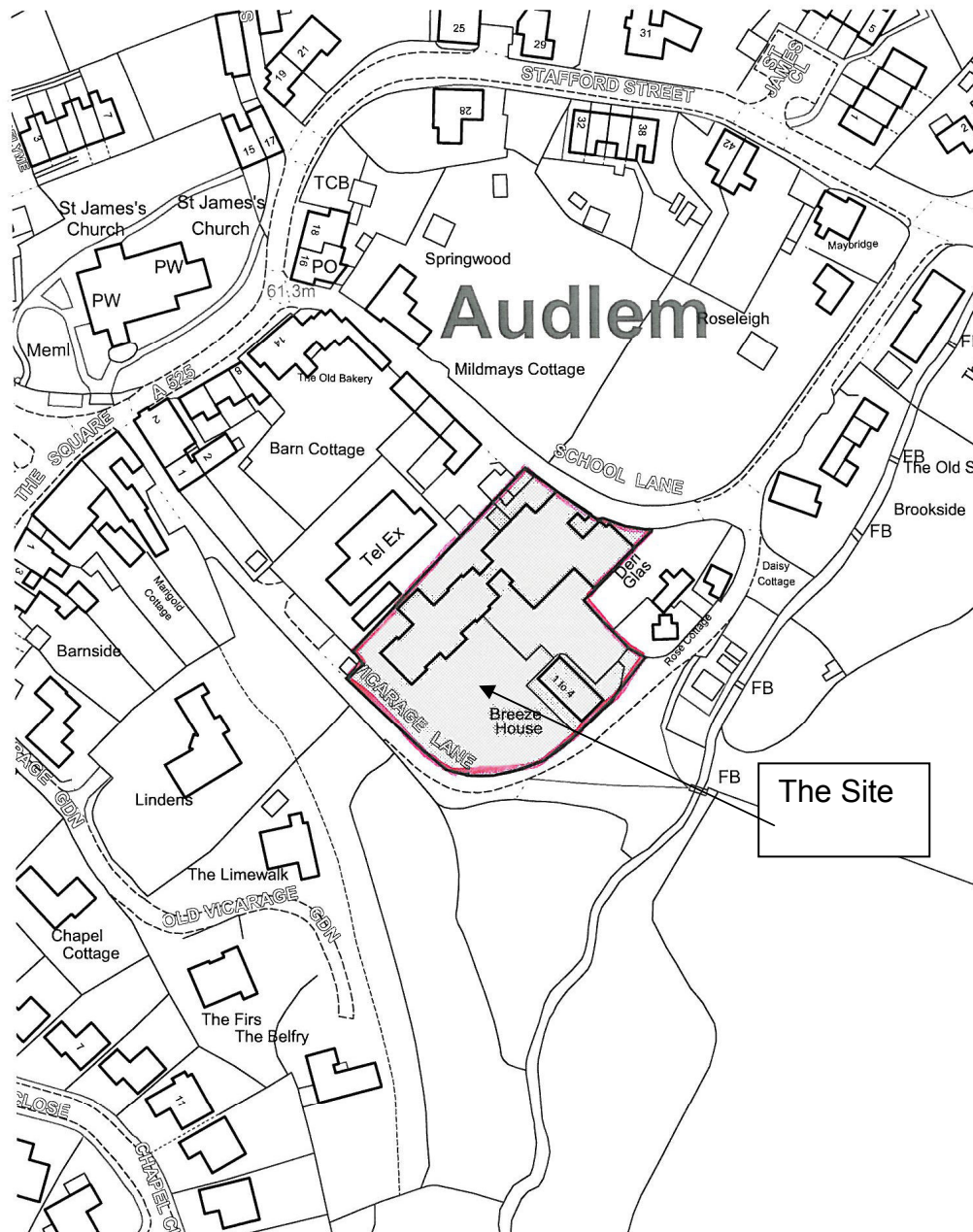
There have been no material changes in circumstance which would warrant a different decision on this application since the previous application was determined. The development would be an appropriate design, to preserve the character and appearance of the Grade II* Listed Building and comply with policy BE.9 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 in relation to extensions and alterations to Listed Buildings. Since English Heritage have not raised objections it is not necessary for the application to be referred to the Secretary of State before issuing a decision.

12. RECOMMENDATION

Approve with conditions

- 1. Commencement within 3 years**
- 2. Plans as per P05/0710**
- 3. Samples of materials to be submitted, approved and used in the construction of the building.**
- 4. Detailed schedule of works and drawings together with a materials schedule for windows, doors, brickwork, stone work, plaster, roof materials, rain water goods, to be submitted approved and implemented.**
- 5. Details of surfacing materials to be submitted, approved and implemented.**
- 6. Details of appearance of balconies and galleries to be submitted, approved and implemented.**
- 7. Details of boundary treatment to be submitted, approved and implemented.**
- 8. Landscaping scheme together with any trees/hedges to be retained and measures for their protection to be submitted and approved.**
- 9. Implementation and maintenance of landscaping and tree protection measures.**
- 10. Details of appearance ramps including guides, rails and finishes to be submitted, approved and implemented.**

LOCATION PLAN: Location Plan: Cheshire East Council Licence No. 100049045



This page is intentionally left blank

Planning Reference No:	10/1555C
Application Address:	Former Cardboard Factory, Betchton Road, Malkins Bank
Proposal:	Extension to Time Limit – Redevelopment of Former Factory to Provide 28 No. New Homes to included 12 Affordable Homes provided by RSL
Applicant:	Jokaro Ltd.
Application Type:	Outline Planning Permission
Grid Reference:	376677 359044
Ward:	Sandbach East and Rode
Consultation Expiry Date:	10 th June 2010
Date for determination:	26 th July 2010

SUMMARY RECOMMENDATION

Subject to the receipt of an adequate protected species survey and no objection from the Council's Ecologist, approve subject to conditions and a Deed of Variation to the existing Section 106 Agreement.

In the event that a survey is not received, or that the survey or proposed mitigation are considered by the Ecologist to be unsatisfactory, refuse on ecology grounds.

MAIN ISSUES

- Suitability of the Site for Residential Development
- Housing Land Supply
- Loss of Employment Site
- Ecology
- Character and Appearance
- Residential Amenity
- Highway Safety

REFERRAL

The application has been referred to planning committee because it is for more 10 dwellings and is therefore a major development.

1. SITE DESCRIPTION

This site comprises the eastern part of the former Jeffries Box factory at Malkins Bank, which has been vacant for some time. The western part of the site has recently been developed by Bett Homes for 27 dwellings for which outline permission was granted in 2000 and issued in 2002 following the completion of the legal agreement. The details of that scheme were approved by the Council on 16th December 2002.

2. DETAILS OF PROPOSAL

Planning permission was granted in 2003 for the redevelopment of the eastern part of the site to provide 20no. new houses and 800sq metres of rural business accommodation, but this has never been implemented. Approval was subsequently given in 2005 to a revised application, for outline permission for the demolition of all buildings on site and the construction of 28 new houses, 16 of which would be open market for sale and 12 would be provided by a Registered Social Landlord. There was no provision within the scheme for any employment generating uses. All matters relating to access, siting, design, appearance and landscaping were reserved for further approval.

This application seeks to extend the time limit for the implementation of that permission under the new provisions introduced in October 2009.

3. RELEVANT PLANNING HISTORY

1999 - (30979/1) - Outline application for re-development of the whole 1.8ha factory site for residential purposes. This application was withdrawn by the applicant prior to its consideration by the Planning Committee

2001 - (32235/1) - Outline planning permission for re-development of the site to include an element of low cost/affordable housing.

2002 - (32235/A) - Approval of details for 27 dwellings.

2003 - (35556/1) - Outline application for residential redevelopment comprising approximately 30 dwellings on the eastern half of C.M Jefferies site, Malkins Bank. This application was withdrawn by the applicant prior to its consideration by the Planning Committee.

2003 - (36412/1) - Permission for redevelopment of former factory to provide mixed use scheme comprising 20no. new houses and 800sq metres of rural business accommodation. New houses to be maximum 2.5 storeys, business accommodation to be maximum 2 storeys.

2004 - (37006/1) - Residential development - outline application approx 20 dwellings, 2 and 3 storeys proposed, all existing buildings to be demolished. This application was withdrawn by the applicant prior to its consideration by the Planning Committee.

2005 - (05/0680/OUT) - Redevelopment of former factory to provide new housing, minimum 30 units, 30% of new homes to be affordable homes provided by registered social landlord. This application was withdrawn by the applicant prior to its consideration by the Planning Committee.

2005 - (05/0822/OUT) - Redevelopment of former factory to provide 28no. New homes to include 12 affordable homes provided by registered social landlord

4. PLANNING POLICIES

National Policy

PPS 1: Delivering Sustainable Development
PPS 3: Housing

Local Plan Policy

PS6 Settlements in the Open Countryside and Green Belt
H6 Residential Development in the Open Countryside and Green Belt
GR1 New Development
GR2 Design
GR9 Accessibility, Servicing and Parking Provision
E10 Redevelopment of Existing Employment Sites.
NR3 Habitats

5. OBSERVATIONS OF CONSULTÉES

None received

6. VIEWS OF THE PARISH / TOWN COUNCIL

N/A

7. OTHER REPRESENTATIONS

None received

8. APPLICANT'S SUPPORTING INFORMATION:

Supporting Letter

Whilst all buildings on the site have now been demolished down to slab level, development has not commenced. Demolition was undertaken solely to relieve the applicant of the many problems and costs associated with holding large empty buildings in a semi-rural area; i.e. vandalism, break-ins, trespass, security and insurance costs etc. The existing permission is outline only with all matters reserved for later approval, and as no such approvals have been applied for, the existing permission is not capable of immediate implementation. The applicants are not builders or developers but the owners of the business that ran this former factory for over 35 years. It is their wish to sell the site to a building company but this has not proved possible due to the economic downturn which has particularly affected new house building, hence the applicant is seeking an extension of time.

9. OFFICER APPRAISAL

Main Issues

The key issues relevant to the determination of this application are the sustainability of the site for further residential development; the impact of the proposed development upon housing land supply totals; and the loss of the employment site. In addition, consideration must be given to highway safety, ecology and protected species, the amenities of adjacent properties, and the character of the Canalside Conservation Area.

Suitability of the Site for Residential Development

Malkins Bank is identified as a Settlement in the Open Countryside in Policy PS6 of the adopted Congleton Borough Local Plan First Review. Within the infill boundary line of these settlements, limited development only in accordance with policy H6 will be permitted where it is appropriate to the local character in terms of use, intensity, scale and appearance and does not conflict with the other policies of the local plan.

The site is previously developed and lies near to existing services and facilities. It is served by public transport and has good access either by foot or cycle. It is therefore sustainable, within the definition contained within PPGs 3 and 13.

Housing Land Supply

The proposal will maintain the number of market housing units at 16 and the number of subsidised affordable housing units at 12. Given that this is an application for renewal of an existing consent, the proposed units will already have been taken into account in calculating the Borough's 5 year housing supply and therefore, renewal would not have any significant strategic implications.

Loss of Employment Site

The light of the previous employment use of the site and given that this proposal would result in the loss of the employment element of the committed scheme, it is considered that policy E10 is relevant. This states that the loss of the employment site can only be justified if it can be demonstrated that the site is not suitable for employment uses or that there would be significant planning benefit arising from the alternative use proposed.

The original approval for this site in 2003 included some rural business space in addition to housing. However, a marketing report, submitted by the applicant, in support of the 2005 approval, which this application seeks to renew, illustrated the considerable efforts which were made at that time to let or sell the proposed rural business space. Due largely to locational factors, these generated minimal interest from both the development industry and potential end users and it became increasingly apparent that there is little possibility of securing a viable commercial re-use of even part of the site. There is nothing to suggest that the situation has changed in any way since that time. The locational issues cannot be resolved, and the downturn in the economic climate will have made such a development even less attractive than it was at the height of the boom, when this was last considered.

With regard to the second limb of Policy E10, at the time of the previous application, it was considered that the increase in the number of affordable dwellings, which the removal of the rural business space facilitated, would be a material planning benefit in permitting residential re-development of the site. The need for affordable housing within

the rural areas of the Borough has also not diminished in the intervening period and therefore this argument continues to be as relevant now, as it was in 2005.

In the light of the above, it is still considered that the benefits arising from the additional subsidised affordable housing units would outweigh the loss of the employment element and that the proposal is in accordance with policy E10. However, it is necessary to enter into an appropriate Deed of Variation to ensure that the legal agreement applies to the new permission.

Ecology

The application site contains a variety of existing vegetation of varying quality and value. A short but vigorous length of hawthorn hedgerow defines the Betchton Road frontage at the north east end of the site. Extensive scrub and young tree growth exists in the eastern part of the site and a belt of vegetation fronts the canalside. In respect of previous applications, it was considered that, whilst this vegetation does not have significant landscape value, certain areas of the site may have nature conservation value. It was therefore considered that the detailed layout should retain existing features where appropriate, should respect the setting of the canalside Conservation Area and should provide an appropriate landscaped setting.

At the time of the previous applications local residents and wildlife groups identified the presence of protected species within this area and this was confirmed by a survey undertaken by specialist consultants. The consultants report recommended specific mitigation measures, which were made a condition of planning permission. However, there is the potential for a great deal to have changed in terms of the ecology on the site since 2005. Therefore, an updated protected species survey has been requested from the applicant. This had not been received at the time of report preparation but was understood to be in hand.

Character and Appearance

Although partially screened from the Canalside Conservation Area by vegetation, the existing vacant site does have a negative impact. The application is submitted in outline, and therefore no details are available in terms of the final design or layout of the scheme. However, it is considered that redevelopment of this site, including a carefully considered landscaping scheme, would improve the appearance of the canalside, and make a positive contribution to the regeneration of this corridor.

