

Southern Planning Committee

Agenda

Date: Wednesday, 2nd July, 2014
Time: 1.00 pm
Venue: Lecture Theatre, Crewe Library, Prince Albert Street, Crewe, Cheshire CW1 2DH ****PLEASE NOTE CHANGE OF VENUE****

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

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

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

1. **Apologies for Absence**

To receive apologies for absence.

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

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

3. **Minutes of Previous Meeting** (Pages 1 - 16)

To approve the minutes of the meeting held on 4 June 2014.

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 or requests for further information
Speakingatplanning@cheshireeast.gov.uk 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 the Ward Member
- The Relevant Town/Parish Council
- Local Representative Groups/Civic Society
- Objectors
- Supporters
- Applicants

5. **14/2310N Morris Care, Corbrook Court Care Home, Corbrook, Audlem, Crewe, CW3 0HF: Proposed construction of an outbuilding to house biomass boilers to serve Corbrook Court Care site for Morris Care** (Pages 17 - 24)

To consider the above planning application.

6. **14/0308C Land Off Brook Street, Congleton, Cheshire: Variation of conditions 2 (Arboricultural implications) and 24 (Vehicular access) as to plan 882/P/PL01 rev K on approved application 12/0410C(residential development for 54 dwellings) for N Burns, Morris Homes North Ltd** (Pages 25 - 32)

To consider the above planning application.

7. **14/0786C Swanwick Hall, Booth Bed Lane, Goostrey, Crewe, Cheshire CW4 8NB: Conversion of redundant barns to an equestrian use with part re-construction, conversion of redundant barn to ancillary domestic use and provision of an outdoor riding arena for Mr & Mrs C Dick** (Pages 33 - 42)

To consider the above planning application.

8. **14/1034N Wrenbury Nursing Home, Wrenbury Hall Drive, Wrenbury CW5 8EJ: Extensions to provide additional residents bedrooms plus a new sun lounge for Mr R Sezliah, Bluecroft Estates Ltd** (Pages 43 - 52)

To consider the above planning application.

9. **14/1741N Land Off Orion Way, Crewe: Variation of (condition 2 - internal floor plan) and (condition 16 business clarification) on approved application (10/4760N erection of 4 industrial units) for Black & White Cheshire Ltd** (Pages 53 - 60)

To consider the above planning application.

10. **14/2078N Land Adjacent The Gables, Peckforton Hall Lane, Peckforton CW6 9TG: Outline planning application for housing development off Back Lane on land adjacent The Gables, Spurstow with all matters reserved. (Resubmission of 13/4631N) for Mr & Mrs J Gaskell** (Pages 61 - 82)

To consider the above planning application.

11. **14/2254M 2, Meddings Close, Alderley Edge, Wilmslow, Cheshire SK9 7XA: Single storey side and rear extensions and pitched roof to existing flat roof for J Williamson** (Pages 83 - 88)

To consider the above planning application.

12. **14/2275M 2, Meddings Close, Alderley Edge, Cheshire SK9 7XA: Single storey rear extension and pitched roof to existing flat roof for J Williamson** (Pages 89 - 94)

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, 4th June, 2014 at Council Chamber, Municipal Buildings,
Earle Street, Crewe CW1 2BJ

PRESENT

Councillor G Merry (Chairman)
Councillor M J Weatherill (Vice-Chairman)

Councillors Rhoda Bailey, D Bebbington, P Butterill, J Clowes, W S Davies,
S Hogben, P Groves, A Kolker and D Marren

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors D Brickhill, B Moran and M Simon

OFFICERS PRESENT

Nigel Curtis (Principal Development Officer - Highways)
Ian Dale (Heritage and Design Manager - Planning)
Daniel Evans (Principal Planning Officer)
Patricia Evans (Lawyer)
David Hallam (Principal Conservation and Design Officer)
Susan Orrell (Principal Planning Officer)
Julie Zientek (Democratic Services Officer)

Apologies

Councillors R Cartlidge, M A Martin and S McGrory

1 DECLARATIONS OF INTEREST/PRE DETERMINATION

The following declarations were made in the interests of openness:

With regard to application numbers 14/0710C and 14/0711C, Councillor R Bailey declared that she knew one of the speakers.

With regard to application number 14/0657C, Councillor R Bailey declared that, as Deputy Cabinet Member for Safeguarding, which included Education, she would exercise her separate speaking rights as a Ward Councillor and withdraw from the meeting during consideration of this item.

With regard to application number 14/1908N, Councillor P Butterill declared that she was a member of Nantwich Town Council and Nantwich Civic Society, but that she had kept an open mind.

With regard to application numbers 14/0710C, 14/0711C and 14/0676C, Councillor G Merry declared that she was a member of Sandbach Town Council.

With regard to application number 14/0400N, Councillor S Davies declared that he had called in the application on the basis of concerns expressed by the Parish Council, and that the wording of his call in request in the officer's report did not reflect his own views. He had kept an open mind and would consider the application on its merits, having heard the debate and all the information.

With regard to application number 13/5241N, Councillor J Clowes stated that she had called in the application on behalf of the local parish council and she had kept an open mind.

With regard to application numbers 12/2556N and 12/3263N, Councillor S Davies declared that he had not kept an open mind. Councillor Davies declared that he would exercise his separate speaking rights as a Ward Councillor and withdraw from the meeting during consideration of these items.

With regard to application number 14/1908N, Councillor P Groves declared that he had not kept an open mind. Councillor Groves declared that he would exercise his separate speaking rights as a Ward Councillor and withdraw from the meeting during consideration of this item.

With regard to application number 14/0001N, Councillor S Hogben declared that he was a member of Shavington-cum-Gresty Parish Council and had not kept an open mind. Councillor Hogben declared that he would move from the Member seating area for the duration of the Committee's consideration of this item.

All Members of the Committee declared that they had received correspondence regarding application number 14/1091N.

Councillor J Weatherill declared that she had received correspondence from the applicant regarding application number 14/1091N, but that it had been passed to Planning Officers and that she had kept an open mind.

Councillor D Bebbington declared that he had received correspondence regarding application numbers 14/0710C, 14/0711C and 13/5241N but that he had kept an open mind.

Councillor P Butterill declared that she had received correspondence regarding application numbers 14/1091N, 14/0710C and 14/0711C but that she had kept an open mind.

2 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 7 May 2014 be approved as a correct record and signed by the Chairman.

**3 14/1027N 7, CHESTERTON DRIVE, WISTASTON CW2 8EA:
EXTENSION TO DWELLING FOR MR D GRIDNLEY**

Note: Councillor M Simon (Ward Councillor) and Mr R Howarth (objector) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application and an oral report of the site inspection.

RESOLVED – That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The proposed extension by reason of its projection and reduced separation distance would have a detrimental impact upon the amenity of the occupants of No 6 Swift Close by reason of overlooking/loss of privacy. As a result the development would be contrary to Policy BE.1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the SPD on Extensions and Householder Development.

**4 14/1091N 535/537, FIRCROFT, CREWE ROAD, WISASTON CW2 6PY:
OUTLINE APPLICATION FOR A PROPOSED DETACHED 2 STOREY
DWELLING TO THE REAR OF 535 CREWE ROAD AND VEHICULAR
ACCESS FROM CREWE ROAD FOR MR N EDWARDS**

Note: Councillor M Simon (Ward Councillor), Mr M Lee (objector), Mr M Bowers (supporter) and Mr N Edwards (applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application, a written update and an oral report of the site inspection. With respect to the site inspection, Daniel Evans, Principal Planning Officer, reported that Members had conducted a site visit and whilst there had been invited by a neighbour to view the site from the adjacent land. There were no discussions with Members concerning the application and the inspection had been undertaken in accordance with the Council's Site Inspection Protocol.

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

1. Commencement of Development (Outline)
2. Submission of Reserved Matters
3. Time Limit of Submission of Reserved Matters
4. Remove Permitted Development Rights
5. Access and Scale to be in accordance with the approved plans

6. Car Parking
 7. Piling
 8. Hours of Construction
 9. No External Lighting
 10. Prior to any commencement of works between 1st March and 31st August in any year, a detailed survey shall be carried out to check for nesting birds and the results submitted to and approved in writing by the Local Planning Authority.
 11. Visibility Splays to be constructed at 2.0m X 43m as shown on the approved plans
- 5 **14/0001N LAND TO THE REAR OF 447/449 NEWCASTLE ROAD, SHAVINGTON CW2 5JU: DEMOLITION OF 449 NEWCASTLE ROAD AND CONSTRUCTION OF 28 RESIDENTIAL PROPERTIES WITH ASSOCIATED ACCESS FOR PROSPECT GB LTD**

Note: Having made a declaration of pre-determination, Councillor S Hogben moved from the Member seating area for the duration of the Committee's consideration of this item.

Note: Councillor D Brickhill (Ward Councillor), Parish Councillor W McIntyre (on behalf of Shavington-cum-Gresty Parish Council) and Mr R Heathcote (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application and a written update.

RESOLVED

- (a) That the application be REFUSED for the following reasons:
1. The proposed residential development is unsustainable because it is located within the Open Countryside, contrary to Policies NE.2 (Open Countryside) and RES.5 (Housing in Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan, Policy PG 5 of the Cheshire East Local Plan Strategy – Submission Version and the principles of the National Planning Policy Framework and create harm to interests of acknowledged importance. The Local Planning Authority can demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy Framework. As such the application is also contrary to the emerging Development Strategy. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.
 2. The Local Planning Authority considers that insufficient information has been submitted in relation to the affordable housing provision of the site. In this case there is little detail in relation to the tenure proposals for the affordable units including the arrangements for

transfer to a Registered Provider, provisions for the units to be affordable in perpetuity and confirmation that the affordable homes to be let or sold to people who are in housing need and have a local connection. The application does not show which units are affordable as a result it is not considered that the application demonstrates a suitable level of pepper-potting on the site and the supporting documentation does not confirm that the affordable units will be built to CFSH Level 3 or to HCA Design and Quality Standards. As a result it is not considered that the proposal would create a sustainable, inclusive, mixed and balanced community and would be contrary to the Interim Planning Policy on Affordable Housing and Policy RES.7 (Affordable Housing) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the National Planning Policy Framework.