Residential Amenity

The eastern boundary of the site is shared with an adjacent property, Brock Barn, and is defined by mature vegetation. Historically the site has been used for manufacturing purposes and it is considered that, as a result of the change of use to residential, neighbouring properties would experience an overall improvement in their level of residential amenity. Matters of siting and design are reserved for a subsequent application whereupon the detailed layout of the proposed development will need to be carefully considered to ensure a satisfactory relationship with the adjacent property. However, any privacy implications or visual impact of the development could be mitigated satisfactorily by the existing boundary screening, which could be supplemented by additional landscaping.

Highway Safety

Whilst access is a reserved matter, it is noted that, subject to the imposition of certain conditions, the Strategic Highways Manager raises no objection in principle to the proposed development, and therefore a refusal of the application on highway grounds would not be sustainable.

10. CONCLUSION

In summary, the site is located within the settlement boundary for Malkins Bank, where there is a general presumption in favour of development. It is not considered that the proposal would have an adverse impact in terms of the Borough's Housing Land provision. Furthermore, it is considered that the site is inappropriate for continued employment use and that there would be some material planning benefits resulting from complete residential redevelopment in terms of affordable housing provision. The proposal is acceptable in terms of its impact on the character and appearance of the area, highway safety and residential amenity.

Therefore, subject to the receipt of an adequate protected species report and the Councils' Ecologist being satisfied that the proposals will not adversely affect protected species, or that any potential impact can be adequately mitigated, it is considered that the proposal complies with the relevant policies of the adopted Local Plan. Accordingly, it is recommended for approval. However, in the event that a survey is not received, or that the survey or proposed mitigation are considered by the Ecologist to be unsatisfactory, the application should be refused on the grounds of failure to comply with Policy NR3 of the adopted Local Plan.

10. RECOMMENDATIONS

In the event that an adequate protected species survey and an observation of no objections from the Councils' Ecologist are received:

APPROVE subject to the completion of a Deed of Variation to the existing legal agreement and the following conditions:

- 1. Implement development within 2 years of approval of last reserved matter**
- 2. Submission of reserved matters within 3 years.**
- 3. Reference to Section 106 agreement**
- 4. Submission of tree survey as part of reserved matters.**
- 5. Submission of and approval of landscaping scheme as part of reserved matters.**
- 6. Maintenance of landscaping scheme for a five year period.**
- 7. Submission and approval of boundary treatment**
- 8. Undertaking of ground and groundwater contamination report.**
- 9. Access to CEC specification**
- 10. Parking provision within the development to comply with CEC car parking standards.**
- 11. Submission and approval of details relating to road construction and drainage**
- 12. Provision of visibility splays**
- 13. Any reserved matters application to include provision for the creation of natural**

habitats along the canal corridor and the eastern boundary of the site.

14. Development to take place in accordance with protected species report

15. To minimise disturbance to local residents during the construction period, no vehicles or service vehicles shall use the site between 18.00 and 08.00 Monday to Friday. Saturday working shall be limited to the hours of 08.00 and 13.00 and there shall be no construction activities on Sundays and Bank Holiday Mondays.

16. Should there be a requirement to undertake foundation or other piling on site it is recommended that these operations are restricted to:

Monday – Friday 08:30hrs – 17:30hrs

Saturday 07:30hrs – 13:00hrs

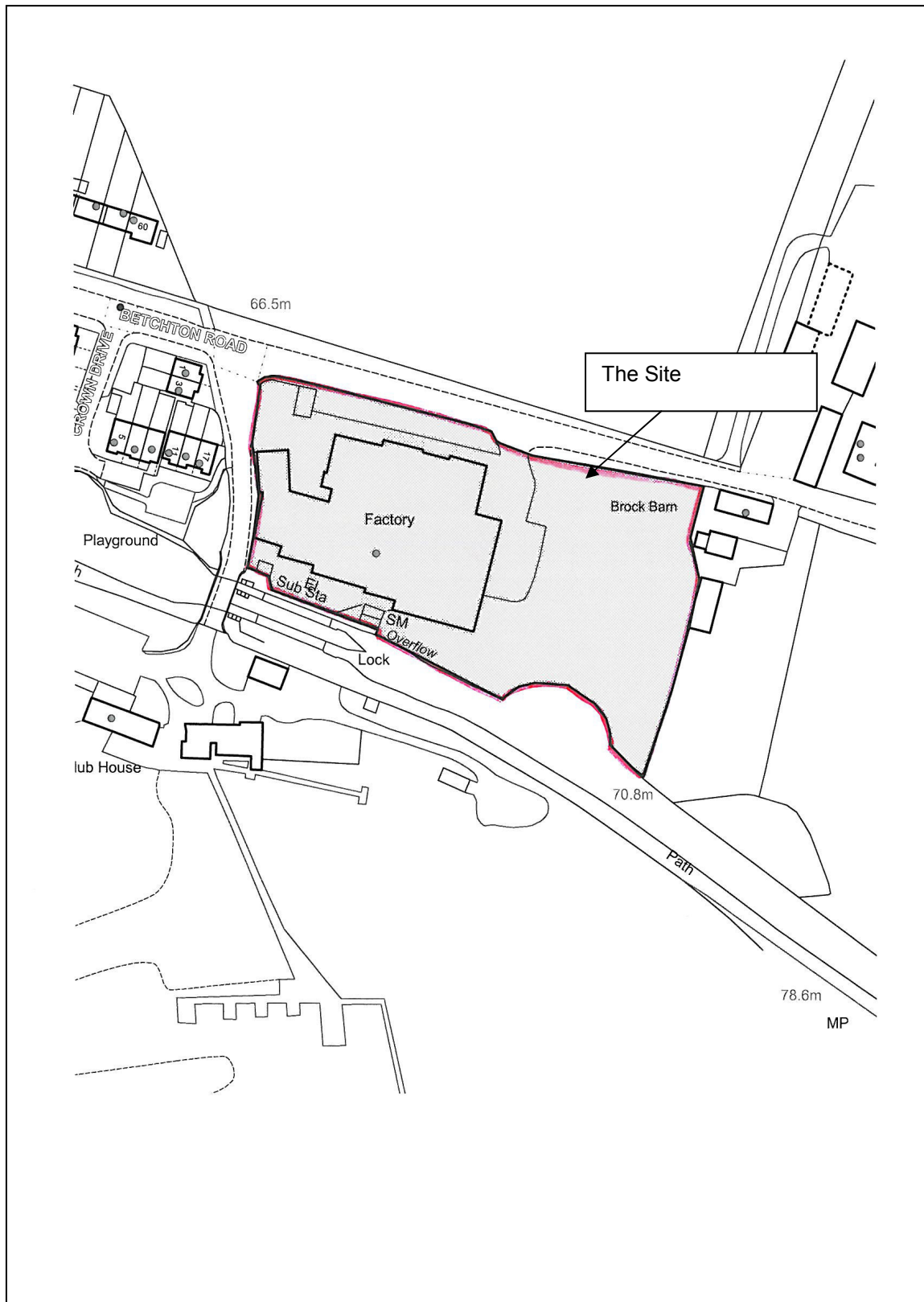
Sunday Nil

In the event that an adequate protected species survey is not received or an objection is raised by the Council's Ecologist:

REFUSE for the following reason:

In the opinion of the Local Planning Authority, the site is likely to provide a suitable habitat for protected species and the applicant has failed to demonstrate that the proposed development would not adversely affect the favourable conservation status of such species. The proposal is therefore contrary to the provisions of Policy NR3 of the Congleton Borough Local Plan First Review.

Location Plan: Cheshire East Council Licence No. 100049045



Planning Reference No:	10/1588N
Application Address:	Land North West of Travelodge and South West of Retail Unit, Beswick Drive, Crewe
Proposal:	Erection of an Office Development (B1 Use Class) with Associated Landscaping, Car Parking and Access Arrangements.
Applicant:	Swansway Garages Ltd
Application Type:	Full Planning Application
Grid Reference:	372267 355153
Ward:	Crewe East
Earliest Determination Date:	29 th June 2010
Expiry Dated:	28 th July 2010
Date of Officer's Site Visit:	9 th June 2010
Date Report Prepared:	15 th June 2010
Constraints:	Wind Turbine Development consultation area

SUMMARY RECOMMENDATION

Approve with conditions.

MAIN ISSUES

- Principle of development
- Design
- Pedestrian link
- Highways matters and parking
- Trees and landscaping
- Ecology
- Drainage
- Contaminated land
- Sustainability
- Amenity

1. REASON FOR REFERRAL

This application is to be determined by the Southern Planning Committee because the application seeks permission for a building with a floor area in excess of 1,000 square metres.

2. DESCRIPTION OF SITE AND CONTEXT

The application site is an irregular shaped piece of land located to the north side of the Valley Brook in Crewe. The site is bounded on the east side by the Travelodge car park, on the west side by the car park for Booth Hall (Manchester Metropolitan University Halls of Residence) and to the north by the small parade of shops and its service area. The development will be accessed from Beswick Drive and the small road which gains access to the service area at the rear of the shops. The site falls from north to south and is currently vacant land. There are a number of trees on site include a mature Oak

located centrally within the site and other trees alongside the Valley Brook. These are included in Tree Preservation Order number 126.

The site is located within the Crewe settlement boundary and the site is allocated in the Borough of Crewe and Nantwich Replacement Local Plan under policy E.1.1 for B1 uses and uses required by Manchester Metropolitan University. The site is located in an area of mixed uses including the Travelodge, shops, offices, a public house, fitness centre and the halls of residence. There is no private housing adjoining to the site.

3. DETAILS OF PROPOSAL

This is a full planning application for 1,320 sq m of B1 office floor space, measured externally and includes details of landscaping, car parking and access arrangements. The building would be three storeys in height, constructed predominately in brick and tile and located towards the western side of the site. Open plan offices would be provided either side of a central glazed atrium which would include reception facilities, lift, toilets, shower, stores and plant room.

The development would include car parking in two areas to the north and east of the site, a brick walled waste/recycling store and separate covered secure cycle parking. The development would be set in a landscaped area which is based on the retention of a number of existing trees including the large mature Oak tree located centrally within the site. Additional landscaping is also to be provided. To the south of the site is a brick bridge which links the businesses on Electra Way with the shops and public house off Beswick Drive. The development would include a footpath around the eastern side of the site to link these facilities across the existing bridge. People currently walk across the vacant site to gain access to the shops and public house. The office and car parking would be enclosed by paladin fencing similar to that in use along the boundary with the university halls of residence. The footpath would be outside the fence.

4. RELEVANT HISTORY

P03/0639 Outline application for mixed use development offices, public house/restaurant, hotel and access, car parking and landscaping and full application for including student accommodation. Approved 03/09/03

P06/0964 Extension of time for submission of reserved matters – condition 2 attached to permission P03/0639. Approved 16/10/06.

5. POLICIES

The development plan for this area is the Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP).

Local Plan Policies

E.1.1. Existing Employment Allocations

BE.1 Amenity

BE.2 Design

BE.3 Access and Parking

BE.4 Drainage Utilities and Resources

BE.5 Infrastructure

TRAN.3 Pedestrians
TRAN.5 Provision for Cyclists
TRAN.9 Car Parking Standards
NE.5 Nature Conservation and Habitats
NE.9 Protected Species
NE.11 River and Canal Corridors
NE.20 Flood Prevention

Cheshire Replacement Waste Local Plan

Policy 11A Development and Waste Recycling.

Other Material Considerations

PPS1: Delivering Sustainable Development
PPS4: Planning for Sustainable Economic Growth
PPS9: Biodiversity and Geological Conservation
PPG13: Transport
PPS23: Development and Flood Risk

6. CONSULTATIONS

Strategic Highways Manager: The surrounding area suffers with habitual on street parking which can result in parked vehicles on the roundabout to the rear of the MMU building. The nearest public car park is within a mile of this site with very good bus / rail links, cycle ways and pedestrian routes. There is a proposed parking provision of only 50 spaces to cater for 90 members of staff and visitors, plus cycle storage facilities. The Highway Authority of Cheshire East Council adopted parking policy states that for B1 use, there should be 1 parking space provided for every 30m² of GFA. The proposed GFA for this site is 1229.1m² which equates to a parking provision of 40.97 spaces. The Highway Authority is happy to accept a small increase to the maximum parking standards at this location, due to high staff densities, as any increase to on street parking in and around this site will have a negative impact on the surrounding highways network. Recommend a condition to ensure that the parking is provided as per the site layout before the building is first occupied.

Environment Agency: Maintain an earlier objection to the application. The revised Flood Risk Assessment dated July 2010 and revised site layout (submitted to EA) shows that the building will be located outside the Flood Risk Zone 3 and there is therefore no requirement to demonstrate how potential flood storage loss can be mitigated within the development.

However the EA consider that the detailed topographical survey and cross sections show the building would be located too close to the top of the watercourse and restrict emergency access to the watercourse and access for maintenance. The position of the building should be revised to allow for a level access strip of at least 6m inland from the level point. (A site meeting with the developer's representative has been arranged to further define the position of the top of the river bank and the relative position of the building. More information will be given in the Update Report.)

The EA also has a responsibility to promote biodiversity along river corridors and any scheme to provide a buffer zone to the river corridor will need to include a working method statement detailing how the buffer zone will be protected during construction.

Ecology: No objections. It is not anticipated that there will be any significant ecological issues associated with the proposed development. However conditions are recommended to safeguard breeding birds and for the submission of details for the location of the bat and bird nest boxes to be provided, before their installation.

Landscape Officer: The landscape scheme needs to be amended to include low level planting at the western end of the hedgerow between the retained Oak tree and the north bank of the Valley Brook to ensure the continuity of perimeter planting. Further clarification is sought in relation to the removal of the southern limb of tree T3, the fungi which is present on T10 and the location and potential retention of T21 which is dying but could be retained in the interests of wildlife rather than removed. Conditions are recommended in relation to the provision of tree protection measures; no trees, shrubs or hedges within the application area which are shown for retention to be felled without the without prior written consent; implementation of remedial tree works; implementation of the landscape scheme.

Environmental Health: Recommend a condition for the submission of a contaminated land survey with remediation should this be necessary and site completion report. Also recommend conditions relating to hours of construction, pile driving and business hours.

SUSTRANS - Welcome cycle parking for staff. The canopy should be sufficiently large to protect cycles from the weather. Even for a small site such as this we believe travel planning would be useful with targets and regular reviewing.

Cheshire Fire and Rescue Service: Offer comments in relation to access to the site, water supplies, means of escape and recommend the inclusion of an automatic water suppression system. The Service asks that the letter be forwarded to the applicant for information.

7. OTHER REPRESENTATIONS:

None received at the time of writing this report.

8. APPLICANT'S SUPPORTING INFORMATION:

Design and Access Statement (*prepared by Pullman Architects and dated April 2010*)

- The proposal is for a 3 storey office building which will reflect the scale and design of other buildings in the locality;
- The company has currently outgrown their existing office accommodation in Crewe and is looking to locate their headquarters on this site whilst allowing space for future expansion;
- The building is aligned with the Travelodge and the east – west axis of the development allows the office to face the site access;
- The layout allows the retention of existing natural landscape and topography
- The accommodation includes office space, meeting rooms and services;
- The development also includes facilities for the storage of waste and recycling where appropriate;
- A cycle store is also proposed with space for 8 bicycles;
- The development allows the retention of the Oak tree within the site

- The building will have a similar scale and mass to existing buildings in the area and will sit comfortably between the MMU halls of residence and the Travelodge;
- The north elevation has a full height atrium located centrally within the front elevation and brick built elevations around this, punched with individual windows to provide a human scale;
- Landscaping includes retention of existing trees and new planting;
- The pallet of materials will reflect buildings around the site and the atrium will contrast with the brick elevations.
- In detail the building includes a plinth at ground level, brick elevations and a clerestorey band of glazing at eaves level. The main elements of the facade are broken up with contrasting stone bands and brick coursing.
- The hipped roof will be formed from interlocking tiles.
- Boundary treatment will be 1.8m high paladin fencing which will match that along the boundary of the site with Booth Hall (MMU halls of residence)
- A number of mechanical and electrical installations will be considered to reduce the energy needs of the development. These include- CIBSE Design Guides and related publications, Building Regulations Part L2, High efficiency condensing boilers and water heaters, energy efficiency control systems, VRF type heating and cooling systems, PIRs to operate ventilation systems, PIRs for urinal water saving flush control vales and self closing taps, light fittings and controls, and timers for external lighting. The exact measures have not yet been determined but can be subject to further discussions with the Local Planning Authority.

Supporting Statement prepared by HOW Planning dated April 2010

- The proposed office accommodation is for 1,229 sq m of office space measured internally or 1,320 sq m measured externally;
- The applicant is Swansway Garages Ltd and EMaC Ltd is a subsidiary of the Swansway Group. This building is required for their headquarters. The company presently have about 50 staff and are looking to expand to about 90 persons;
- The site has been cleared. There is currently a brick bridge across the Valley Brook and an informal path has been created through the site by people linking offices on Electra Way with the shops on Beswick Drive. The application proposes to provide a footpath for this route around the eastern end of the development.
- Access will be from the roundabout at Beswick Drive which is located off University Way.
- Two areas of car parking are proposed one on the north of the site and one on the east providing a total of 52 car parking spaces.
- Covered secure parking for 8 cycles will be provided.

Transport Statement (*prepared by Shepherd Gilmour Infrastructure Ltd dated April 2010.*)

- The site is located 1.5km east of Crewe town centre
- Access will be from the four arm roundabout on Beswick Drive which is located off University Way.
- There are 2.7m wide segregated footways with street lighting on Beswick Drive which has no parking restrictions.
- A three metre wide combined footway and cycle way is provided on the north bound side of University Way with a 2m wide pedestrian footway on the south bound side.
- There are two bus stops on Crewe Green Road and another bus stop on Crewe Road all of which are about 5 minutes walk from the site using footways. These routes have

buses to Crewe, Hanley, Biddulph, Sandbach, Congleton, Macclesfield, Winsford and Northwich. Routes number 20 (Crewe to Hanley via Tunstall and Alsager), 37 (Crewe to Sandbach, Winsford and Northwich) and 38 (Crewe to Sandbach, Congleton and Macclesfield) are regular services and include buses from 06:00 hours until 23:00 hours on weekdays. There is also a Sunday service.

- The railway station is 1.4km away and facilities include cycle parking, a 500 space car park, and a ticket office open from 05:30 to 20:30 hours. Local trains link to Sandbach, Holmes Chapel and Winsford and are more frequent during peak hours, with less frequent trains to Congleton and Nantwich. There are also services to Manchester, Liverpool, Birmingham New Street and Chester.

- There are cycle links in the area including along University Way and RR74 links from near Wrenbury to Sandbach through Crewe using Crewe Road and Crewe Green Road. These routes can be combined with a number of local cycle routes to give good access to the site from Crewe and surrounding areas.

- Pedestrian footways in the locality are well lit and junctions at the roundabout on the north end of University Way and elsewhere are provided with pedestrian crossing points.

- The site is well located therefore for access by a choice of public transport, walking and cycling.

- A survey of existing staff showed that 36.8% live in Crewe and 7.9% in Nantwich with 60% of all staff living in areas which would potentially access the site using bus services.

- Currently some 75% of staff drive to work and 6.7% are passengers in a car.

- The existing offices for the company are located in Crewe therefore the traffic generated will not be new traffic but existing trips. Using information from the TRICS database it is demonstrated that the offices will generate 29 and 30 two way trips in the morning and evening peak periods respectively. These are considered to be existing trips since the company already operates within Crewe but if they were new trips this would be only a 3.2% and 3.1% increase in two-way base level flows on University Way.

- 52 car parking spaces are to be provided including 2 mobility impaired spaces which is below the level of maximum parking required by the Borough Local Plan and will meet the needs of the site.

- Swept path analysis shows that the largest size of refuse vehicle available in the UK will be able to turn within the site

-

Protected Species Survey (*prepared by Biota and dated April 2010*)

- The survey area extends for 100m outside of the development site boundary.

- There are no protected habitats on site.

- There was no evidence of bats roosting at the site. An endoscope was used to inspect the bridge on the south side of the site. A dusk survey was completed using a bat detector and this did not show bats using any of the trees.

- There was no evidence of Water Voles at the time of survey although it was noted that there had been evidence in the 2000 survey but not in later surveys in 2003 and 2006.

- There was no evidence of White Clawed Crayfish. The brook here is very silty and white clawed crayfish prefer a stoney water course.

- Later information submitted confirmed there are no ponds containing Great Crested Newts within the vicinity of the site.

- The development will not therefore have any detrimental impact on protected species however the use of bat boxes on retained trees and bird nest boxes for swifts on the building are recommended.

- The removal of Himalayan Balsam and coppicing of the Crack Willow together with the provision of bird and bat boxes will have a positive contribution to biodiversity.

Flood Risk Assessment (prepared by Shepherd Gilmour Infrastructure Ltd and dated April 2010)

- The site is a Greenfield site located in Flood Risk Zones 2 and 3.
- Discharge rates of 5 litres per second will be applied to the site.
- In order to achieve the requirement that development should not worsen flooding elsewhere it is proposed that the drainage system should adopt sustainable drainage measures which might include harvesting and reuse of rain water, open attenuation or the use of oversized pipes, or permeable paving/ infiltration system.
- The design of the surface water system will include an allowance of 15% for climate change allowances.
- The finished floor level of the proposed building will be set at 48.4m AOD which is above the worst case scenario of 1 in 100 year flood level which would set the building at 47.0m AOD.
- At this level it is not considered that the building would be at risk from fluvial flooding, ground water flooding or any overland flow from the nearby sewers in times of storm.
- A detailed site drainage plan should be prepared in accordance with these principles.

Tree Survey, Assessment, Landscape Design and Maintenance (prepared by Land Lizard and dated April 2010)

- Identifies 29 trees on the site of which a number are considered unworthy of retention.
- Propose the retention of the large mature Oak located centrally within the site and the small Oak next to it as a focal point within the development site.
- Recommend remediation to the retained trees, in the case of those along the Valley Brook this includes coppicing.
- A number of trees alongside the Valley Brook are however recommended for removal and replacement.
- A landscaping scheme is also proposed for the development site including tree planting, a native hedgerow with 6 species to site boundaries with shrub and herbaceous planting at the site entrance and around the building. A maintenance schedule is also attached.
- Tree Protection measures are also detailed.

Geo-Environmental Desk Study Preliminary Risk Assessment (prepared by Shepherd Gilmour Infrastructure Ltd dated April 2010)

- There is potential for contaminants (heavy metals, organic and inorganic compounds) as well as asbestos to be present which might have arisen due to historical uses of the site.
- There is potential for the generation of harmful ground gases and volatiles to be present due to the underlying geology, imported fill and from filling in a former mill pond on the site.
- A site specific contamination risk assessment should be completed.

9. OFFICER APPRAISAL

Principle of Development

The site is part of the land allocated under policy E.1.1 in the Borough of Crewe and Nantwich Replacement Local Plan for B1 uses and any use required in association with Manchester Metropolitan University. The application site was included within the 2003 application (P03/0639) which was a hybrid application and sought outline permission for B1 offices and other uses as well as seeking full permission for the student accommodation. Subsequently an application to extend the time for the submission of the reserved matters under the outline permission was allowed (P06/0964). Both permissions have now lapsed. Nevertheless because of the allocation in the local plan there are no objections to the proposed application in principle subject to compliance with other policy requirements.

It is also noted that the site is well served by public transport, within walking distance of Crewe Railway Station and has good walking and cycle linkages to the town centre and residential areas. The development of the site is therefore in accordance with Government guidance to locate new development in areas well served by public transport which offer a choice of means of access.

Design

The building would be located towards the western side of the site in a manner which would allow for the retention of trees along the Valley Brook and would not interfere with the mature Oak tree located within the site. The approach to the site is via the service area at the rear of the shops. There is no other vehicular approach. The site would be laid out to provide for an entrance feature with a named plaque "Meadow Bridge" and tree planting to frame views of the front of the building. In addition the hedgerow to be provided around the site would soften the impact of other buildings and car parks as it matures.

The boundary fencing would match the existing fencing on the western boundary with Booth Hall, the MMU halls of residence. In most places the boundary hedge would be located inside the fence but at the site entrance the boundary fencing would be set back behind landscaping. This would visually link with the planting around the side of the shops and the halls of residence.

The three storey building would be set below the level of the halls of residence and the ridge of the roof would not exceed the height of the halls. Whilst the atrium would face the entrance to the site, the plinth, glazed clerestorey and brick detailing would be present on all elevations so that the building would not have a "rear elevation". Further the pattern of fenestration, including the clerestorey, would be repeated on all elevations. Car parking would be divided into two areas which reduces the mass of hard surfacing at the site. The landscape scheme would provide planting throughout the site to soften the appearance of the development and form a suitable edge to the Valley Brook and Greenway to the south of the site. A condition should be imposed on any permission to ensure the provision of reveals to windows and doors which will ensure improved detailing in the design of the building.

The brick built bin store and separate cycle parking would be located adjacent to the northern car park and close to the brick substation which is adjacent to the application site and serves the halls of residence.

It is considered that the design of the building will provide a high quality building which addresses both the site entrance and also looks over the Valley Brook. The size, scale, form and design of the building would sit comfortably within the existing development and the landscaped setting would both enhance the appearance of the site and also biodiversity, as explained later.

Pedestrian Link

The application site includes the provision of a footpath to link the footbridge across the Valley Brook to the shops in the form of a 2m wide tarmac path, which would ensure that the unauthorised route used by people between the shops and Electra Way is relocated within the overall site. The implementation of this path meets requirements of policy TRAN.3 to create pedestrian routes through employment areas. The path would however be located outside the boundary fencing, but still within the application area to ensure security for the offices. A hedge would be provided inside the fencing with grassed areas and existing trees retained on the bank of the Valley Brook on the opposite side of the footpath.

A condition is recommended for the submission of details of the construction of the footpath to be submitted, approved and implemented. This will ensure an appropriate construction and finish to the tarmac surfacing and ensure a “no dig” construction to protect tree roots. Similarly a condition is also recommended for a scheme to be submitted for the refurbishment of the bridge over the Valley Brook. However the applicant is not aware of the ownership of this land. The application has been submitted with Certificate D confirming that the ownership of part of the site is unknown. It may be that the riparian owners (Swansway and Cheshire East Council) own the north and south sides of the bridge respectively. The details of the improvements to the bridge would take the form of resurfacing work, providing upstands/ rails/ barriers to the sides and repairs to the brickwork. It will be necessary to liaise further with the Council over these issues bearing in mind that the Council owns the southern bank of the Valley Brook. In this case in order not to delay the commencement of work on site it is recommended that the scheme for the refurbishment works to the bridge should be submitted, approved and implemented prior to the first occupation of the offices. However the applicant has also expressed concern that should an unknown landowner of the bridge come forward, they could cause delay or prevent implementation of the work. Whilst the applicant is prepared to complete the refurbishment of the bridge he does not wish that the requirement to complete these works should delay the opening of the offices which are urgently required. It is therefore recommended that the condition in relation to the implementation of the refurbishment works to the bridge should include a clause to allow that in the event of land ownership issues arising with a third party landowner (other than the Council and the applicant) which prevent the implementation of the works to the bridge, provided written evidence is submitted to the Local Planning Authority and accepted in writing, it should be agreed that the requirement to implement the works may be waived. The delivery of the pedestrian route would improve pedestrian links in the area.