3. The proposed vehicular access would be opposite an access point to serve a development of 39 dwellings which has outline consent as part of application 13/4675N. It is considered that the access proposed as part of this application would result in the creation of a crossroads at the site opposite which would result in turning conflicts to occur on Newcastle Road to the detriment of highway safety. As a result the proposed development would be contrary to Policy BE.3 (Access and Parking) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the NPPF.
 4. Part of this site is subject to surface water flooding risks during extreme storm and flood conditions and is also be susceptible to ground water flooding with off-site capacity issues within the public sewer system. Insufficient information has been submitted with this application to demonstrate that the local flood risks and site drainage issues can be managed without exacerbating flood risks both on and off-site. In the absence of this information, to allow this development would be contrary to the NPPF, and Policy NE.20 (Flood Prevention) of the Borough of Crewe and Nantwich Replacement Local Plan 2011
- (b) That, in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Planning and Place Shaping Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Planning and Place Shaping Manager in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106

Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

- 6 **14/0710C DINGLE FARM, DINGLE LANE, SANDBACH, CHESHIRE CW11 1FY: ALTERATIONS TO AN EXISTING GRADE II LISTED FARMHOUSE, DEMOLITION OF TWO OUTBUILDINGS, CONVERSION OF BARN INTO ONE DWELLING, CONSTRUCTION OF 6 DWELLINGS TOGETHER WITH ASSOCIATED GARAGING, CAR PARKING AND LANDSCAPING WORKS (RESUBMISSION OF APPLICATION 12/2551C) FOR BENEFICIARIES THE ESTATE OF J M GOODWIN**

Note: Councillor B Moran (Ward Councillor), Town Councillor M Benson (on behalf of Sandbach Town Council), Mr P Edwards (on behalf of Hands Off Our Sandbach), Dr A Bastock (objector) and Mr R Gascoigne (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application and a written update.

RESOLVED – That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The Local Planning Authority considers that the proposed development would result in an over intensive form of development that would have an adverse impact upon the setting of the Listed Building and the character of the area. As a result the proposed development is contrary to Policies GR1, GR2 and BH4 of the Congleton Borough Local Plan First Review 2005 and guidance contained within the NPPF (specifically Paragraph 134 of the NPPF).

- 7 **14/0711C DINGLE FARM, DINGLE LANE, SANDBACH, CHESHIRE CW11 1FY: LISTED BUILDING CONSENT FOR ALTERATIONS TO AN EXISTING GRADE II LISTED FARMHOUSE, DEMOLITION OF 2NO. OUTBUILDINGS, CONVERSION OF BARN INTO 1NO. DWELLING, CONSTRUCTION OF 6NO. DWELLINGS TOGETHER WITH ASSOCIATED GARAGING, CAR PARKING AND LANDSCAPING WORKS (RESUBMISSION OF APPLICATION 12/2552C) FOR BENEFICIARIES THE ESTATE OF J M GOODWIN**

Note: Councillor B Moran (Ward Councillor), Town Councillor M Benson (on behalf of Sandbach Town Council) and Mr R Gascoigne (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Mr P Edwards (on behalf of Hands Off Our Sandbach) and Dr A Bastock (objector) had registered their intention to address the Committee on this matter but indicated that they no longer wished to speak.

The Committee considered a report regarding the above planning application.

RESOLVED – That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The Local Planning Authority considers that the proposed development would have an adverse impact upon the Listed Building. As a result the proposed development is contrary to Policies BH4 and BH5 of the Congleton Borough Local Plan First Review 2005. The proposed development is also contrary to the guidance contained within paragraphs 132 and 134 of the NPPF as the applicant has not provided clear and convincing justification for the development and the public benefits of the proposal have not been identified to outweigh the less than substantial harm to the Listed Building.

8 14/0055C NUNU PLC, 32, CREWE ROAD, SANDBACH, CHESHIRE, CW11 4NE: NEW FASCIA AND SITE SIGNAGE FOR BUSY BEES GROUP LTD

Note: Prior to consideration of this application, the meeting was adjourned for ten minutes for a break.

The Committee considered a report regarding the above planning application.

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

1. Advertisement standard conditions 1 - 5
2. Approved plans

9 14/0657C CHURCH LAWTON GATE PRIMARY SCHOOL, CHERRY TREE AVENUE, CHURCH LAWTON, STOKE: EXTENSION AND ALTERATION TO THE FORMER CHURCH LAWTON PRIMARY SCHOOL IN CONNECTION WITH ITS USE AS A SPECIALIST SCHOOL (CLASS D1 NON RESIDENTIAL INSTITUTION), TOGETHER WITH CAR PARKING, LANDSCAPING AND OTHER ASSOCIATED WORKS FOR C NAGLE, NAS ACADEMIES TRUST

Note: Having exercised her separate speaking rights as a Ward Councillor, Councillor R Bailey withdrew from the meeting for the duration of the Committee's consideration of this item.

Note: Ms C Nagle (applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

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

1. Standard Time Limit (3 Years)
2. Approved Plans
3. Materials to be submitted and agreed
4. Landscaping (to include the retention of the leylandii hedgerow and a scheme of replacement tree planting) to be submitted and agreed
5. Implementation of the approved landscaping
6. Tree protection for retained trees and agreed
7. Details of boundary treatment to be submitted and agreed
8. External lighting details to be submitted and agreed
9. Environmental Management Plan to be submitted and agreed (including measures for dust control)
10. Scheme to be carried out in accordance with submitted Travel Plan
11. Development to be carried out in accordance with submitted Ecological Surveys (with details of 30 metre buffer zone submitted for approval)
12. Survey for nesting birds to be submitted to and approved if works are carried during the bird breeding season
13. A scheme for the incorporation of features for breeding birds to be submitted and approved.
14. Scheme to limit the surface water runoff to be submitted and agreed
15. Scheme to manage the risk of flooding from overland flow of surface water to be submitted and agreed.

10 **14/0676C SANDBACH COUNTY HIGH SCHOOL FOR GIRLS, MIDDLEWICH ROAD, SANDBACH, CHESHIRE, CW11 3NT: 1) DEVELOPMENT OF A NEW 6TH FORM BUILDING TO CONSOLIDATE ALL THE 6TH FORM TEACHING FACILITIES INTO ONE BUILDING; 2) PART DEMOLITION AND REFURBISHMENT OF EXISTING BUILDING G8WAY1 & G8WAY2 TO IMPROVE LEARNING FACILITIES AND PROVIDE OPPORTUNITY FOR G8WAY2 TO PROVIDE A WIDER COMMUNITY RESOURCE; AND 3) ASSOCIATED PUBLIC REALM WORKS FOR JOHN LEIGH, SANDBACH HIGH SCHOOL & SIXTH FORM COLLEGE**

The Committee considered a report regarding the above planning application.

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

1. Full
2. Approved Plans
3. Materials as submitted details.
4. Pile Foundations
5. Hours of construction
6. Travel Plan
7. Dust Control

8. Contamination
9. Landscape scheme
10. Landscape implementation
11. Great crested newts
12. Breeding birds
13. Construction Management Plan to include parking details and retained access to the leisure centre

**11 12/2556N PECKFORTON CASTLE, STONE HOUSE LANE,
PECKFORTON, TARPORLEY, CHESHIRE CW6 9TN: PROPOSED
WOODLAND EXPERIENCE - MULTI PURPOSE YURT, ANCILLARY
ACCOMMODATION AND TEMPORARY CAMPING YURTS IN THE
WOODLAND TO THE WEST OF PECKFORTON CASTLE FOR MR T
NAYLOR, MAJORSTAGE LTD**

Note: Councillor D Marren left the meeting during consideration of this application.

Note: Having exercised his separate speaking rights as a Ward Councillor, Councillor S Davies withdrew from the meeting for the duration of the Committee's consideration of this and the following item.

Note: Ms P Shearer (on behalf of Peckforton Parish Meeting) and Mr M Watson (objector) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application and an oral report of the site inspection.

RESOLVED – That, contrary to the planning officer's recommendation for approval, the application be **REFUSED** for the following reasons:

1. The proposed development would result in an encroachment of the site into the open countryside and Area of Special County Value and would have an adverse impact upon the character and rural tranquillity of the surrounding area. The development would be contrary to Policies NE.2 (Open Countryside) and NE.3 (Areas of Special County Value) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the NPPF.
2. The Local Planning Authority considers that insufficient information has been submitted with the application in relation to woodland management, sanitation of the development, deliveries to the site, the appropriateness of the site, views of the site, the movement of visitors to and around the site and car parking. As a result the development would be contrary to Policies NE.2 (Open Countryside), NE.3 (Areas of Special County Value), NE.5 (Nature Conservation and Habitats) and BE.4 (Drainage, Utilities and Resources) of the

Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the NPPF.

- 12 **12/3263N PECKFORTON CASTLE HOTEL, STONE HOUSE LANE, PECKFORTON, TARPORLEY, CHESHIRE CW6 9TN: LISTED BUILDING CONSENT FOR WOODLAND EXPERIENCE - ERECTION OF FREESTANDING GLAZED AND WOODEN BALUSTRADE IN FRONT OF EXISTING LOW STONework WALL AT TABLE ROCK VIEWING PLATFORM IN CONNECTION WITH PLANNING APPLICATION 12/2556N FOR MR TONY NAYLOR, MAJORSTAGE LTD**

Note: Ms P Shearer attended the meeting and addressed the Committee on behalf of Peckforton Parish Meeting.

Note: Mr M Watson (objector) had registered his intention to address the Committee on this matter but indicated that he no longer wished to speak.

The Committee considered a report regarding the above planning application and an oral report of the site inspection.

RESOLVED – That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The proposed balustrade by virtue of its siting and design is an inappropriate form of development and would have a detrimental impact upon the fabric and setting of the Listed Building. As a result the development would be contrary to Policy BE.9 (Listed Buildings) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the NPPF.

- 13 **13/5241N LAURELS FARM, CREWE ROAD, WALGHERTON, NANTWICH CW5 7PE: ERECTION OF NEW CHIMNEY TO HOUSE BOILER FLUES, ERECTION OF GAS METER HOUSING FOR JOSEPH HELER CHEESE**

Note: Mr S Chettle (on behalf of Hatherton and Walgerton Parish Council) and Mr D Lafferty (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

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

1. Standard
2. Plans
3. Materials
4. No External Lighting
5. Hours of Construction

14 14/0400N 1, VINE COTTAGES, WREXHAM ROAD, BURLAND, NANTWICH CW5 8LR: CONVERSION OF GARAGE AND REAR ADDITION TO GARAGE TO FORM SPECIAL NEEDS UNIT FOR MR S GRANVILLE

The Committee considered a report regarding the above planning application.

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

1. Standard
2. Plans
3. Materials to match the existing garage
4. Occupation to remain ancillary to the main dwelling

15 14/0956N 3 & 4, ORION WAY, UNIVERSITY WAY, CREWE CW1 6NG: VARIATION OF CONDITIONS 2 AND 16 ON APPROVED APPLICATION 10/4760N FOR BLACK & WHITE (NW) LTD

The Committee considered a report regarding the above planning application.

RESOLVED

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

1. Approved Plans
2. Materials as detailed in the application unless otherwise approved in writing.
3. Car Parking to be provided before the development is first used.
4. Cycle Parking and linkages to University Way to be provided
5. Development in accordance with Travel Plan approved as part of application 13/1732D
6. Landscaping scheme in accordance with that approved as part of application 13/1732D. Implementation and maintenance of landscaping
7. Showers to be provided within each unit and retained for use by all staff at that unit in accordance with the approved plans.
8. Boundary treatment to match that used elsewhere on the development
9. Oil interceptors to be provided to car parks.
10. Lighting scheme in accordance with that approved as part of application 13/1732D.
11. No outside storage.
12. Offices and trade counter only to be used for that specific unit and not to be occupied as a separate business.

13. Access to be in accordance with the approved plans and to CEC specification
 14. Unit 1 only to be used for B2 general industrial uses. Units 2 for B8 purposes and Units 3 and 4 to be used for Use Classes B1 (b and c), B2 and B8. The showroom and trade counter at unit 2 limited to those areas shown on the submitted plan and not used for retail to the general public.
 15. Scheme of surface water regulation in accordance with that approved as part of application 13/1732D.
 16. Scheme for the management of overland flow in accordance with that approved as part of application 13/1732D.
- (b) That, in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Planning and Place Shaping Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Planning and Place Shaping Manager in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.
- 16 **14/0971C 38, BROOKLANDS DRIVE, GOOSTREY, CREWE, CHESHIRE CW4 8JB: NEW DWELLING IN THE GROUNDS OF 38 BROOKLANDS DRIVE, GOOSTREY FOR STEVEN OCCLESTON**

Note: Councillor D Bebbington left the room during consideration of this application.

Note: Parish Councillor P Godfrey (on behalf of Goostrey Parish Council), Mr C Woodall (objector) and Ms J Ashall (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application and a written update.

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

1. Standard time 3 years
2. Materials
3. Plans
4. Hours of construction
5. Pile driving method statement

6. Removal of PD classes A and E
7. Tree protection measures
8. Scheme of landscaping
9. Implementation of landscaping
10. Construction Management Plan

17 14/1708N SIR WILLIAM STANIER COMMUNITY SCHOOL, LUDFORD STREET, CREWE CW1 2NU: VARIATION OF CONDITIONS 2 (TO FACILITATE EXISTING ELECTRICAL EASEMENT SHOWN ON SITE MASTER PLAN) AND CONDITON 6 (TO SUBSTITUTE BRICK TYPE IBSTOCK RAVENSHEAD TO HOLLINGTON BLEND) ON APPLICATION 13/4382N FOR MR CHRIS BENT

The Committee considered a report regarding the above planning application.

RESOLVED

- (a) That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:
 1. Standard time limit
 2. Standard Outline
 3. Approved plans
 4. Construction of Access
 5. Provision of parking
 6. Implementation of Materials – No approval for buff bricks
 7. No piling unless details otherwise agreed in writing with the LPA
 8. Construction works taking place during the development (and associated deliveries to the site) restricted to: Monday – Friday 08:00 to 18:00 hrs Saturday 09:00 to 14:00 hrs Sundays and Public Holidays Nil
 9. Submission, approval and implementation of details of any lighting prior to installation
 10. The mitigation recommended in Noise Mitigation report number 90291r0 shall be implemented prior to the use of the development / first occupation.
 11. Implementation of submitted Travel Plan
 12. Implementation of submitted dust control measures
 13. The development shall not be occupied until the remedial/protection measures included in the approved contaminated land report (REC Report Reference 02c45022, 28 November 2013) have been fully implemented and completed.
 14. Once the development is complete, a Site Completion Statement detailing the remedial/protective measures incorporated into the development hereby approved shall be submitted to and approved in writing by the LPA in full prior to the first occupation and use of this development.
 15. Detailed breeding bird survey for works in nesting season
 16. Features for use by breeding birds and bats

17. Implementation of boundary treatment
 18. Implementation of drainage scheme approved as part of application 14/0869D
 19. Implementation of cycle parking within scheme
 20. Implementation of landscaping
 21. Arboricultural Method Statement in accordance with the report reference SE467/J/01/DH
 22. Implementation of a revised landscape plan to include further tree planting.
 23. Retention of the railings and for them to be made good where necessary to enclose the front garden areas of the proposed dwellings
 24. To be maintained as affordable housing in perpetuity in accordance with approved affordable housing statement approved as part of application 14/0869D
- (b) That, in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Planning and Place Shaping Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Planning and Place Shaping Manager in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

18 14/1908N 1, STANLEY BOUGHEY PLACE, NANTWICH, CHESHIRE, CW5 6GQ: RELOCATION OF PREVIOUSLY APPROVED STUDIO GARAGE ON APPLICATION 12/4741N, WITHIN EXISTING PLOT BOUNDARY, TO ENSURE ADEQUATE CLEARANCE OF EXISTING FOUL SEWER FOR DAVID MAJOR, STEWART MILNE HOMES

Note: Having exercised his separate speaking rights as a Ward Councillor, Councillor P Groves withdrew from the meeting for the duration of the Committee's consideration of this item.

The Committee considered a report regarding the above planning application.

RESOLVED

- (a) That, for the reasons set out in the report, the application be **APPROVED** subject to completion of a deed of variation of the Section 106 agreement linked to 12/4741N

And the following conditions:

1. Compliance with amended plans
2. Window in the first floor north elevation to be retained as obscure glazed and non opening in perpetuity. No additional windows to be inserted in the north facing elevation of the garage

Informative – This application relates solely to the Studio Garage associated with Plot 1 (1 Stanley Boughey Place) and this application should be read in conjunction with all the conditions and legal restrictions relating to planning application 12/4741N and any subsequent amendments/discharge of condition applications.

- (b) That, in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Planning and Place Shaping Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Planning and Place Shaping Manager in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

The meeting commenced at 1.00 pm and concluded at 7.10 pm

Councillor G Merry (Chairman)

This page is intentionally left blank

Application No: 14/2310N

Location: Morris Care, Corbrook Court Care Home, Corbrook, Audlem, Crewe, CW3 0HF

Proposal: Proposed construction of an outbuilding to house biomass boilers to serve Corbrook Court Care site

Applicant: Morris Care

Expiry Date: 07-Jul-2014

SUMMARY RECOMMENDATION: Refuse.

MAIN ISSUES:

- Principle of the development
- Design, layout and scale
- Amenity
- Ecology
- Trees and Landscaping
- Highways

REASON FOR REFERRAL

The application has been called in to Committee by Cllr Rachel Bailey on the following grounds:

“BE1 Impact on Amenity

The need of alternative forms of energy is understood however the proposed site will result in loss of greenspace/countryside.

Concern in relation to existing highway issues and potential impact.”

DESCRIPTION AND SITE CONTEXT

The application relates to Corbrook Court at Audlem, which is a former country residence, which has been converted and heavily extended in order to form a nursing home.

The site is designated as being within the Open Countryside in the adopted local plan.

DETAILS OF PROPOSAL

The proposal seeks consent for the erection of an outbuilding to house 2 biomass boilers to serve the Corbrook Care site. The building would be approximately 9.8m wide and 13.7m deep. The roof height would be approximately 4.5m at the eaves 5.8m at the ridge. It would be constructed of a timber frame with a grey fibre cement roof and a concrete base.

The building would be sited to the south of the complex of buildings close to an existing garden store.

RELEVANT HISTORY

The site has an extensive planning history, the most recent of which are:

12/3740N 2012 Approval for alterations to Cedar Court to provide a 35 bed nursing home

10/4845N 2011 Approval for extensions to provide 12 nursing bedrooms and change of use of part of the building from Extra Care to nursing home use.

POLICIES

National Guidance

National Planning Policy Framework

Local Policy

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28th February 2014, the Council resolved to approve the *Cheshire East Local Plan Strategy – Submission Version* for publication and submission to the Secretary of

State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect.