Highway Matters and Parking

The location of the site and distances to bus stops, the railway station, the cycle / pedestrian links are explained in the applicant's supporting information and show that the site is in a sustainable location.

The site is accessed via Beswick Drive and the short access road which serves the rear of the shops. It is unlikely that in this location away from the junction of Beswick Drive and University Way the additional traffic that would be generated by the development would cause problems on University Way, bearing in mind that there are other areas close to this site which have still to be developed in accordance with the allocation in the Local Plan and which were originally included in the 2003 outline permission for the development.

The application proposes 52 car parking space including two spaces for persons with limited mobility. This equates to the standards in the Borough of Crewe and Nantwich Replacement Local Plan which according to policy TRAN.9 are to be used as maximum standards.

There is no service area as such proposed within the layout and it is recommended that a condition be attached to any permission to ensure that the site is only used for B1 office development only and for no other purpose including Research and Development and light industrial uses which are also B1 uses. This is to enable the Authority to exercise control over development and ensure that there is adequate servicing and parking for any other uses particularly since additional areas of hardstanding could be detrimental to the long term retention of protected trees on the site as well as adversely impacting on the visual amenity of the Valley Brook Greenway.

SUSTRANS request the submission of a Travel Plan. However the proposed floor area of this development is well below the minimum standard at which a Travel Plan is required under PPG13 and no grounds for the special justification of a Travel Plan have been presented. A covered secure cycle stand with parking for 8 cycles is proposed. This is a typical convex curved roof structure covering metal hoops and is the standard type of cycle parking facility seen at other sites in this area. A condition should also be attached to ensure the provision of the cycle parking and for the provision of showers in the building to ensure that anyone cycling to work has access to a shower.

Trees and Landscaping

There is currently public access along the south side of the Valley Brook through the Greenway and this site is therefore visible to pedestrians using that footpath network.

The site includes trees protected by Tree Preservation Order number 126. The trees on the site are protected as an Area of trees rather than individually. Many of the trees originally in the TPO have been cleared previously because they were in a poor condition. Since the trees to be retained are alongside the Valley Brook and the building is to be sited on the flatter land within the central part of the site the tree protection measures can be provided without conflict with the construction of the building. The large mature Oak tree which is located centrally in the site is to be retained together with the smaller Oak close to it. These are located to the east of the site for the office building and suitable protection measures can be provided around these trees without interfering with construction. The larger tree has a life expectancy of 20-40 years according to the Tree Survey. It would form a focal point for the development site being located between the access from Beswick Drive and the pedestrian bridge over the Valley Brook. Once it reaches the end of its natural life the younger tree would be more established and able to take over in this role.

Five trees are to be removed because they are either dead or in a poor condition. This includes one Sycamore which is also to be removed to allow the retention of the other

natives in the group. There are seven Crack Willow and Alder alongside the Valley Brook where the recommended works include the removal of broken limbs and the requirement to monitor for stability.

The applicant's agent has confirmed that T3 a Crack Willow would be retained. T10 another Crack Willow will be coppiced but because of fungi present the resultant materials would be removed off site. T21 another Crack Willow would be cleared and new planting would take place.

There are no objections to these works to trees which are the subject of the Tree Preservation Order since they would prolong the life of the trees as a whole, promote biodiversity of the site and allow the development to be provided in a landscaped setting.

The proposed landscaping includes the provision of 25 new trees (mainly native) all with value to wildlife as well as providing appropriate trees for use in landscaping the development. Hedging would be located inside the boundary fencing adjacent to the footpath route to be provided to link the bridge across the Valley Brook and the shops. The hedgerow would include six native species which would benefit wildlife and form a habitat link from the Valley Brook to the north side of the site. The landscape officer has requested an extension to this hedgerow which has been terminated to allow natural surveillance of the footpath route and this has been agreed. The condition in relation to the landscape scheme will need to be revised to take account of this additional planting.

Car parking areas would be designed to allow rain water to run off into the planting areas. The grassed areas would be sown with wildflower mixes and damp areas created to collect water in times of rain. These areas would be sown with damp ground wildflower mix and in times of heavy rain overflow by a rill to the Valley Brook.

A programme to clear the Himalayan Balsam from the site would take place and allow the development of native grasses with wildflowers.

At the site entrance the ground would be raised to allow the formation of a vertical face for the name "Meadow Bridge". Tree planting would be used at this point to frame the office building. Formal shrub beds would be provided at the site entrance and also around the office building. The landscape scheme is submitted with a five year maintenance schedule.

Alterations to the General Permitted Development Order in 2010 allow for office buildings to be extended by 50 square metres or 25% of their floor space whichever is the lesser and the provision of hard standings within the curtilage. In view of the proximity of the building to the trees which are the subject of the Tree Preservation Order it is recommended that the permitted development rights are removed to ensure that future extensions and hardstandings do not adversely impact on protected trees.

It is considered that the retention of the trees and the removal of other trees with their replacement would provide a landscaped setting which would enhance this area adjacent to the Valley Brook both in terms of a landscaped setting and also in terms of promoting biodiversity.

Ecology

No protected species or protected habitats were found on the site. Day time and evening surveys included the bridge over the Valley Brook (to check for the emergence of bats) but no bats were found. The protected species survey recommends the removal of Himalayan Balsam from the site. The survey makes recommendations regarding specific bird nest boxes and bat boxes to be provided. Conditions can be attached to any permission for the submission of details to indicate where the proposed bat and bird nest boxes are to be located and the implementation of these measures. The coppicing of the trees adjacent to the Valley Brook would ensure their retention and the stability of the banks and their continued retention to support wildlife in the locality. Some of these trees have already been coppiced previously and this would therefore continue the practice. These measures would collectively enhance the biodiversity of the area.

Drainage

A Flood Risk Assessment is submitted. The Environment Agency initially objected to the application and following the submission of a further Flood Risk Assessment to the Environment Agency they withdrew their objection in relation to the loss of the flood plain. They do however maintain their objection to the position of the building relative to the top of the bank. It appears that the Environment Agency and the developer's representative have different opinions as to exactly what constitutes the top of the bank and a site meeting has been set up to consider this further. The written response from the Environment Agency indicates that they require a clear zone of 6m from the top of the river bank to the building to allow access for emergency purposes and general maintenance. The outcome of this meeting will be reported to the Committee in the Updates Report.

The submission demonstrates that the site can be appropriately drained using sustainable drainage techniques so as to avoid increasing the risk of flooding at the site or down stream as a result of the proposed development. A condition should be attached to any permission for the submission and approval of a surface water regulation system and the implementation of the works. In the event that the above issue in relation to the clearance zone between the top of the bank and the building is resolved the Agency also request a condition for a scheme for working method statement to explain how the buffer zone will be protected during construction.

Contaminated Land

The Desk Assessment notes the potential for contaminants to be present largely as a result of previous activities on the site. A condition can be attached to any permission for the completion of a contaminated land survey and the submission of the results to the Local Planning Authority. In the event that contaminants are found then remediation will be required.

Sustainability

The site is well located to allow access by a choice of means of transport including public transport with a number of bus routes serving the site. The site is also within walking distance of Crewe railway station and has good links for access by cycling and walking to the town centre and thence to residential areas. The site is therefore in a sustainable location. This report also demonstrates that the site would be landscaped and a

sustainable drainage scheme would be developed to ensure that the site is drained in a sustainable manner, including the use of rain water for watering planted areas. Although located within a flood risk zone the development would be sited at a level to avoid any danger of risk from flooding. The proposed works to retained trees and additional planting together with the provision of bat and bird nest boxes would ensure the improved biodiversity of the site.

In terms of measures to be used to ensure the efficient use of energy within the building, the application proposes a list of measures to promote efficient use of energy but these have not been worked through in detail. It is recommended that a condition be attached to any permission for a scheme of measures to ensure energy efficiency within the development to be submitted, approved and implemented.

Amenity

There are no dwelling houses close to the site. The university halls of residence are adjacent to the site. However bearing in mind the presence of the shops, public house and student accommodation and the principle that an office development is considered appropriate to a residential area it is not considered necessary to condition hours of operation. It is in any event recommended earlier in this report that the development should be subject to a condition limiting future use to B1 offices only.

The Environmental Health Officer recommends conditions for details of the hours of construction and the hours for pile driving (if required) to be submitted and agreed. The Circular advising on the use of planning conditions states that conditions should only be imposed if they are necessary. Bearing in mind the location of the site it is not considered necessary to require details of the hours of construction to be approved. However it is understood that pile driving can cause problems of vibration for residents who are located further from the site and in this case a pile driving condition is recommended.

Other Matters

The comments of the Fire and Rescue Service should be forwarded as an informative to the applicant.

10. CONCLUSIONS

The site is allocated for employment uses in the Borough of Crewe and Nantwich Replacement Local Plan and the proposed development complies with policies for such a use. The development would provide a three storey office building constructed in brick and tile within a landscaped setting and an appropriate level of car parking. The building would be of an appropriate size, scale and design for this location. The works to trees on the site which are subject to a Tree Preservation Order would ensure the retention of trees within the development and the replacement of those to be removed with new tree planting. The proposed development includes measures to enhance the biodiversity of the site and would include a pedestrian link across the Valley Brook to the employment sites on Electra Way. The proposed development includes an appropriate level of car parking for the offices as well as cycle parking.

11. RECOMMENDATIONS

Subject to addressing the concerns of the Environment Agency APPROVE with the following conditions:-

- 1. Commence development within 3 years.**
- 2. Development in accordance with approved plans**
- 3. Samples of materials to be submitted, approved and implemented.**
- 4. No trees shown to be retained in the Tree Survey, Assessment, Landscape Design and Management document shall be removed from the site without the prior written approval of the Local Planning Authority.**
- 5. Surface materials to be submitted, approved and implemented.**
- 6. Implementation of tree protection measures prior to the commencement of development and any site works, as detailed in the Tree Survey, Assessment, Landscape Design and Management prior to the occupation of the development.**
- 7. Implementation of the remedial works to trees including coppicing and work to remove Himalayan Balsam as detailed in the Tree Survey, Assessment, Landscape Design and Management prior to the occupation of the development except that T3 (Crack willow) to be retained .**
- 8. Before development commences details of a revision to the submitted landscape scheme to be submitted and approved in writing for the provision of the perimeter planting on the southern side of the site. Implementation of revised landscape scheme as detailed in the Tree Survey, Assessment, Landscape Design and Management.**
- 9. Maintenance and management of landscaping as detailed in the Tree Survey, Assessment, Landscape Design and Management**
- 10. No change of levels around the retained trees.**
- 11. Boundary treatment to match that on the existing western boundary, to be provided.**
- 12. Withdraw permitted development rights for other means of enclosure.**
- 13. Surface Water Regulation scheme to be submitted approved and implemented based on the Flood Risk Assessment.**
- 14. Building to be set at specified level (still to be agreed through FRA) unless otherwise first agreed in writing.**
- 15. Contaminated land survey to be submitted and if necessary, remediation measures with site completion report when mitigation implemented.**
- 16. Details of pile driving if required to be submitted, agreed and implemented.**
- 17. Details of location of bat boxes and their provision.**
- 18. Details of the location of bird nest boxes and their provision.**
- 19. Details of waste recycling facilities to be submitted, approved and implemented. Provision of bin store and waste recycling facilities in accordance with submitted details.**
- 20. Provision of cycle store.**
- 21. Provision of showers to be available for use by all staff.**
- 22. Provision of car parking**
- 23. Scheme to be submitted and approved for the provision of energy saving measures in the design of the building, its operation and implementation of the measures.**
- 24. Details of the construction of the tarmac pedestrian link within the application site (which links the shops and the development off Electra Way across the Valley Brook) to be submitted and approved before development commences. This shall include “no dig” construction where the path falls within Tree Root**

Protection Areas as identified within the Tree Survey, Assessment and Landscape Design and Management document. The pedestrian route to be provided before the offices are first brought into use and thereafter retained.

25. Scheme for the maintenance of the pedestrian link to the shops to be submitted, approved before the pedestrian link is provided and implemented.
26. Scheme for works to the bridge across the Valley Brook to be submitted, approved and implemented before the building is first occupied. In the event that third party land ownership issues (outside the control of the Council and the developer) prevent implementation of the scheme evidence of the explanation for the non-implementation shall be submitted in writing to the Local Planning Authority, which upon the receipt of satisfactory evidence, shall agree in writing to the non-implemented.
27. Scheme for maintenance of the bridge.
28. Use for B1 office development only and no other purpose.
29. Withdraw permitted development rights for extensions, alterations and hardstandings for offices.
30. A scheme for working method statement to explain how the buffer zone to the Valley Brook will be protected during construction to be submitted before development commences, approved and implemented.

LOCATION PLAN: Location Plan: Cheshire East Council Licence No. 100049045



Planning Reference No:	10/1659N
Application Address:	Bombardier Transportation, West Street, Crewe, CW1 3JB
Proposal:	To Erect Two Storey 81 Bed Care Home (Class C2: Residential Institution) Following Site Removal of an Existing Car Park.
Applicant:	Keenrick Care Homes & Seddon
Application Type:	Full Planning Permission
Grid Reference:	369453 356042
Ward:	Crewe North
Consultation Expiry Date:	16 th June 2010
Date for determination:	4 th August 2010

SUMMARY RECOMMENDATION

Approve subject to conditions and completion of Section 106 Agreement.