The relevant policies of the **Cheshire East Local Plan Strategy – Submission Version** are:

Policy SD 1 Sustainable Development in Cheshire East
Policy SD 2 Sustainable Development Principles
Policy SE 1 Design
Policy SE 2 Efficient Use of Land
Policy SE 3 Biodiversity and Geodiversity
Policy SE 4 The Landscape
Policy SE 5 Trees, Hedgerows and Woodland
Policy SE 8 Renewable and Low Carbon Energy
Policy SE 9 Energy Efficient Development
Policy SE 12 Pollution, Land Contamination and Land Instability
Policy PG 1 Overall Development Strategy
Policy PG 2 Settlement Hierarchy
Policy PG 5 Open Countryside
Policy EG1 Economic Prosperity

The relevant policies saved in the **Crewe and Nantwich Replacement Local Plan 2011** are:

NE.2 Open Countryside
BE.1 Amenity
BE.2 Design
BE.3 Access and Parking

Other Material Considerations

National Planning Policy Framework.

CONSULTATIONS (External to Planning)

Environmental Health:

Recommend conditions relating to the stack heights of the boilers and the operation maintenance and deliveries.

Highways:

None received at the time of report writing.

VIEWS OF TOWN/PARISH COUNCIL

Audlem Parish Council voted unanimously to object to the application.

There was great concern about the loss of amenity for local residents and specifically environmental health issues relating to fume emissions and noise pollution. There was concern that these significant aspects of such an installation had been given little

consideration in the proposed building, both in terms of its close proximity to residential properties and modifications to the building to minimise its impact.

Councillors also objected to the application on the grounds of the poor access point onto the public highway for the large delivery vehicles associated with the regular fuel deliveries required to biomass boilers; there is limited visibility of the access point due to the bends in the road, even smaller, more manoeuvrable vehicles find exiting this point challenging.

Furthermore, Councillors were also concerned to hear that the area is regularly utilised by local bat populations; a large building with exhaust fumes and noise prevalent particularly in evening (when demand for the boilers would be greatest) could severely impact bat flight routes through this piece of countryside.

Audlem Parish Council do hope that you will give due consideration to these concerns.

OTHER REPRESENTATIONS

Two objections have been the occupiers of Corbrook Lodge, which is the neighbouring residential property. They express concerns about the following issues:

- Lack of warning about and consultation on the application
- Adverse impact on the character of the Open Countryside
- Excessive size and scale which will be overbearing and dominate their outlook
- The building seems to be larger than it needs to be
- The building is located too close to residential properties
- Inappropriate design
- Noise
- Emissions and the effect on health
- Adverse impact on wildlife
- Transplanting of trees
- Loss of privacy because of delivery drivers and maintenance staff
- Fire risk
- Highway safety

OFFICER APPRAISAL

Principle of Development

The site is designated as being within the Open Countryside where Policy NE.2 applies. This Policy states that *“Within Open Countryside only development which is for the purposes of agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.”*

Policy SE 8 of the Cheshire East Local Plan Strategy – Submission Version states that *“The development of renewable and low carbon energy schemes, together with any ancillary buildings and infrastructure will be positively supported and considered in the context of sustainable development and any impact on the landscape.”*

The proposal is broadly supported in paragraphs 97 and 98 of the NPPF that seeks to *“help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources.”* The NPPF also states that applications should be approved *“if its impacts are (or can be made) acceptable.”*

Design and Scale

The proposal is for a single outbuilding to house biomass boilers. The building would be 9.8m wide and 13.7m, with a maximum ridge height of 5.8m. It would be a timber frame building with a fibre cement roof. The outbuilding would have the appearance of a small agricultural building which is considered appropriate in this rural location.

Amenity and Health

Having regard to neighbouring amenity, the care home stands in its own grounds and is a large complex. The nearest residential property is Corbrook Lodge and the building would be sited approximately 17m away from the boundary with this property and approximately 30m away from the nearest house itself. The occupiers of this property have expressed several concerns about the application, including loss of privacy and an overbearing impact on their outlook. However it is not considered that a building of an agricultural appearance such as this would have a significant overbearing impact on this property, given its size, design and siting.

Both the occupiers of the neighbouring property and the Parish Council have raised concerns about emissions and noise pollution and these are addressed below.

Biomass burning can lead to increased emissions of particulates due to the combustion process. In addition, in comparison to conventional gas burning, biomass can lead to an overall increase in emissions of nitrogen oxides. In certain areas, this can be a problem as the increase at ground level could lead to local exceedances of the [air quality objectives](#).

Several factors can influence this, including the type of fuel, moisture content of the fuel, emission rating of the boiler and its location. The proposed site is not located in or near to an Air Quality Management Area or smoke control area however, further information was requested on the specification and use of the boiler.

This was subsequently submitted by the applicant and allowed a screening check of the minimum recommended boilers stack heights to ensure adequate dispersion. It is also recommended that the fuel type, fuel storage, operation and maintenance procedures are conditioned to ensure that public health is protected.

Therefore given the information submitted, the distance to sensitive receptors it is recommended that planning permission is granted subject to conditions relating to stack heights, installation, operation and maintenance, the fuel used, method of delivery and visible smoke emissions.

Having regard to noise, Environmental Protection have recommended an informative relating to noise generative operations and a condition relating to delivery hours. However, given that deliveries of fuel (oil) to the site are not restricted currently, it would not be reasonable to impose such a condition.

Having regard to noise generated by the boilers, whilst Environmental Protection have no specific concerns about noise generated by the boilers, in order to ensure that they would not cause detriment to the amenity of the neighbouring property, a condition should be imposed requiring submission of a noise report together with any necessary mitigation methods, prior to commencement of development.

Landscaping and Trees

Three small trees are proposed to be relocated in order to accommodate the building. The occupiers of Corbrook Lodge have expressed concern about the trees being located nearer to their property having an overbearing effect and whether in fact they would survive being relocated. It is considered that in order to ensure that the building is adequately screened, a condition requiring submission of landscaping proposal should be imposed.

Having regard to other trees present tree protection measures should be secured by condition.

Ecology

Great Crested Newts have been identified as breeding at one of the ponds at this site. The proposed development is located on habitat of low value for great crested newts. The only adverse impacts associated with the development relate to the potential risk posed to any Great Crested Newts that may venture onto the development during the construction phase.

In order to address this risk the applicant's ecologist has recommended a suite of non-licensable reasonable avoidance measures. It is recommended that, if planning consent is granted, provided the recommended reasonable avoidance measures are secured by condition, the proposed development would be unlikely to significantly affect Great Crested Newts or result in an offence under the Habitat Regulations. Consequently it is not necessary to have regard to the requirements of the Habitats Regulations during the determination of this application.

Highways

Both the Parish Council and the neighbours have also raised concerns about the size and frequency of vehicles delivering fuel to the site. A formal consultation response has not been received from the Strategic Highways Manager (SHM), however Planning Officers have discussed this with the SHM, who does have experience with the application that Members approved at Sandbach High School (13/4818C), also for a Biomass boiler. In the assessment of that proposal a site visit was undertaken to a school in Chester. This visit revealed that fuel deliveries take place on average every 10 days and less frequently in the summer months.

Given that the site already has deliveries of approximately 53,000 litres of oil to service its existing boilers, it is not considered that there would be a significant adverse impact on highway safety, such that a reason for refusal could be sustained at appeal.

CONCLUSIONS AND REASONS FOR THE DECISION:

It is considered that the application proposes an acceptable form of development. On the basis of the very thorough analysis carried out by the EHO, in this context it is unlikely to overly impact on neighbouring residential (by issues of noise, disturbance or emissions) and visual amenity. Therefore, it is considered that the proposal is in accordance with the relevant policies of the Development Plan and is therefore recommended for approval.

RECOMMENDATION:

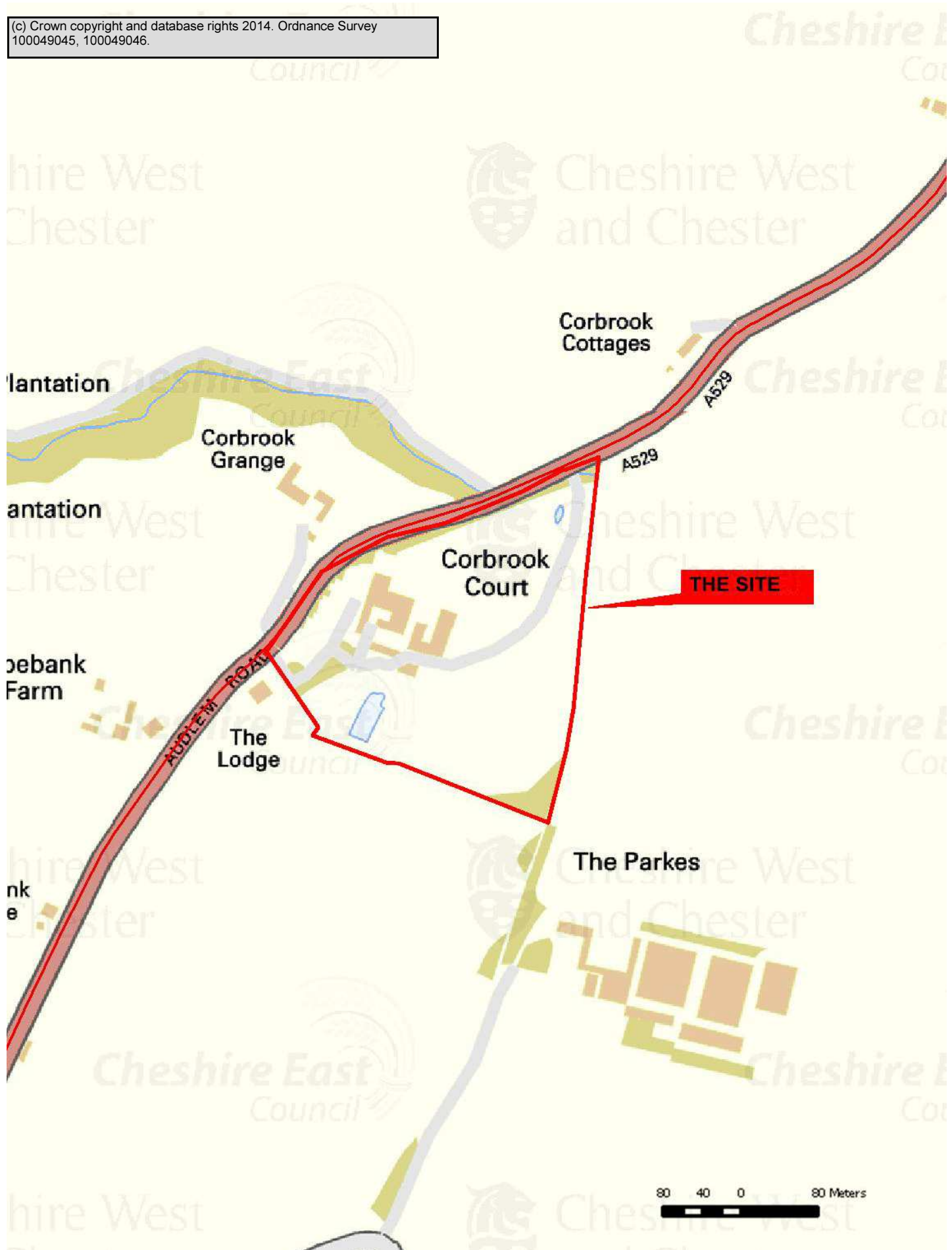
Approve subject to the following conditions:

- 1. Commence development within 3 years**
- 2. Development in accordance with agreed drawings**
- 3. Materials as application**
- 4. Submission of landscaping scheme prior to commencement of development**
- 5. Implementation of landscaping scheme**
- 6. Submission of tree protection measures prior to commencement of development**
- 7. Submission of Noise Report and mitigation measures prior to commencement of development**
- 8. Stack heights of both boilers shall not be less than 6.2m above ground level and shall be positioned as shown on drawing no. 431.4**
- 9. The boiler shall be installed and operated in accordance with the manufacturer's recommendations**
- 10. The boiler shall only be operated using clean wood pellets that comply with a recognised fuel quality standard (such as CEN/TS 14961:2005 or ONAD)**
- 11. The operator shall notify the LPA of any changes in the fuel type/quality and if required to do so, submit a declaration that the new fuel complies with a recognised fuel quality as set out in condition 10**
- 12. Prior to first use, the method of fuel delivery, to incorporate sheeting and fully enclosed receptacles to minimise spillages and fugitive emissions in all weather conditions shall be submitted and approved by the LPA**
- 13. Prior to first use, the operator shall agree a written maintenance schedule with the LPA, to include removal of ash, inspection, maintenance of particulate arrestment plant and servicing schedule**

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

Should this application be the subject of an appeal, authority be delegated to the Principal Planning Manager in consultation with the Chair/Vice Chair of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

(c) Crown copyright and database rights 2014. Ordnance Survey 100049045, 100049046.



Application No: 14/0308C

Location: LAND OFF BROOK STREET, CONGLETON, LAND OFF, BROOK STREET, CONGLETON, CHESHIRE

Proposal: Variation of conditions 2 (Arboricultural implications) and 24 (Vehicular access) as to plan 882/P/PL01 rev K on approved application 12/0410C (residential development for 54 dwellings)

Applicant: N BURNS, MORRIS HOMES NORTH LTD

Expiry Date: 16-Apr-2014

SUMMARY RECOMMENDATION**Approve with conditions****MAIN ISSUES****Principle of Development
Trees and Landscaping
Highway Safety****1. REASON FOR REFERRAL**

This application seeks to amend a condition which was attached to a major application previously determined by Committee.

1. PREVIOUS MEETING

At the meeting of 9th April 2013, Members resolved to defer this application pending the receipt of an amended plan to show details of replacement tree planting within the site. The applicant has now provided an amended plan to address such concerns.

The revised landscape proposals have been updated to include additional tree planting adjacent to the rear of plots 45-52. This replacement tree planting would amount to 10 no. 'Pyrus Calleryana' species. This is the location where most of the tree losses were incurred. This additional planting has been included to mitigate the loss of the existing trees and to provide additional screening for the existing properties on Bridge Row. It is considered that such planting would help to mitigate previous tree loss and therefore addresses Members concerns.

As such, Members are recommended to approve the application in line with the original resolution included in the report below subject to reference being made in condition no. 1 to the amended landscape proposals.

2. DESCRIPTION OF SITE AND CONTEXT

This application relates to a 2.34 ha previously developed site positioned off Brook Street in Congleton. The Dane-in-Shaw Brook runs along the northern boundary of the site before merging with the River Dane, which travels along the western boundary of the site. The site hosts a large number of trees, the majority of which line the banks of the River Dane and Dane-in-Shaw Brook.

The surrounding area is characterised by long established industrial uses to the north and east, by residential to the south and Congleton Park to the west although this is separated from the site by the River Dane. Small pockets of existing residential development do however exist on the site's immediate eastern boundary along Bridge Row and Mill Street.

Development has already commenced on the redevelopment of the site for the erection of 54 dwellings with public open space, and a new footbridge crossing over the River Dane to Congleton Park.

Due to the sites proximity to both the River Dane and the Dane-in-Shaw Brook the site is identified, to varying degrees, within flood risk zones 1, 2 and 3.

3. DETAILS OF PROPOSAL

This application seeks permission to vary conditions 2 (Arboricultural implications) and 24 (Vehicular access) attached to planning ref; 12/0410C (residential development for 54 dwellings). The changes are required to reflect the removal of some tree specimens that were shown as being retained in the Arboricultural report and so that minor alterations to the internal road layout can be regularised following the Highways s278 agreement.

4. RELEVANT HISTORY

08/1236/OUT - Outline application for residential development, close care/retirement units and care home with access sought for approval at the outline stage – Resolved to Approve subject to conditions and S106 agreement (2nd February 2011)

12/0410C - Residential Development Off Brook Street, Congleton for 54 no. Residential Dwellings With Public Open Space And A New Footbridge Crossing Over River Dane To Congleton Park – Approved 27th August 2013

5. POLICIES

Relevant Local Plan Policy

GR1	New Development
GR2	Design
GR4	Landscaping
GR9	Accessibility, servicing and parking provision
NR1	Trees & Woodland

Cheshire East Local Plan Strategy – Submission Version

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28th February 2014, the Council resolved to approve the *Cheshire East Local Plan Strategy – Submission Version* for publication and submission to the Secretary of State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect.

Cheshire East Local Plan Strategy – Submission Version Policies:

SD 2	Sustainable Development
SE 1	Design
SE 4	Landscape
SE5	Trees

Other Relevant Considerations

National Planning Policy Framework

6. CONSULTATIONS (External to Planning)

Strategic Highways Manager

No objection

7. VIEWS OF THE TOWN COUNCIL

No comment

8. OTHER REPRESENTATIONS

A petition with 10 signatures has been received objecting to this proposal on the following grounds:

- The tree have already been felled
- The trees were felled before neighbours were notified
- There should be no vehicular access to Bridge Row
- The footpath access that leads onto Bridge Row could be used by cyclists, motorcyclists and possibly a small car
- The access to the site is an accident blackspot

9. APPLICANT'S SUPPORTING INFORMATION

Arboricultural Assessment
Revised Layout

10. OFFICER APPRAISAL

Principle of Development

The principle of the development has already been accepted and it is not the purpose of this report to revisit the merits of the proposal. The main considerations to consider are the loss of some of trees and the impacts of realigning the internal road in terms of design and highway safety.

Trees and Landscaping

The submission is supported by a revised Arboricultural Implications Assessment. Two of the trees concerned had failed; one Cherry and one Willow. Following setting out of plots, ground modelling and reassessment of the layout, the developer considered that it would be necessary to remove 4 further trees and this has since been carried out. The submitted reasons for the works can be summarised as follows:

- 2 Grade B Pine trees identified for removal in the original tree survey but shown retained on approved plans. Trees were deemed to be too close to dwellings (5m)
- 1 Grade A Atlantic Cedar considered was to dominate an adjacent plot and to be unsuitable for long term retention in the new situation.
- 1 Grade B Lime removed to benefit an adjacent Oak

The potential for conflict with the retained trees was accepted by the Council's Tree Officer and have already been removed. The amended plan represents an improved relationship to an Oak tree on plot 1. Taking into account the accepted use of the site for residential development and the layout approved previously, it is not considered that the loss of the trees would be harmful.

Highway Safety

The revisions to the layout have arisen following advice from the Council's Highway Adoptions Team as part of the highways s278 Agreement. The proposed amendments relate to the depth of the service margins, road widths and junction arrangements internally within the site. The alterations are very minor in nature and do not require any amendments to the position or siting of the dwellings. As such, the impact on the design of the scheme will be minimal and the change in

depths of the service strips will not be noticed. The Strategic Highways Manager supports the proposal and as such, there are no highway safety concerns.

Other Issues Raised by Representation

Residents on Bridge Row are concerned that the proposed layout will enable vehicular access into the proposed development. However, the proposed boundary treatments would prevent this.

11. CONCLUSIONS

The principle of the development has already been accepted. The proposed revisions are minor and do not give rise to issues relating to design, character and appearance, residential amenity or highway safety. As such, the proposal is found to be acceptable and therefore it is recommended that condition numbers 2 and 24 of approval 12/0410C be varied to include the revised information and all other conditions be repeated as before where necessary.