MAIN ISSUES

- Principle of Development
- Affordable Housing
- Amenity
- Design and Built Environment
- Drainage and Flood Risk
- Highways
- Section 106

REFERRAL

The application has been referred to planning committee because it is over 1000sq.m in Floor Area and is therefore a major development.

1. SITE DESCRIPTION

The application relates to part of the existing Bombardier Railway Maintenance Facility at Dunwoody Way in Crewe. The area is currently utilised as a large surface car park. The surrounding development comprises the railway works to the south and west, and residential and retail development to the north and east.

2. DETAILS OF PROPOSAL

Planning permission is sought for the erection of an 81 bed care home. The building would be 2 storeys in height, located at the eastern end of the site and arranged around a central courtyard garden, with parking, servicing and further garden areas to the western end of the site

3. RELEVANT PLANNING HISTORY

P06/0754 – Outline application for Mixed Use Redevelopment including the Retention of Existing Offices, Residential Development and Employment Development for B1/B2/B8 Uses with Associated Highway Works and Landscaping. Withdrawn 4th September 2006

P07/0173 Mixed Use Redevelopment Including the Retention of Existing Offices, Residential Development and Employment Development for B1, B2, B8 Uses with Associated Highway Works and Landscaping - Withdrawn

4. PLANNING POLICIES

National Policy

PPS 1: Delivering Sustainable Development

PPS 3: Housing

Local Plan Policy

Built Environment Policies

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Access and Parking)

BE.4 (Drainage, Utilities and Resources)

BE.5 (Infrastructure)

BE.6 (Development on Potentially Contaminated Land)

Employment Policies

E.4 (Development on Existing Employment Areas)

E.7 (Existing Employment Sites)

Housing Policies

RES.2 (Unallocated Housing Sites)

RES.3 (Housing Densities)

RES.7 (Affordable Housing within the Settlement Boundaries of Crewe, Nantwich and the Villages Listed in Policy RES.4)

Transport Policies

TRAN.3 (Pedestrians)

TRAN.5 (Provision for Cyclists)

Other Material Considerations

5. OBSERVATIONS OF CONSULTEES

Sustrans

- They are pleased to see a commitment to travel planning for staff. This should have targets and be monitored regularly for its effectiveness.
- There should be secure cycle parking places under cover at a convenient location for staff. A few Sheffield stands near the entrance for visitors will be useful.
- The application refers to the adjacent cycle track on Dunwoody Way. This is opposite the site; a comment we have made often about this facility is that it is not connected properly at either end to the public highway. It actually encourages cyclists to continue their journey on the pavement!
- For a development of this scale, they expect the planners to negotiate for a contribution to ensure that the cycle track at the West Street end of Dunwoody Way is joined properly to the public highway. This may be, for example, by ensuring there is a refuge crossing suitable for cyclists along with a short section of cycle track on the west side of Dunwoody Way.

Cheshire Fire Service

- Access and facilities for the fire service should be in accordance with the guidance given in the Building regulations
- The applicant is advised to submit details of the water main installations in order that the fire hydrant requirements can be assessed
- Means of Escape should be in accordance with current Building Regulations.
- The applicant should consider the inclusion of an automatic water suppressions system to enhance any proposed design.

Housing

- There is no requirement to provide affordable housing as part of this development. As such the Housing Strategy team have no comments to make on this application.

Highways

- The proposed access and alterations to the existing pedestrian refuge island will need to be constructed under a section 278 agreement. The refuge island will need to be sited safely and should be designed to accommodate both wheel chair and mobility scooter users.
- A footway link to the right of the proposed access should be provided and connect up to the existing roundabout that serves both Bombardier and Morrisons. This should include the provision for cyclists to exit the existing cycle lane and enter onto the highway at this point.
- The south west corner of the roundabout that serves both Bombardier and Morrisons has a poor visibility for both pedestrians and cyclists when waiting to cross towards Morrisons. This should be improved as part of this development under the same 278 agreement. A small portion of the Bombardier site may need alterations to the existing fence line to achieve better forward visibility at this location.
- Providing that all of the above can be achieved and a suite of plans is provided and approved by the LPA prior to approval, the Highways Authority has no objections.

Network Rail

- No objection

Environmental Health

- Any proposed external lighting of the site shall be submitted to and approved in writing by the Borough Council before it is installed to protect the amenity of local residents.
- The recommendations in the Environmental Noise Study conducted by Red Acoustics dated 27th April 2010 shall be included in any approval, in summary these are:
 - Recommended Glazing configuration of 4/12/6mm
 - Acoustically rated trickle vents on the north, east and south east elevations
 - Standard trickle vents on the south west elevation
 - Plant, and associated plant noise generators to be located to the north or north east elevations
- Where piling of foundations is necessary this is to be undertaken between 9am – 5pm Monday to Friday and no works of this nature to be undertaken on Saturday, Sunday or Bank Holidays.
- Construction hours (and associated deliveries to the site) shall be restricted to 08:00 to 18:00 hours Monday to Friday, 09:00 to 14:00 hours Saturday, with no working Sundays or Bank Holidays.
- This site forms part of a wider area currently utilised as a locomotive repair works and therefore there is the potential for contamination of the site and the wider environment to have occurred.
- A contaminated land condition should be attached to the planning permission to ensure the development is suitable for its end use and the wider environment and does not create undue risks to site users or neighbours during the course of the development.
- Reading the transport assessment an air quality impact assessment is not required. The Travel Plan should be implemented as part of the development and then consequently monitored in terms of take up.

6. VIEWS OF THE PARISH / TOWN COUNCIL

N/A

7. OTHER REPRESENTATIONS

One letter of objection has been received making the following points

- The conclusions reached in the Transport Statement of this Planning Application in respect of Public Transport/Infrastructure are unfounded, being based on erroneous information.
- The failure to provide Bus Stop/Shelters adjacent to the proposed Residential Care Home is in contravention of Government Guidelines and needs to be addressed.
- The Transport Statement and Transport Plan should be revisited before Planning Approval is given.
- The accuracy and detail contained in the sections below leaves a lot to be desired. Although the documents are dated April 2010 I cannot reconcile, in particular the accuracy of the Bus Services shown to be operating in the area at that time. It is even more disturbing that this information was supplied by Cheshire East!
- The letter lists a number of inaccuracies in terms of the stated timetable information
- It also lists a number of important services which operate in the area and were omitted
- The computer generated map showing 30min journey times from the site by Public Transport, from which the conclusion is made that public transport is easily accessible is flawed. Faced with either a 10min walk to the nearest Bus Stop or 20min walk to the Bus Station it is impossible to reach many of the destinations shown within the 30min. Indicated.

- Before using any software to make claims of this nature it needs to be verified by other means. (In this case by making actual journeys). I recommend that the developer liaises with Cheshire East and West Integrated Transport Service at Ellesmere Port who have the expertise to make accrued judgment on journey times from the proposed Care Home.
- The documents state that Bus Stops can be found on Dunwoody Way and West Street, which are within 400m of the site. This may be the case “as the Crow flies” but certainly the walking distance to any of the stops suggested in the documents are all more than 400m actual walking distance, which should be measured from the proposed building entrance not site.
- Service 45A is the only service to serve the Eagle Bridge Bus Stops to the east of the site. Unfortunately there are no Footways anywhere on the southern (site) side of Dunwoody Way. Any intended user of these stops will find themselves having to negotiate the circuitous northern Footways, including crossing the vehicular access to the Morrison Store car park, and if using the outward stop (non DDA compliant as the rear of the Shelter is only approximately 1m from the edge of carriageway, making it impossible to use the Bus Ramp for Wheel Chair and Scooter users), access is via the ghost island at the Eagle Bridge Centre itself. Both stops estimated to be well outside 400m.
- Service 42 only serves the Morrison’s Bus Stop and Shelter (no raised kerb) en-route to Congleton, situated adjacent to their main store entrance. Again it is questionable if it is within 400m of the proposed Care Home main entrance. Bus Stops and Shelters exist in West Street and Frank Webb Avenue for the 42, 45 and 45A Bus services at the western end of the site. Estimated distances from the stops to the proposed Care Home main entrance are: Inward 420m and outward 460m. Both routes include negotiating the northern Footways and signalised traffic junction of Dunwoody Way with West Street.
- Services 6/6E and 31/31A. It is difficult to comprehend how any one could consider that these services are easily accessible for this development, as it entails detailed knowledge of the area, involving a rear pedestrian access to Goddard Street adjacent the Morrison Store access road. It is certainly well over 400m to the Bus Stops for these services in West Street by foot from the proposed Care Home main entrance. (NB: These services operate via Underwood Lane and do not operate along the northern end of West Street)
- The documents suggest that Crewe Bus Station is only 10 minutes walk from the development, again this is erroneous. As a regular able bodied pedestrian in this area and knowing the shortcuts, I would not expect to complete this distance “door to door” in less than 20 minutes! The documents own “Walking Accessibility Map” places the Bus Station at 800m-1200m distance from the development.
- Considering this development is an 81 bed Care Home it is reasonable to assume that it will attract a considerable number of elderly visitors many of which will be reliant on Public Transport. The walking distances to Bus Stops for this type of establishment are given in the Department of Transport document “Inclusive Mobility” Section 6 and I quote *“Where there are places that will be used by disabled people, such as residential care homes, day centres etc, bus stops should be sited as close as possible and should have a pedestrian crossing (with dropped kerb) in reasonable proximity”*. This section also recommends “on route” bus stops at 250m for able bodied.
- The continued use of 400m in these documents is used out of context. The actual wording of the Department of Transport Guidelines state. *“In residential areas bus stops should be located ideally so that nobody in the neighbourhood is required to walk more than 400 metres from their home”*. Nothing at all to do with this development!
- It would not seem unreasonable to ask for a “developer contribution” for the provision of DDA compliant Bus Stops and Shelters adjacent to the proposed pedestrian access to this Care Home in line with Government Guidelines PPG13. Cheshire East to consider with the operators extending the service time of operation of the 45A now that service 46 has been withdrawn to accommodate this establishment and also to cater for extended Doctors surgery

times at the Eagle Bridge Centre. Cheshire East along with Cheshire West to consider a Service to operate on Sundays

- The documents state that the site is 2km as the crow flies from Crewe Railway Station and is accessible by foot or Bus.

- This statement is unfounded. The documents own "Walking Accessibility Map" shows the walking distance to Crewe Railway Station well in excess of 2km. The inference that the site is readily accessible by Bus from the Railway Station is far from the truth. Only Bus Service 42 (hourly) serves the site by a very circuitous route, the journey taking in the region of 20min to cover this short distance and runs only Mon - Sat.

- Given the size of this care home, it is conceivable, that a number of visitors will be generated arriving by rail as the documents suggest. Cheshire East along with Cheshire West to consider a Service to operate on Sundays from Crewe Rail Station along this route extended to Winsford/Middlewich/Northwich (No through services on Sundays) via Leighton Hospital as these conurbations are in Leighton Hospitals catchment area.

- This development is only a fraction of that proposed for the south side of Dunwoody Way, both east and west of this development. This will in turn further increase demand for Public Transport. However it is difficult to envisage that any additional bus stops required on Dunwoody Way could be located anywhere other than adjacent to the proposed Care Home development. The stops would of course also bring the Bombardier main entrance into walking distance (Southern Footway required) and the major housing developments underway opposite this site, the existing local population and future developments. Cheshire East Planning Authority, Highways and Transportation need to work together in a more unified approach and where Public Transport is concerned use the expertise of the shared Integrated Transport Service at Ellesmere Port. Cheshire East Planning needs to exercise more care ensuring that it includes provision for public transport/infrastructure to be included at an early stage in line with PPG13. If we do not; we miss out on developer contribution to improve our services and at worse create another Eagle Bridge scenario where public transport provision was omitted entirely, hence the ad-hoc/inadequate bus stop provision at this facility.

- It would appear that the Transport Strategy and Transport Plan have been treated to nothing more than a "Desk-Top" exercise which has little credibility to actual site conditions. Cheshire East needs to exercise more care in providing information to consultants in order that errors of this kind are not repeated. Cheshire East Planning need to liaise more with Cheshire Integrated Transport shared service when dealing with new developments within 400m of a Bus Route, especially as in this case actually on two Bus Routes.

- Developer Contributions are seen by most Councils and Government as an integral way of improving public transport to avoid a repeat of the "Eagle Bridge" fiasco which opened with no public transport or infrastructure. It seems that no lessons were learnt.

8. APPLICANT'S SUPPORTING INFORMATION:

Design and Access Statement

- The C2 care home use for the site fits well into the existing urban use of the town, both in the sense of being immediately in a housing area, and in providing care for the whole town and beyond.

- The care home is part of a relocation package, the aim of which is to provide a new facility to replace an existing care home. The new facility will be better located, on main routes and close to the town centre, in a high profile location, larger and up to date.

- The relocation means that the care home will already be substantially provided for with residents relocating from the existing home, as well as staff. The larger scale of the facility will provide spare capacity to meet the needs of the town as well as new job opportunities.

- The care home owners have sought to provide a new care home with excellent facilities, both in terms of accommodation and external amenity spaces. In addition, the layout of the building has been carefully designed to provide the following to the residents

Interesting common areas with varied characteristics and aspects (main lounges, quiet lounges, options for dining in different areas etc.)

Corridors have been designed to maximise staff supervision, but also to avoid long institutional lengths. This has been achieved by introducing additional turns, often with wider areas benefitting from views out

A racetrack corridor system, important for patients with dementia to allow residents to circulate around the building without coming to dead ends. The care home has been designed to a high standard with particular attention given to the following

- The way in which the external treatment echoes the earlier Victorian architecture of Crewe.
- This is done with more contemporary interventions.

The building is strongly articulated towards the main roundabout, acting as a gateway to the new development area opening behind the site.