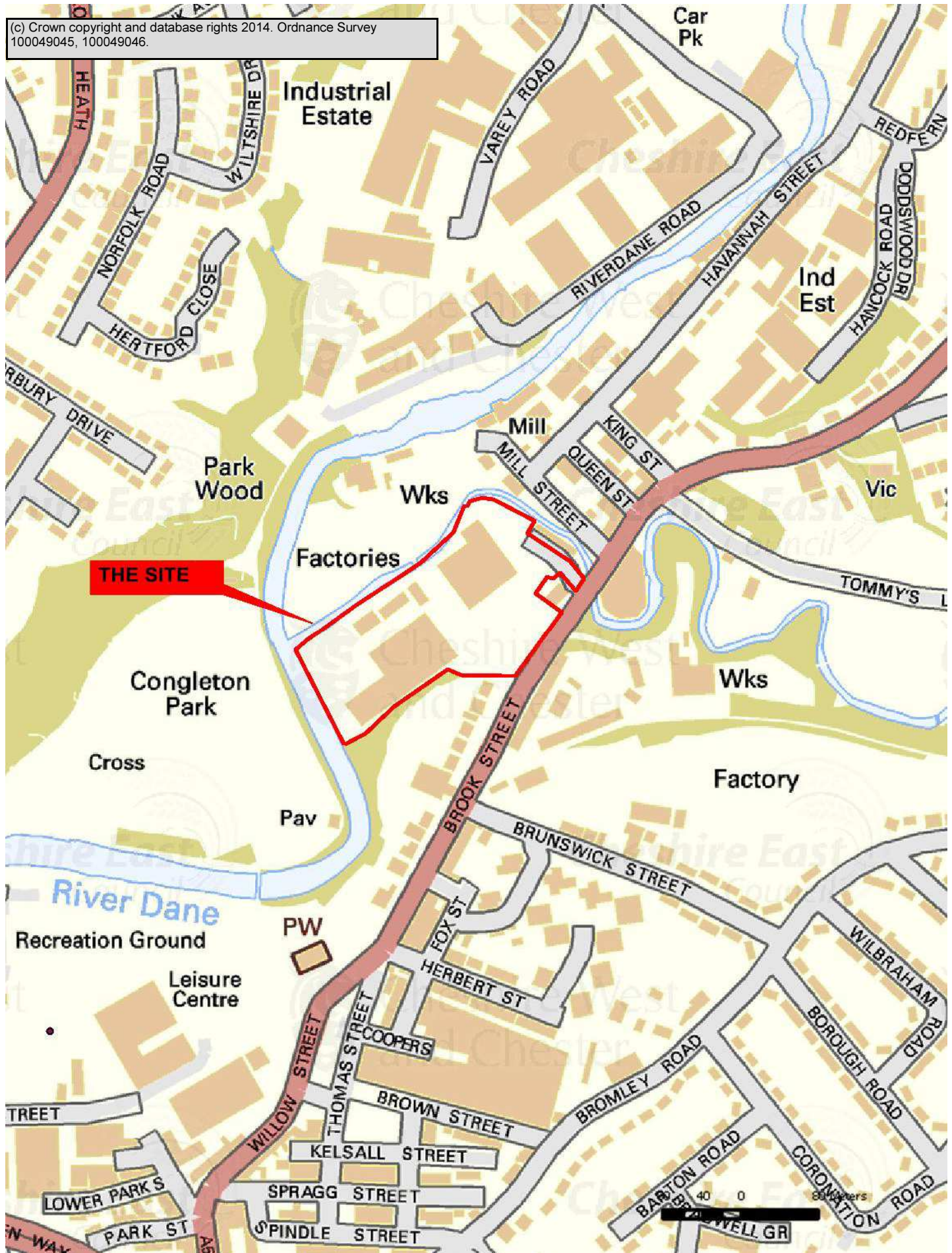
12. RECOMMENDATION

APPROVE with conditions

- 1) Development in accordance with submitted / amended plans (inc. access) and updated Arboricultural Assessment and updated landscape plan
- 2) Hours restriction – construction including delivery vehicles.
- 3) Hours restriction - piling activity.
- 4) Contaminated land Phase 2
- 5) Accordance with Landscape scheme and Management Plan
- 6) Landscaping to include native species for ecological value
- 7) Implementation of approved landscaping
- 8) Survey for breeding birds and protection during breeding season
- 9) Incorporation of features into the scheme suitable for use by breeding birds
- 10) Incorporation of features into the scheme suitable for use by bats
- 11) Submission/approval and implementation of a programme of remedial works to retained trees.
- 12) Levels in accordance with submitted details
- 13) Materials in accordance with submitted details
- 14) Noise mitigation for Plots 1 and 54 to be implemented in accordance with 'Hepworth Acoustics, Report No. 21367.01v1, January 2012' prior to first occupation of these units
- 15) Detailed scheme for dust mitigation during demolition and construction
- 16) Details of external lighting strategy to be submitted and agreed
- 17) Accordance with Detailed Tree Protection Scheme to be fully implemented
- 18) Accordance with Landscape management Plan
- 19) Accordance with scheme for compensatory flood storage
- 20) Accordance with surface water regulation
- 21) Accordance with scheme for management of overland flows from surcharging of surface water drains to be submitted and agreed prior to commencement of development
- 22) Site levels to be in strict accordance with Cut and Fill Drawings unless otherwise agreed in writing
- 23) New vehicular access to Brook Street to be constructed to base course before other construction works commence and fully implemented before first occupation of any dwellings

- 24) Accordance with Site Waste Management Plan
- 25) Scheme to generate 10% of its energy requirement from low carbon sources
- 26) Accordance with boundary treatments
- 27) Precise details of internal footbridge connecting the two areas of POS to be submitted, agreed and fully implemented within an agreed timescale
- 28) Accordance with Method statement detailing proposals for the eradication of Japanese Knotweed and Himalayan Balsam
- 29) Accordance with details of bin storage
- 30) Removal of PD classes A-E plots and gates ,walls and fences for Plots 48 - 52

(c) Crown copyright and database rights 2014. Ordnance Survey 100049045, 100049046.



This page is intentionally left blank

Application No: 14/0786C

Location: Swanwick Hall, BOOTH BED LANE, GOOSTREY, CREWE, CHESHIRE, CW4 8NB

Proposal: Conversion of redundant barns to an equestrian use with part reconstruction, conversion of redundant barn to ancillary domestic use and provision of an outdoor riding arena

Applicant: Mr & Mrs C Dick

Expiry Date: 09-May-2014

SUMMARY RECOMMENDATION:

APPROVE subject to conditions

MAIN ISSUES:

The key issues for consideration are (i) the principle of development, (ii) design and conservation, (iii) ecological implications, (iv) highways (v) neighbouring amenity, (vi) public right of way

1. REASON FOR REFERRAL

This application is a small-scale major development.

2. DESCRIPTION AND SITE CONTEXT

This application relates to a grouping of rural barns associated with the property known as 'Swanwick Hall Farm' in Goostrey. The agricultural use of the barns has long since ceased and they are currently used for storage ancillary to main the dwelling and for the applicant's own use. The southern part of the complex comprises traditional brick built buildings with the northern quarter hosting more modern portal framed additions. The site is surrounded on all sides by open countryside designated fields. The site is accessed via a track leading some 430 metres from Boothbed Lane to the west. The main farmhouse is Grade II listed.

3. DETAILS OF PROPOSAL

Full planning permission is sought for the conversion of the redundant barns to an equestrian use with part re-construction / conversion of redundant barn to ancillary domestic use and provision of an outdoor riding arena.

4. RELEVANT HISTORY

13/4478C - Provision of an outdoor riding arena – Approved 18-Dec-2013

11/0381C - CHANGE OF USE OF REDUNDANT BARNs TO LIVE WORK UNIT – Approved 27-Jun-2012

07/0486/LBC - Conversion of existing farm buildings into 4 dwellings and 4 new garages – Withdrawn 29.08.2007

5. POLICIES

National Policy

National Planning Policy Framework (NPPF)

Congleton Local Plan Policy

PS8 - Open Countryside

GR1 - New Development

GR2 – Design

GR6 – Amenity

GR9 - Accessibility, Servicing & Parking Provision

GR16 – Footpath, Bridleway and Cycleway Networks

H1 & H2 - Housing Land Supply

H6 - Residential Development in the Open Countryside

BH4 – Listed Buildings (Effect of Proposals)

BH15 & BH16 - Conversion of Rural Buildings

NR2 - Wildlife & Nature Habitats

SPG2 - Private Open Space in New Residential Developments

SPD7 - The Re-Use of Rural Buildings

Local Plan Strategy Submission Version:

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles
SE1 - Design

6. CONSIDERATIONS (External to Planning)

Highways:
No objection

Environmental Health:
No objection subject to a condition restricting hours of construction

Environment Agency:
No objection

Public Rights of Way Unit:
No objection - The PROW Unit expects that the Planning department will ensure that any planning conditions concerning the right of way are fully complied with. There should be no changes to the surfacing of the right of way without consultation with the PROW Unit. If possible, pedestrian refuges should be provided along the extent of the access track. If the development will temporarily affect the right of way then the developer must apply for a temporary closure of the route (preferably providing a suitable alternative route).

Congleton Ramblers:
Object on the grounds that proposal would degrade the PROW, Goostrey FP12

Jodrell Bank (University of Manchester)
No objection subject to incorporation of electromagnetic screening features

7. VIEWS OF THE PARISH COUNCIL

The Parish Council has no objection in principle, as long as the applicant works in conjunction with the footpaths group, and Highways. These comments are for safety reasons to protect the walkers on the footpath and the children and families using the play area on Boothbed Lane.