The interaction of internal and external spaces, providing a number of options for residents. The internal courtyard also includes looped path systems allowing for perambulation around the garden by residents

- In summary the care home will be a much needed new facility for the local community and the town as a whole, whilst also providing some new employment opportunities. The site is well located for transport links and services. The design addresses both the unique location of the site, on a major gateway into and out of the town, as well as the challenges and opportunities presented by the site itself. The architectural language of the building is strongly linked to the architectural history of Crewe, whilst also representing a contemporary flavour to endorse the aspiration that this building is for now, and for the future of the town and the community.

Acoustic Report

- Using measured survey data for the existing background noise and manufacturer's data for plant noise, an assessment of potential impact in accordance with BS4142 can be undertaken for the nearest noise sensitive receptor.
- The nearest noise sensitive receptors are the dwellings at Grand Central, off Dunwoody Way to the north west of the site
- At this stage the location and type of plant is unknown and an assessment will be carried out when data becomes available. However, it is recommended that plant is located along the northern / north eastern façade of the development (facing Dunwoody Way and roundabout) as potential impact will be negligible compared to the existing traffic noise on Dunwoody Way. Locating the plant within the internal courtyard of the development should be avoided where practical as impact will be greater given the reduced background noise level within this enclosed space.

Vibration Impact Assessment

The assessment of ground borne vibration due to train and HGV movements has indicated that no special measures need to be taken into consideration in the design of the building to reduce levels of structure born noise and vibration due to trains and HGV movements

Transport Statement

- The new access has been designed in line with guidance in TD42/95 which states that minimum junction separation should be 50m where ghost island right-turn lanes exist. The right turn lane itself is 35m long which is adequate given the low level of traffic predicted to use the access.
- The capacity assessments of the proposed new site access have revealed that there will be no capacity issues for any of the peak hours either in the opening year of 2011 or the future. The proposed ghost island right turn ensures that there will be no delay to vehicles travelling south east and provides a safe place for vehicles to store, if they need to wait for a gap in the traffic.
- The site is located in a sustainable location on the edge of Crewe Town Centre. Their investigations have revealed that the site is within close distance of a large residential population which makes it suitable for walking and cycling to the site for staff and visitors living further afield, there are regular bus services along Dunwoody Way and West Street and train services to Crewe Railway Station. For the reasons set out above, there are no traffic, transport or highway related reasons for withholding planning consent for the proposed care home.
- A draft travel plan has been included within the submission.

Ground Investigation

- Overall the only potentially unacceptable risks to future residents come from substances in the shallow granular made ground namely metals. In all cases the risk driving exposure pathways are from direct contact such as soil ingestion, dermal contact or consumption of home grown produce
- Contaminative substances are limited to granular made ground soils in the upper 1m at the site. It is likely that some form of remedial work is required prior to the site being redeveloped for a residential care home with gardens.
- It may be possible to mitigate these risks via a number of methods including

Revise redevelopment plans to allow only properties without gardens

Remove contaminated shallow soils from the site and replace with a break layer and clean fill

Add a break layer and then import additional clean materials to a thickness of 1m.

Flood Risk Assessment

- The site is at low risk of flooding but requirements for the surface water drainage system and mitigation measures to minimise the impact of an event in exceedence of the design storm or a blockage of the site's drainage systems or systems elsewhere have been identified. The detailed design of the surface water and foul drainage systems and connections to sewer will be made at the appropriate stage of the development, particularly once foul volumes are known, but the outline drainage strategies present in the report provide a commitment to minimise flood risk to the site and elsewhere through the design and layout of the proposed development and the adoption of suitable mitigation measures.

9. OFFICER APPRAISAL

Principle of Development

The main consideration in respect of the principle of the development is the extent to which it complies with the provisions of Policy E.7 (Existing Employment Sites) of the Local Plan. This policy seeks to resist the loss of employment sites close to local centres of population as this can result in higher local unemployment and increased commuting, both of which are contrary to the principles of sustainable development.

The policy does allow for the loss of employment land to other uses in certain circumstances. The first of these is where the existing use harms the character or amenities of the surrounding area. There is no evidence to suggest that the current site operations conflict with residential amenity or the character of the area. Furthermore, the site could be redeveloped for a range of employment uses which would not impact on residential amenity, particularly those falling within use class B1, which by definition are appropriate in residential areas.

Secondly, the loss of the site for employment purposes is permitted where it is demonstrated that the site is no longer capable of satisfactory employment use and where the re-development would bring overriding local benefits. Equally there is no evidence to suggest that this site is incapable of further employment re-use. Nevertheless, there is an identified and growing need within the Borough for accommodation for older people, and therefore it could be argued that there would be some wider community benefit to be derived from the proposed development.

Finally the policy allows other uses where it can be demonstrated that there would be no detrimental impact on the supply of employment land or premises in the Borough. In resolving to approve the previous application on the site, the Council accepted the argument that the majority of the 7,438 m² of lost employment land is either underused, empty or used for car parking. It was therefore argued that the proposals represented a rationalisation of the existing operations and that all existing operations carried out within the site would be relocated to the company's retained site with no job losses.

As stated above, there is nothing to suggest that the site could not be redeveloped for an employment generating class B1 or B2 use. However, in resolving to approve the

previous application, the Council has already accepted that the loss of the site to residential development would not result in a detrimental impact on the overall supply of employment land or premises in the Borough and is therefore compliant with Policy E7.

Furthermore, it must also be acknowledged that according to the applicant the current care home proposal would secure and generate 89 full time jobs. Whilst this would not generate as many jobs as an office redevelopment, for example, it does bring more economic benefit than the previous residential scheme or retention as a surface car park would do

In summary, the proposed development would not result in a direct loss of existing employment land or premises in the Borough and would generate more employment opportunities than the previously proposed residential scheme. Consequently, it is concluded that there is no conflict with policy E7 of the Local Plan.

Affordable Housing

The proposal is for a close care residential institution falling within Class C2, consequently, there is no affordable housing requirement.

Amenity

The impact of the development upon the amenity of nearby residential properties is a key consideration. The nearest residential properties to site 1 are located on the opposite side of Dunwoody Way to the north. The proposed development is 2 storeys in height with a pitched roof, whilst the flatted development on the opposite side of the road is 4 stories. Consequently, only the ground and first floor flats are likely to be affected by the new development. For the most part the application site is separated from these properties by a distance of approximately 25m and accordingly the site is more than capable of accommodating residential development without resulting in undue loss of amenity by either overlooking or over domination to adjacent properties. Indeed it is considered that the proposed residential uses would be more compatible with the surrounding dwellings than the current and historic uses of the site.

Another key consideration is the requirement to ensure that the amenity of future occupants would not be prejudiced by the operation of the existing railway works. The applicant has submitted a noise and vibration report and this demonstrates that whilst the site is subject to moderate levels of environmental noise, appropriate glazing and ventilation can be installed to enable a comfortable internal environment and that vibration from the railway line would not significantly affect the development site. The Environmental Health section have analysed this data and have confirmed that provided the mitigation measures identified in the report are adhered to then they are satisfied with the proposals for the site.

Design and the Built Environment

The site layout provides for a frontage development to Dunwoody Way and the Bombardier Roundabout, whilst retaining an element of “defensible space” between the boundary with the public highway and the elevation of the building to reflect the fact that this is a residential use and to respect residents’ privacy. The parking areas would be in a

less prominent location to the rear of the building to avoid creating the appearance of a car dominated development. The service areas and utilitarian parts of the site would be located to the rear of the building, adjacent to the existing industrial uses, where they would not be visible and would provide an element of separation between the industrial and residential areas. The building would be arranged around a courtyard garden area, which would provide a private and peaceful area for residents which would be screened from the noise of the road and railway by the building and would create a pleasant outlook. A further secure residents' garden would be provided to the rear of the building, where it will be enclosed by the service yard, railway buildings and the care home itself. Careful attention would need to be given to the boundary treatment in this area, as well as to the road frontages and accordingly it is recommended that these details be conditioned. Overall, however, it is considered that this represents a high quality of layout which would provide a good standard of residential amenity for future occupiers as well as a high quality of urban design.

To turn to matters of elevational treatment, the building would be two stories in height with a steeply pitched roof. This reflects the traditional nature of the original railway workshop buildings and railway workers houses and is considered to be more in keeping with the general character and appearance of the surrounding area than the much taller flatted development on the opposite side of Dunwoody Way. Efforts have also been made to reflect the architecture of the Victorian and Edwardian railway houses, in the detail of the building, albeit in a modern way. For example, projecting gable features have been added to the Dunwoody Way elevations, as well as projecting bay windows, which are typical of the larger traditional Crewe dwellings to be found in West Street, and other nearby areas.

At the pre-application stage officers expressed concern that the central courtyard garden area would be overshadowed by the surrounding building for much of the day. Furthermore, they wished to create a focal point at the Dunwoody Way Roundabout. The architects have responded to these challenges by creating a "split" gable feature, with a projecting flat roofed entrance fronting on to the roundabout. Not only does this create an interesting and unusual aesthetic feature, but it also serves to reduce the building height at the eastern end of the courtyard to allow morning sunlight into the garden area.

Overall it is considered that the proposal is a good quality of design which meets the Council's aspirations for this site and subject to the use of an appropriate material, which can be secured by condition, it complies with the relevant local plan design policies.

Drainage/Flood Risk

The site is less than 1ha in area and does not meet any of the other criteria for the commissioning of a flood risk assessment. However, the proposal would result in a reduction in the extent of hard surfacing within the site and therefore a reduction in the potential for surface water run-off from the site itself. Consideration must also be given to how overland flow from neighbouring land uses would be managed during event exceedence. A full flood risk assessment was submitted with the previous application (due to the larger site area involved) and the Environment Agency were satisfied that any potential problems could be adequately mitigated through the use of appropriate conditions, and it is therefore recommended that the same conditions should be applied to any new planning permission.

Highways

The main access to the site would be via a new junction onto Dunwoody Way, whilst service access would be via the existing main roundabout access to the Bombardier site.

The application is accompanied by a Transport Statement which details the impacts of the development upon the local highway network. The Highway Authority have considered the data submitted and accept that the scheme would operate satisfactorily without undue pressure on the existing infrastructure and junctions around the town. However a number of recommendations have been put forward by the Highway Authority and these include certain works within Dunwoody Way in order to ensure that there are sufficient pedestrian and cycle links to serve the development. This includes upgrading the refuge island to accommodate both wheelchair and mobility scooter users, a footway link to the right of the proposed access to connect up to the existing roundabout that serves both Bombardier and Morrisons, and improvements to visibility at the roundabout.

In accordance with normal practice and in line with Policy TRAN.5 (Provision for Cyclists) a condition is recommended to ensure that covered secure cycle parking is provided at convenient locations throughout the development.

The redevelopment of the site would involve the loss of car parking areas and the applicant has accepted that there would be a need to replace these spaces. There is ample space to accommodate up to 250 car parking spaces within the retained site. This would have to be secured by virtue of a planning obligation

An objection has been received from a local resident claiming that the Transport Statement is based on flawed public transport information and that the site is unsustainable. In particular he takes issue with the accuracy of bus information, in his view the development is not providing sufficient additional infrastructure such as a bus stop, the bus stops / town centre are not within walking distance, routes and bus stops are not DDA compliant, and it is an excessive distance to the bus station. In his opinion, additional bus services and infrastructure should be provided through developer contributions.

According to PPG.13, walking distance is considered to be 2km. Even using main roads in order to avoid the steps adjacent to the cinema development, which are not DDA compliant, the site is located only, 1.93km from the town centre and bus station, which is within the PPG13 radius. Furthermore, the supermarket and medical centre at Dunwoody Way are 215m away and 572m respectively and the nearest bus stop is a similar distance from the site. Furthermore, there are no sequentially preferable sites, in terms of proximity to the town centre and main public transport hubs. That are available and could accommodate a development of this nature.

With regard to further developer contributions, Circular 05/2005 (Planning Obligations) sets out key tests that must be met in order to require a developer to deliver off site works or contribute towards them. These include the requirement for the works to be necessary to make the proposed development acceptable in planning terms. In this instance the works necessary to ensure that the development complies with the Development Plan are those which have been requested by the Strategic Highways Manager and if these are secured then the proposal would not conflict with the local plan policies. Accordingly it is not therefore considered necessary or reasonable to require the applicant to provide

additional contributions in this instance as aside from the specified works the contribution would not be directly related to the application site.

The Strategic Highways Manager has not raised any concerns regarding the accuracy of any of the information within the Transport Statement, and therefore it is not considered that a refusal on these grounds could be sustained.

Section 106 Matters

The proposed development raises a number of issues and must be assessed against all the relevant Development Plan policies. In making this assessment a number of measures and works are required in order to ensure that the proposal complies with the local plan policies. Whilst some minor elements may be secured by planning conditions there are more fundamental requirements which must be secured via a planning obligation (section 106 agreement). These include off site highway works and provision of replacement car parking within the retained employment site.