8. OTHER REPRESENTATIONS

Letters have been received from 4 addresses expressing the following grounds:

- Restrictions already in place on previous permissions
- Traffic flow (safety, visibility) emerging at Boothbed lane children's playground and along public footpath
- Hours of business operation and traffic should be restricted
- Use Class should be restricted so that entirety of Class B1 and/or D2 do not apply
- Impact of construction traffic and heavy vehicles in terms of volume and parking
- Structural damage to neighbouring properties caused by large horseboxes
- Vehicles generate a large amount of dust which reduces neighbouring amenity
- What are the implications for traffic travelling up and down the public footpath
- Goostrey Footpath Group is supportive of the purpose of this Application

- The main length of the drive has been tarmac'd, centrally between fences, with no separate footway and little space either side for walkers, buggies and dogs to step aside to permit traffic to pass on the tarmac
- A special concern is the danger from reversing vehicles
- Ownership certificate 'A' wrongly signed by applicant as does not own all land over which application passes

9. APPLICANT'S SUPPORTING INFORMATION

Planning Statement
Design & Access Statement
Protected Species Survey
Access Statement

9. OFFICER APPRAISAL

Principle of Conversion

The principle of converting existing rural buildings into equestrian / residential use in the open countryside can be acceptable provided that the requirements of policies BH15, BH16 and SPD7 are met. The principle of converting the existing barns into a 'live-work' unit have already been accepted when planning permission was granted recently for planning ref; 11/0381C.

Policy BH15 states that schemes for residential conversion will only be permitted where the building is permanent and substantial and would not require extensive alteration, rebuilding or extension.

The newly adopted National Planning Policy Framework (March 2012), advises that Local Planning Authorities should '*support existing business sectors, taking account of whether they are expanding or contracting*'. In addition it states that '*In considering applications for planning permission, Local Planning Authorities should apply the presumption in favour of sustainable development and seek to find solutions to overcome any substantial planning objections where practical and consistent with the Framework.*'

Assessment

The barns are clustered around a small courtyard and comprises of an attractive two-storey traditional barn to the south with some smaller brick barns positioned on the opposite side of the courtyard with more modern portal structures attached on the opposite side. The two-storey element to the south would be converted to residential use ancillary to the main farmhouse with the northern components lending themselves to the stabling / equestrian business use.

The ancillary residential use of the barns would be acceptable in principle as the barns are in close proximity to the main farmhouse and are therefore read within this context. Their use as a residential unit has already previously been established.

With respect to the equestrian use, Local plan policy RC5 states that developments comprising of facilities for outdoor sport and recreation which preserve the openness of the countryside are considered to be acceptable. As such, Local Plan Policy is supportive of equestrian activities in

Open Countryside locations subject to compliance with other material considerations, these being design, residential amenity and highways.

In granting approval recently to convert the barns, it was established that generally the barns were in a reasonable condition and that significant rebuilding would not be required in order to facilitate the conversion. Whilst there are areas that would require localised repairs to the external brickwork, given that these areas are localised, it is considered that the buildings are capable of conversion and the proposal therefore complies with Policy BH15.

The proposed uses would comply with the requirements of policies BH15, BH16, SPD7 and would accord with the aims and aspirations of the National Planning Policy Framework.

Design & Conservation

Where it is proposed to re-use or convert traditional rural buildings, it is important to retain as much of the original building fabric as possible and minimise alterations to help preserve the character of the building to help produce a successful conversion.

The two storey building to the south is an attractive traditional barn, which appears to date from the 19th century and has been extended through the addition of a single storey brick built lean-to on the north elevation. This lean-to would be replaced with a lean-to of similar size and proportions which would be predominantly glazed and would allow uninterrupted views of the original barn structure and as such would be acceptable.

There is a two-storey open fronted hay barn positioned at 90-degrees to the main barn which is linked by a pitched roof. The proposed residential conversion seeks to combine both elements by glazing the void beneath the linking roof slope on the south facing elevation. The elevation on the north side is bricked up at ground floor level so only the upper part would be glazed. This approach would respect the existing character of the barn.

The upper portions of the openings within the hay barn are already vertically boarded. It is proposed to continue the cladding down to the floor level to enclose the space and provide a storage area. Such treatment would respect the character and style of the barn, which has also been secured through amended plans and negotiation with the applicant. Within the main barn itself, use of the existing openings would be made and as such the conversion would allow the barn to retain its rural character and appearance.

With respect to the buildings towards the north of the site, the traditional brick built elements would be retained and converted sympathetically. Use of the existing openings would be made and where new are to be introduced, these would be formed by reopening previous openings and kept to a minimum. The existing portal structures which are attached to the northern portions be removed and in its place an American style barn will be constructed. This will not appear intrusive as it will not be significantly greater in size than existing structures and will be well contained by the more traditional structures surrounding it. Consequently, with the removal of the existing piggery, the proposals would not introduce any perceivable additional bulk within the open countryside and would improve the character and appearance of the site whilst being more sensitive to the setting of the nearby grade II listed farmhouse.

With respect to the treatment of the curtilage, an existing area of hardstanding situated to the rear (west) of the buildings would be given over to parking. This area would also accommodate a detached single storey moveable stable comprising of 2 small horseboxes (for quarantine) constructed using timber. The stables would be viewed against the back drop of the existing buildings and would not appear intrusive. Thus, the potential impact on the surrounding open countryside has been minimised to prevent an intrusive form of development. The design and considerations relating to conservation are deemed to be acceptable and the impact on the adjacent listed building would not be harmful.

Ecological Implications

Rural buildings are frequently used by protected species. In view of the fact that the development proposes conversion of a traditional barn, the existence of protected species needs consideration. 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 resting 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 NR2 states that proposals for development that would result in the loss or damage of any site or habitat supporting species that are protected by law will not be permitted. In line with guidance in the national Planning Policy Framework, appropriate mitigation and enhancement should be secured if planning permission is granted.

The application is supported by a Protected Species Survey. Evidence of bat activity in the form of a minor roost of a relatively common bat species has been recorded within the barns. There is the possibility of a minor roost of a second widespread bat species also occurring on site but this was not confirmed during the submitted surveys. The usage of the building by bats is likely to be limited to single - small numbers of animals using the buildings for short periods and there is no evidence to suggest a significant maternity roost is present. The loss of the buildings on this site in the absence of mitigation is likely to have only a low impact upon on bats at the local level and a low impact upon the conservation status of the species as a whole.

With respect to Barn Owls, minor evidence of past barn owl activity was recorded. It appears unlikely that barn owls are currently active on site. Accordingly, the favourable conservation status of both species would be maintained. Whilst reference has been made to impacts of the ménage to the east of the site, this is already in situ and therefore does not form part of this application. As such the Council's Nature Conservation Officer has offered no objection to the application but does recommended conditions aimed at improving the surrounding habitat.

Highways

Policy GR9 states that proposals for development requiring access, servicing or parking facilities will only be permitted where a number of criteria are satisfied. These include adequate and safe provision for suitable access and egress by vehicles, pedestrians and other road users to a public highway.

This application is supported by a Transport Note which identifies the traffic generation from this site and identifies the adequate visibility splays available for emerging vehicles at the junction of the access drive with Booth Bed Lane. In traffic generation terms, the proposal would generate 20 trips (10 in and 10 out per day). The Strategic Highways Manager considers that this is a non-material impact on Booth Bed Lane and considers that the existing junction arrangement will operate appropriately. Visibility at the junction is acceptable and a site visit confirmed that turning movements are acceptable.

Sufficient parking and turning space will be provided within the curtilage of the site and it must be borne in mind that the previous application approved a live / work unit and before that the agricultural use of the site which would have generated movements from large vehicles. As such, it is considered that the access, parking and traffic generation are acceptable for this development and its use. Subject to conditions, the proposal is deemed to be in accordance with Policy GR9 and the concerns expressed by local residents and the Parish Council would not sustain a refusal on highways grounds.

Neighbouring Amenity

It is considered that a satisfactory standard of facilities could be obtained for the barn and it is not considered that any instances of direct overlooking or loss of light would result. Adequate separation would be maintained with the nearest neighbours. As the scale of the buildings would remain unaltered, there would no material harm to amenities by reason of loss of light or visual intrusion.

With respect to impact on amenity from construction vehicles using the track, this would be for a short period and would be no greater than the scheme which has already received approval. There would be no greater material harm. One neighbour has commented that the use class of the proposal should be restricted. However, this is not required as the proposal for livery / stables is a 'sui generis' use and therefore movement within the use classes would not be possible. The scheme is deemed to accord with policies GR6 and SPG2.

Public Right of Way

Public footpath Goostrey No. 12 runs along the access track and travels directly through the farmstead. The Public Rights of Way Unit (PROW) have been consulted on this application and have offered no objection to the proposals subject to conditions and informatives.

With respect to the use of the track, the proposed traffic generation would not be as significant to materially harm user's amenity of the right of way. It is also important to acknowledge that the lawful use as a farm would have potential to generate greater frequency of trips. However, it is recommended that a condition is attached which requires the provision of pedestrian refuges along the track to maintain pedestrian use. In the absence of objection from the PROW unit, it is considered that the proposal complies with local plan policy GR16 and a refusal could not be sustained on the grounds offered by objectors.

11. CONCLUSIONS AND REASONS TO APPROVE

In conclusion, it is considered that the principle of development is acceptable. The conversion would preserve the identity and character of the building and its architectural features and historic interest. It is considered that the scheme would make a positive contribution to and would not detract from the environmental, visual and physical quality of the surrounding open countryside. The proposal would provide an acceptable standard of amenity for the occupiers and would not materially harm the existing amenity afforded to the neighbouring properties. Subject to compliance with mitigation, species protected by law would not be significantly harmed. The proposal would not lead to or exacerbate existing traffic problems and the public footpath would not be detrimentally affected. Subject to compliance with conditions, the proposal is deemed to be in compliance with relevant development plan policies and the adopted National Planning Policy Framework and as such is recommended for approval.