10. CONCLUSIONS

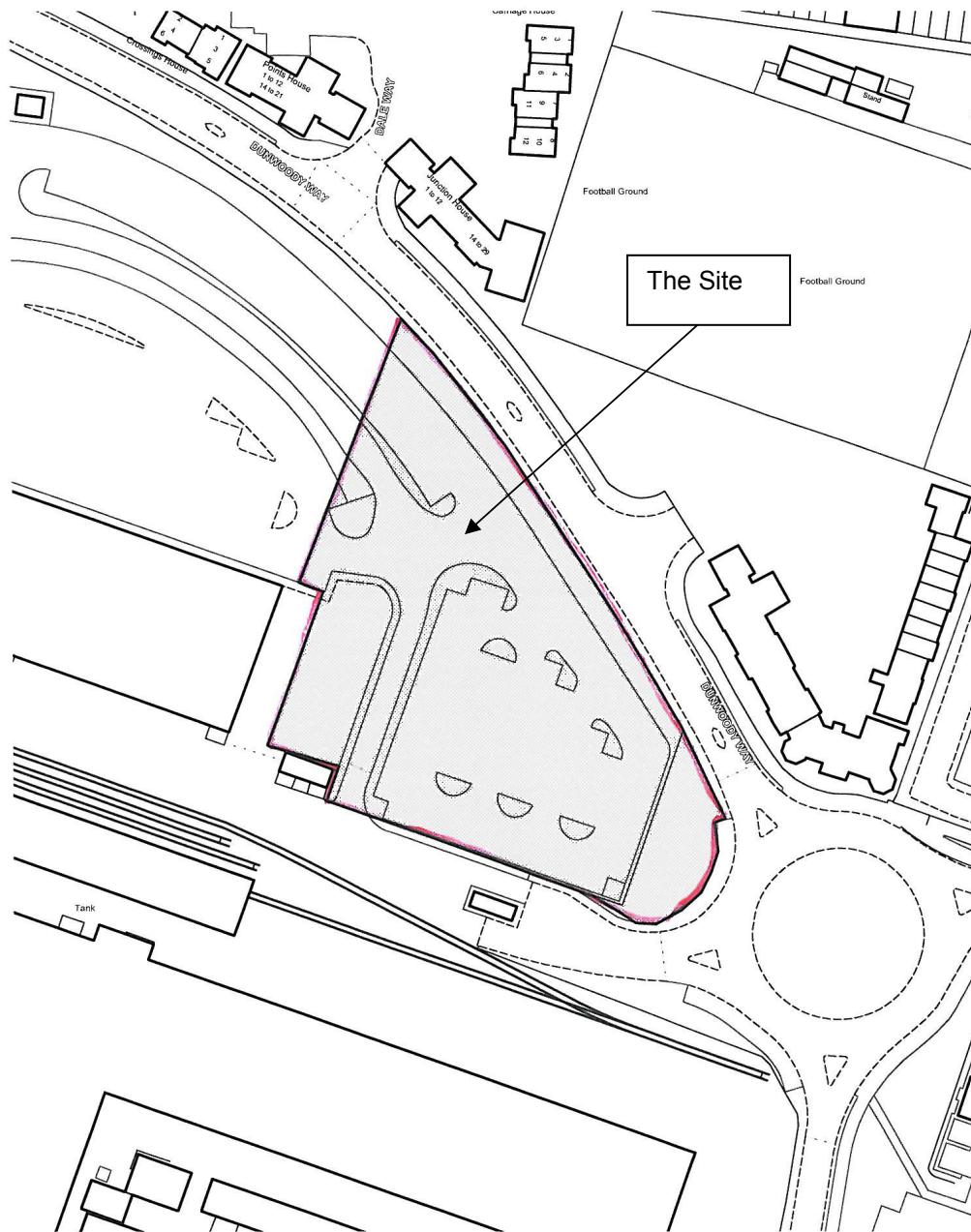
The proposal would not result in a detrimental impact upon the supply of employment land or premises in the Borough given that much of the site is underused and that the proposal also allows for the creation of over 80 new jobs. The redevelopment of both sites would not result in a loss of amenity to existing or future occupiers and the development would deliver considerable local environmental enhancements. A satisfactory access arrangement can be provided and the proposal would not result in a threat to highway safety or excessive impacts upon the local highway network. The proposal would deliver much needed older peoples housing and any lost car parking can be reinstated on land within the remaining part of the railway works.

9. RECOMMENDATION

APPROVE subject to completion of a Section 106 agreement to secure replacement car parking and also off site highway works and the following conditions:

- 1. Standard 3 year time limit**
 - 2. Compliance with approved plans**
 - 3. Submission and approval of materials**
 - 4. Submission and approval of cycle parking within scheme**
 - 5. Submission and approval of contaminated land mitigation measures**
 - 6. Piling hours to be restricted**
 - 7. Construction Hours to be restricted**
 - 8. Submission and approval of boundary treatment**
 - 9. Submission and approval of noise mitigation measures**
 - 10. Submission and approval of landscaping**
 - 11. Implementation of landscaping**
 - 12. Submission and approval of travel plan**
 - 13. Provision of Parking**
 - 14. Access works to be carried out prior to first occupation**
-

Location Plan: Cheshire East Council Licence No. 100049045



Planning Reference No:	10/2096N
Application Address:	Land to the Rear of 58 Wellington Road, Nantwich
Proposal:	Amalgamation of 58 and 58A Wellington Road and Construction of New House within Grounds of Existing Properties
Applicant:	Mr & Mrs Richards
Application Type:	Full Planning Permission
Grid Reference:	365255351545
Ward:	Nantwich
Earliest Determination Date:	9 July 2010
Expiry Dated:	28 July 2010
Date of Officer's Site Visit:	25 June 2010
Date Report Prepared:	9 July 2010
Constraints:	

SUMMARY RECOMMENDATION

REFUSE

MAIN ISSUES

- Principle of Residential Development
- Design Standards
- Amenity
- Nature Conservation
- Drainage
- Highway Safety

1. REASON FOR REFERRAL

This application has been called in to the Southern Area Planning Committee by Councillor Martin.

2. DESCRIPTION OF SITE AND CONTEXT

The application site measures 1000 sq. m and comprises two small semi-detached two storey cottage style dwellings and their 'L' shaped curtilages located off Wellington Road in Nantwich. The predominant land use within the locality is residential although the site is bounded by woodland to the rear and St Annes Catholic Primary School playing fields to the south. There are a number of semi-mature trees on the site and a hedge along the boundary with no. 60.

The site lies within the settlement boundary of Nantwich.

3. DETAILS OF PROPOSAL

The proposals relate to the conversion from two dwellings into one and the erection of one dwelling. As the proposals to convert 58 and 58A Wellington Road comprise internal alterations only, this does not require consent.

The following is to occur:

- Removal of 9 trees
- Erection of 'S' shaped dwelling comprising an 'L' shaped two storey section measuring 12.4m along the rear elevation with a 6m deep gable end to the south and projecting 13.6m to the east also with a gable end 6m deep. A single storey section is to project to the north measuring 6m x 5m the single storey section has an eaves height of 2.8m and a ridge height of 4.5m and the two storey section has an eaves height of 4.5m and a ridge height of 6.5m. The entrance point measures 2m x 2m reaching a height of 2.8m to eaves and 4.1m to the ridge of the lean to roof.
- The detailing on the property incorporates facing brickwork, slates, a chimney to the single storey section, a rooflight on the south elevation and three on the west elevation, Georgian style sash windows and the porch.
- Blocking up of existing entrance and formation of new entrance to serve both properties.

4. RELEVANT HISTORY

P06/0276 Outline Application for One Dwelling refused 04/05/2006

5. POLICIES

The development plan is the Borough of Crewe and Nantwich Replacement Local Plan 2011.

The relevant development plan policies are:

Local Plan Policy

RES.2 (Unallocated Housing Sites),
RES.3 (Density),
BE.1 (Amenity),
BE.3 (Access and Parking)
BE.4 (Drainage, Utilities & Resources)
BE.2 (Design Standards)
NE.5 (Nature Conservation and Habitats)

Other Material Considerations

PPS3 Housing
PPS1 Delivering Sustainable Development
PPS1 Climate Change Supplement
PPS22 Renewable Energy
SPD Development on Backland and Gardens

6. CONSULTATIONS (External to Planning)

Strategic Highways Manager: None received at time of writing report

Environmental Health: None received at time of writing report

Landscape Architect: None received at time of writing report

7. VIEWS OF THE PARISH COUNCIL

None received at time of writing report

8. OTHER REPRESENTATIONS

None received at time of writing report

9. APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement; summary

- No. 58 Wellington Road is a Georgian property which was subdivided
- Historically there were a range of outbuildings
- Design observe planning criteria
- Boundary wall proposed for privacy
- Renewable energy measures have been considered
- Regular bus service and all general facilities in close proximity

Tree Report; summary

- Proposed development has followed guidance contained in BS5837: 2005
- Protection of trees will be in accordance with BS5837: 2005 and as detailed on the tree protection plan and the arboricultural method statement
- Inspection of the tree protective fencing by the project arboricultural consultant will ensure that all works comply with the provisions of this report

10. OFFICER APPRAISAL

Principle of Residential Development

On 9th June 2010 the Coalition Government amended PPS3. Garden land is now classed as Greenfield rather than brownfield land. Nevertheless the application site is situated within the settlement zone line of Nantwich as defined on the adopted Local Plan where there is a general presumption in favour of new development as indicated by policy RES.2 of that Plan.

Under the previous application in 2006 planning permission was refused on two grounds; one of which was because the proposals represented backland development which did not fit into the prevailing character of the area and the pattern of development and was therefore unacceptable.

The proposal under this application is a form of backland development; other cases of this are evident along Wellington Road. It should also be noted that the SPD: Development on Backland and Gardens was published after this application was determined and this is a material consideration.

The SPD acknowledges in para 1.7 that backland development can make an important contribution to meeting housing targets and reducing the pressure to develop Greenfield sites.

The principle of residential development on the site is therefore accepted provided that the proposals accord with all other relevant policies within the Local Plan.

Design Standards

The context of the site comprises the built up frontage of Wellington Road. This comprises a mix of traditional housing styles the majority of which are either modest or substantial two storey properties set within large curtilages and set back from the road frontage. There is an established building line and the properties tend to be traditional in appearance. The existing dwellings on the site are cottage style and have sash windows, chimneys and are of Cheshire red brick and tile construction.

As noted above, there are examples of backland development within the locality.

In terms of detailing, the property has a clear entrance point and includes unifying features currently found within the locality including the sash windows, chimney and porch detail. That said, backland development should generally be subordinate in height or no taller than those of the frontage development (para 3.12). The footprint compared to the overall size of the site does not reflect the development densities within the locality and would result in a form of development that would look cramped and awkward particularly given the modest proportions of the existing dwellings. It is considered that as the dwelling would be visible from the road frontage and would subsume the entire plot it would appear incongruous and would have an adverse impact upon the character and appearance of the area.

Amenity

The SPD acknowledges that backland development typically involves constrained sites and this can result in amenity issues. That said the property would be orientated to avoid overlooking to principal windows in the rear elevations of properties along Wellington Road and the site backs onto an area of woodland. The proposed boundary treatment would avoid overlooking at ground floor level which can be conditioned along with obscure glazing to the bathroom and en-suite windows.

In terms of overshadowing and overdomination, the rear garden area for the property would be overshadowed by the dwelling which adversely affects its amenity value. Moreover whilst the amenity space to be provided would be over the 50 sq. m suggested by the SPD it appears unusually small for a dwelling of this scale. The amenity space retained for the existing dwelling(s) is considered appropriate for the size of property.

Nature Conservation

There are 11 trees and 2 groups of trees to the rear and a hedge along boundary with no. 60 at present. 9 trees are shown to be removed and tree protection measures are proposed to the remaining trees and hedging.

Whilst the existing trees are of limited amenity value, the proposals leave limited space for replacement planting and given that trees and greenery is a feature of the area the development would have a hardened edge which would juxtapose the existing context. This is an indication that the proposals represent an overdevelopment of the site.

In the event of approval, tree mitigation measures could be conditioned accordingly.

Drainage

The dwelling would be connected to the existing mains sewer and surface water would be disposed of via soakaways. Given that the proposals would increase the amount of hard surfacing at the site it is considered reasonable to condition sustainable urban drainage measures.

Highway Safety

The proposals provide two off street car parking spaces per dwelling which accords with the car parking standards within Appendix 8.1 of the Local Plan.

Turning to visibility, as Wellington Road is a long, straight road with wide pavements visibility at the existing entrance point is good. The visibility at the proposed entrance point would be the same and the proposals do not represent an increase in vehicle movements at the site as there would be no net increase in the number of dwellings at the site.

There is limited space for the manoeuvring of vehicles within the plot due to the constrained nature of the location. This is compounded when all the surface parking is in use. As Wellington Road is a busy road if vehicles at the site are unable to enter and exit the site in a forward gear this would have an adverse impact upon highway safety contrary to policy BE.3.

11. CONCLUSIONS

The proposals raise concerns for both highway safety and the impact of backland development upon the character and appearance of the area.

12. RECOMMENDATIONS

REFUSE for the following reasons:

1. The Local Planning Authority considers that the scale of the proposed dwelling represents an overdevelopment of the site which would constrain the amount of space available for amenity space and car parking and turning space which in turn would have an adverse impact upon the amenities of future occupants and highway safety contrary to policies BE.1 (Amenity) and BE.3 (Access and Parking) of the Borough of Crewe and Nantwich Replacement Local Plan 2011

2. The Local Planning Authority considers that the scale of the proposed dwelling represents an overdevelopment of the site which would result in a scale and form of development out of keeping with the prevailing pattern and character of the area contrary to policy BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the SPD Development on Backland and Gardens.



Planning Reference No:	10/1887M
Application Address:	Lumb Brook Livery Woodford Lane Newton Macclesfield
Proposal:	Extension to Existing Manege, Erection of New Timber Stable and New Entrance to Yard (Retrospective)
Applicant:	Mr P Jackson
Application Type:	Full Planning Permission
Grid Reference:	388702 381146
Ward:	Prestbury and Tytherington
Earliest Determination Date:	14 th July 2010
Expiry Dated:	29 th July 2010
Date of Officer's Site Visit:	6 th July 2010
Date Report Prepared:	7 th July 2010
Constraints:	Manchester Airport Safeguarding 45m+ Woodford Safeguarding 15m+ Green Belt (MBLP) Wind Turbine Development consultation area All Application for Development Likely to Attract Birds

SUMMARY RECOMMENDATION

Approve

MAIN ISSUES

- Whether the proposal is acceptable in the Green Belt
- Highways
- Amenity
- Ecology

1. REASON FOR REFERRAL

The application is before the Committee as the applicant is an immediate relative of Councillor Thelma Jackson, Ward Member for Prestbury and Tytherington. Councillor Jackson is also the site owner.

2. DESCRIPTION OF SITE AND CONTEXT

The application site comprises a range of buildings used for equestrian purposes, manege, and hardstanding / parking area. The site is located within the Green Belt as identified in the Macclesfield Borough Local Plan.

3. DETAILS OF PROPOSAL

This is a retrospective application which seeks full planning permission to retain an extension to the existing manege, retain a repositioned timber stable comprising 4 loose boxes and retain roof alterations to the existing concrete block stables.

4. RELEVANT HISTORY

09/3106M - Erection of New General Storage and Implement Shed. Erection of Horse Walker – Withdrawn 25.03.2010

5. POLICIES

Macclesfield Borough Local Plan Policy

BE1 – Design guidance
GC1 – New Buildings (Green Belt)
GC8 – Reuse of buildings (Green Belt)
DC1 – Design (New Build)
DC3 – Amenity
DC6 – Circulation and Access
DC32 – Equestrian facilities

Other Material Planning considerations

Supplementary Planning Guidance – Equestrian Facilities (Borough of Macclesfield)

6. CONSULTATIONS (External to Planning)

Strategic Highways Manager – No objections

Environmental Health – Comments not received at time of report preparation.

Prestbury Parish Council – Comments not received at time of report preparation.

7. OTHER REPRESENTATIONS

None received at time of report preparation. The publicity period for the application continues until 14 July 2010.

8. APPLICANT'S SUPPORTING INFORMATION

The applicant has submitted a brief Design and Access Statement providing a written description of the proposal.

9. OFFICER APPRAISAL

Green Belt

The stable buildings and equestrian use on this site have existed for some considerable time. By way of explanation the site was previously located within the Borough of Stockport, and during that time an appeal decision required the residential use (by the previous owner of the site) of a caravan to cease, but did not require it to be removed from the site. The caravan therefore lawfully remains in situ on the site, and is shown on the plans. The site is currently used as a livery and provides stabling for 18 horses. It is also understood that the applicant's business involves the buying and selling of horses.

Paragraph 3.12 of PPG2 indicates that within the Green Belt engineering and other operations, and the making of a material change in use of land will be inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt. Additionally, PPG2 identifies essential facilities for outdoor sport and recreation as not being inappropriate, where they preserve openness and do not conflict with the purposes of including land in the Green Belt. PPG2 goes on to note that where development is acceptable in principle, the visual amenities of the Green Belt should not be injured.

Macclesfield Borough Local Plan policy DC32 and the Supplementary Planning Guidance deal specifically with equestrian facilities (within the former Macclesfield borough) and state that these will normally be allowed in the countryside provided that the criteria outlined are met. These relate to the need for the development, its impact on the area and on nearby residents, access and parking provision and the requirement for residential accommodation.

Although considered to be essential facilities for outdoor sport and recreation, the number of stables does not increase with this proposal, a block of four stables has been re-sited from the front north facing elevation, to the east side adjacent to the existing caravan. The roof alterations add a shallow pitched roof to the main concrete block stables (which house 14 loose boxes), together with a higher entrance archway. The stables previously had a very shallow, almost flat, mono pitched roof, and whilst the new dual pitched roof has raised the height of the structures, this is marginally so. A number of storage containers have also been removed from the site. The height of the stables is now predominantly 3.6 metres, with the arched entrance 4.7 metres high, and whilst an additional block has been added to the front elevation to compensate for the stable lost to provide the entrance, the proposal is not considered to have a materially greater impact upon the openness of the Green Belt than the present (lawful) use of the site. Furthermore, there has been an overall improvement to the external appearance of the buildings as a result of the proposed alterations, and these will no doubt serve to benefit this local rural enterprise. The alterations to the buildings are therefore not considered to be inappropriate in the Green Belt.

The proposed manege is an extension of a facility that has also existed for some time on the site. Whilst the size of the manege at 64m x 31m is larger than the normal size of 40m x 20m, having regard to the number of stables on the site, it is evident that the applicant does need to exercise a significant number of horses in a safe manner. Located adjacent to the stable block, the main visual impact of the manege is the post and rail fence, which in its own right does not require planning permission. However, the fence is typical for such a rural area, and will not be unduly prominent. The Council's Landscape Architect raises no objections to the proposal noting that the site is well screened by trees and hedgerows and is not prominent from surrounding dwellings, roads or public footpaths. Overall the proposed manege is considered to be acceptable in principle and constitutes appropriate development within the Green Belt, and does not significantly injure the visual amenities of the Green Belt.

Highways

The Strategic Highways Manager raises no objections to the proposal, noting that the site is accessed from a rural road that is not designed to accommodate high numbers of vehicle movements and applications that materially increase traffic movements would be resisted. However, as the changes proposed on the site are minor there are no highway objections to this application. No highway safety issues are therefore raised.

Amenity

No significant amenity issues are raised due to the distance to and existing relationship with neighbouring properties.

Ecology

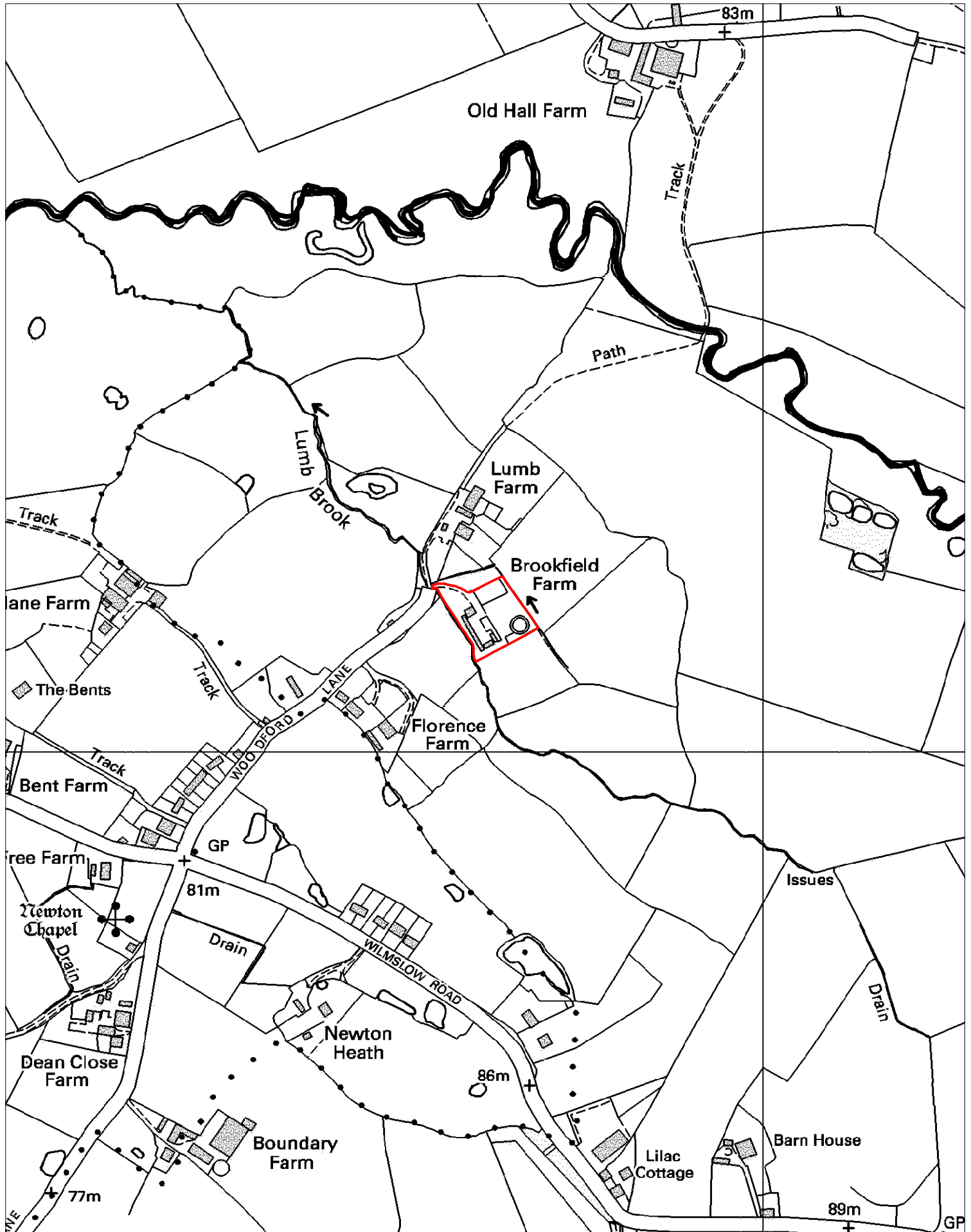
The Nature Conservation Officer does not anticipate there being any significant ecological issues associated with the proposed development

10. CONCLUSIONS AND REASON(S) FOR THE DECISION

For the reasons outlined above, the proposal is not considered to be inappropriate development in the Green Belt, and the impact upon the character and appearance of the area is acceptable.

11. RECOMMENDATION

APPROVE



LAND AT, WOODFORD LANE, NEWTON, MACCLESFIELD, CHESHIRE
NGR - 388,710 : 381,140

Reproduced from the Ordnance Survey map with the permission of HMSO.

© Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to legal or civil proceedings. Cheshire East Borough Council, licence no. 100018585 2007..

#

This page is intentionally left blank

Planning Reference No:	10/2026M
Application Address:	11 Manor Park South Knutsford
Proposal:	Single Storey Front and Side Extension Rear Conservatory Roof Light
Applicant:	Ms O Hunter
Application Type:	Householder
Grid Reference:	375807 378339
Ward:	Knutsford
Earliest Determination Date:	14 th July 2010
Expiry Dated:	22 nd July 2010
Date Report Prepared:	9th July 2010
Constraints:	Manchester Airport Safeguarding 90m+ English Nature Consultation Area Predominantly Residential Area (MBLP) Wind Turbine Consultation Area All Applications for Development Likely to Attract Birds

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES

- Design and impact on the character and appearance of the locality
- Amenity Issues

1. REASON FOR REFERRAL

The application is before the Southern Committee as the applicant is Councillor Olivia Hunter, Ward Member for Knutsford.

2. DESCRIPTION OF SITE AND CONTEXT

The application site relates to a detached dormer bungalow located within a predominantly residential area as defined in the Macclesfield Borough Local Plan 2004. Amenity space lies to the front and rear of the site and the area is characterised by dwellings of a variety of architectural styles.

3. DETAILS OF PROPOSAL

This application seeks full planning permission for single storey front, single storey side and rear conservatory extensions. A rooflight is also proposed on the eastern facing roofslope.

4. RELEVANT HISTORY

No Planning History Since 1977

5. POLICIES

Macclesfield Borough Local Plan Policy:

BE1 – Design guidance
DC1 – Design (New Build)
DC3 – Amenity
DC43 - Side Extensions

Other Material Planning considerations

None.

6. CONSULTATIONS (External to Planning)

Nature Conservation- No comments received to date. The publicity expiry date for comments is 14 July 2010.

Knutsford Town Council- No Objection

7. OTHER REPRESENTATIONS

None received at the time of report preparation. The publicity period for the application continues until 14 July 2010.

8. APPLICANT'S SUPPORTING INFORMATION

None submitted.

9. OFFICER APPRAISAL

Design and Impact on the Character and Appearance of the Locality

Policies BE1, DC1, DC2 seek to promote high standards of design, with the overall vernacular, scale, density, height, mass and materials of new development being sympathetic to the character of the locality, surrounding buildings and the site itself.

Policy DC43 relates to side extensions but is more relevant to first floor side extensions in order to prevent a terracing impact on the street scene. The proposal would therefore comply with policy DC43.

The design of the extensions would remain subordinate in scale to the original dwelling. Furthermore the vernacular of the proposed extensions would remain coherent with the character and appearance of the original dwelling and also the

dwellings within the street scene, which are of a variety of different types and orientations.

Whilst the extension to the front would be visually prominent it is relatively small in scale and would not project beyond the building line established with no. 9.

Amenity

It is not considered that there would be an impact on the amenity of neighbouring no. 13 to a material enough degree to warrant refusal of the application. Whilst the front extension would project 1.6m forward of the bungalow it would be stepped in by 0.6m from the main side wall and due to the orientation of the sun's path in relation to the two dwellings it would not adversely impact on the amount of light getting to the front windows of no. 13, nor would be unduly dominant when viewed from this property.

The proposed side extension, whilst projecting closer to the boundary with no.9, would not be unduly dominant in relation to this property and it is noted that a boundary fence already exists which would screen the proposal to some extent.

The proposed rear conservatory would also not impact on the amenities of neighbouring properties and significant weight also has to be given to the fact that the side and rear extensions could be built under permitted development, without the requirement for planning permission.

The proposed rooflight should be conditioned to be obscurely glazed, in order to adequately maintain privacy with no. 9.

10. CONCLUSIONS AND REASON(S) FOR THE DECISION

For the reasons outlined above, the impact of the proposals upon the character and appearance of the area and the amenity of neighbouring properties is acceptable.

11. RECOMMENDATION

APPROVE subject to conditions

- 1. Approved Plans**
- 2. Obscure Glazing**
- 3. Materials**
- 4. Standard Time**

Location Plan: Cheshire East Council Licence No. 100049045