12. RECOMMENDATION:

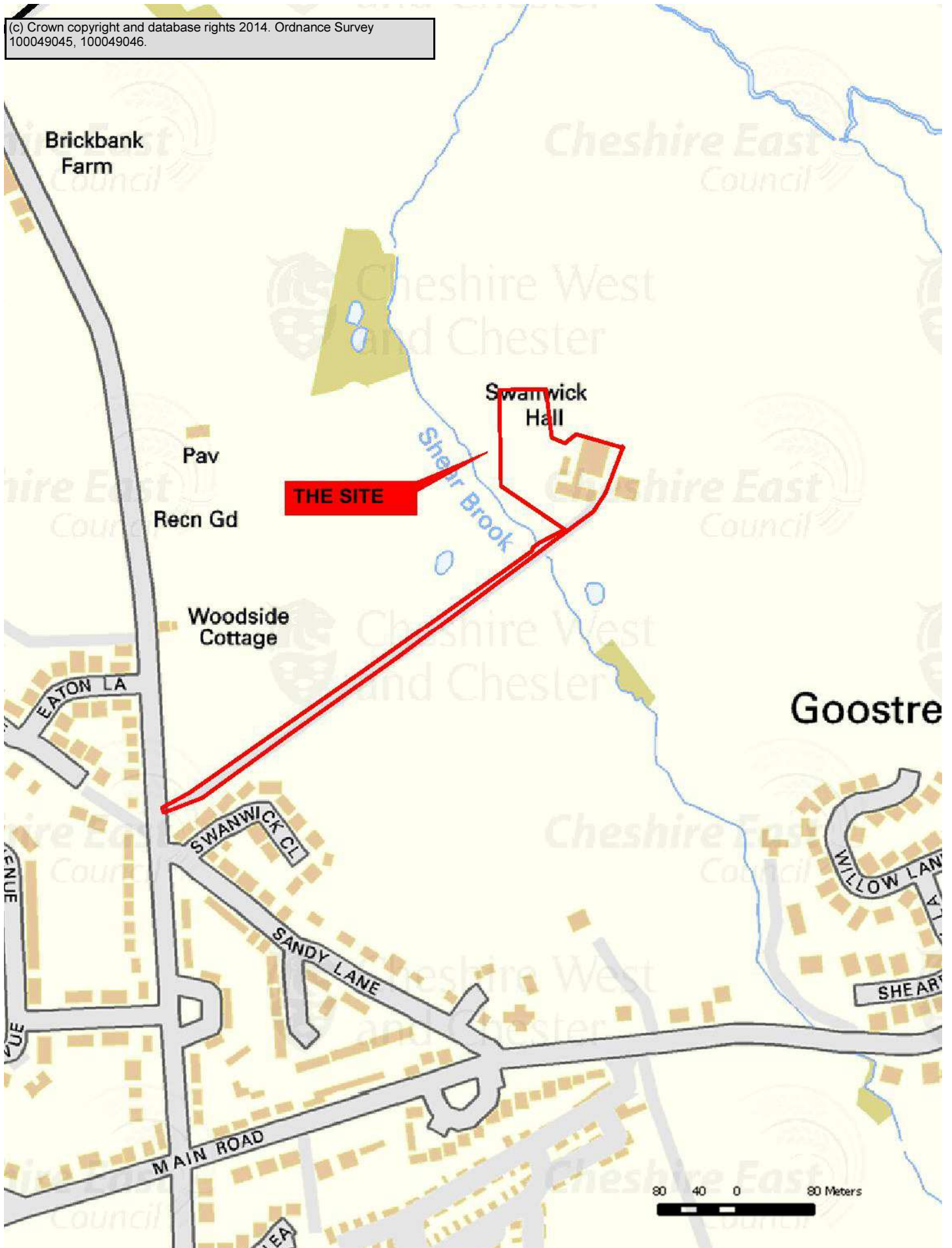
APPROVE subject to the following conditions:

Conditions

- 1. Commence development within 3 years**
- 2. Development to be carried out in accordance with approved drawings**
- 3. Permission relates only to the conversion of the barn indicated on the approved drawing and does not grant consent for demolition/reconstruction except where indicated on plans**
- 4. Submission of details/samples of external materials**
- 5. Rainwater goods to be cast metal painted black**
- 6. Submission of details of fenestration**
- 7. Windows and doors to be timber and set behind a 100mm reveal**
- 8. External doors to be timber vertically boarded**
- 9. Roof lights to be conservation style**
- 10. Removal of permitted development rights for extensions, outbuildings and gates walls and fences.**
- 11. Submission of details of positions, design, materials and types of boundary treatments**
- 12. Submission of detailed design plan for the junction arrangement, visibility splays and vehicular crossing**

- 13. Submission of contaminated land assessment / remediation if required**
- 14. Limits on hours of construction including delivery vehicles.**
- 15. Submission of details for the incorporation of features for bats**
- 16. Existing dovecotes retained and filled with recessed brick and dyed mortar**
- 17. Developer to provide scheme for pedestrian refuges prior to first use**
- 18. Scheme for incorporation of `electromagnetic screening measures (Jodrell Bank)**

(c) Crown copyright and database rights 2014. Ordnance Survey 100049045, 100049046.



Application No: 14/1034N

Location: Wrenbury Nursing Home, WRENBURY HALL DRIVE, WRENBURY, CW5 8EJ

Proposal: Extensions to provide additional residents bedrooms plus a new sun lounge

Applicant: Mr R Sezliah, Bluecroft Estates Ltd

Expiry Date: 21-Apr-2014

SUMMARY RECOMMENDATION: Approve subject to conditions**MAIN ISSUES:**

- Policy;
- Design;
- Amenity;
- Drainage;
- Sustainability;
- Highways; and
- Other Matters

REFERRAL

This application was to be dealt with under the Council's delegation scheme. However, Councillor Davies has requested that it be referred to Committee

SITE DESCRIPTION AND DETAILS OF PROPOSAL

This is a full application for extensions to provide additional residents bedrooms and a new sun lounge at Wrenbury Nursing Home, Wrenbury Hall Drive, Wrenbury. The applicants property is a large two storey detached property which is constructed out of facing brick under a tile roof. The applicants property is bounded on both sides by residential properties. The property is located wholly within the open countryside.

PREVIOUS RELEVANT DECISIONS

There is a lengthy history of planning applications at this site. The most recent of which are:

P93/0093 – First Floor Extension – Approved – 12th March 1993

7/14842 - Gymnasium and Ancillary changing accommodation to form residential sports centre – Approved – 3rd March 1988

7/12690 - Extension and alterations to form 3 bedroom units – Approved – 19th December 1985

7/11420 - Shower room and toilet extension – Approved – 18th October 1984

7/16081 – Extension – Approved – 10th October 1988

PLANNING POLICIES

National Policy

The application should be determined in accordance with national guidance set out in:

National Planning Policy Framework

Local Policy

The principle issue surrounding the determination of this application is whether the development is in accordance with the following policies within the Borough of Crewe and Nantwich Replacement Local Plan 2011:

BE.1	(Amenity)
BE.2	(Design Standards)
BE.3	(Access and Parking)
BE.4	(Drainage, Utilities and Resources)
BE.5	(Infrastructure)
NE.2	(Open Countryside)
NE.5	(Nature Conservation and Habitats)
NE.9	(Protected Species)
CF.2	(Community Facilities)

Cheshire East Local Plan Strategy - Submission Version

SE1 - Design
SE2 – Efficient Use of Land
SE3 – Biodiversity and Geodiversity
SE4 – The Landscape
SE6 – Green Infrastructure
SE7 – The Historic Environment
SE8 – Renewable and Low Carbon Energy
SE9 – Energy Efficient Development

The above Policies are consistent with the Crewe and Nantwich Local Plan

OBSERVATIONS OF CONSULTEES

No comments received

VIEWS OF THE PARISH / TOWN COUNCIL:

No comments received

OTHER REPRESENTATIONS:

3 letters of objection have been received from the occupiers of 3, 4 and 5 Wrenbury Hall Drive. The salient points raised in the letter of objection are as follows:

- The scale of the development seems inappropriate taking into account the position of the Nursing Home. The Nursing Home is sandwiched between residential properties and this proposal would extend the footprint of the building right up to neighbour's boundary fences; this appears to be overly intrusive. The general location is rural with open aspects and the scale of the proposals seems out of keeping with this. Extending the Home to these proportions means that it would totally dominate Wrenbury Hall Drive;
- The drainage in the area is very poor and the additional bedrooms and other associated uses will exacerbate drainage problems in the locality;
- The residents of the property are very noisy and this is distressing to local residents
- There are a number of windows which directly overlook adjacent property,
- The proposal will devalue property
- The access road is only very narrow and any additional traffic will cause obstruction and may be detrimental to highway safety.
- The Nursing Home already presents issues regarding deliveries to the premises as it is, lorries have difficulty accessing the rear of the property and the driveway of neighbouring dwellings to manoeuvre a reverse turn, this is very dangerous! It seems that being accommodating does not pay but gets taken advantage of. There is the problem of parking. Noise also presents a problem, shift changes and excess speed from changeover staff both at night, and in the day.

One letter of support from the applicant in relation to their application raising the following points:

- None of our residents have been out of the home as it is a secure facility. Notification would have been sent to our registering body;
- Our residents do not use the garden the last event that was held was 31st August 2013;
- We have parking for 20 cars. The Majority of our staff do not drive and use public transport. Therefore there is no need for staff / visitors to park on the verge outside;
- Neighbours need to take into account that there are other business in Wrenbury Hall Drive that attract much bigger visitors eg Wrenbury Hall that hold banqueting and wedding events, the Windgate Centre and large farm vehicles that use the Drive on a daily basis.
- We have never had any problems with sewage despite our neighbours sewage passing via our property;
- The home has provided a service for the local community needing care in a quiet safe environment for many years. Wrenbury is a very successful nursing home with an excellent reputation; and
- We also provide employment for local people and sustain local businesses through our custom.

APPLICANT'S SUPPORTING INFORMATION:

No supporting information submitted

OFFICER APPRAISAL

Policy

The principle issues surrounding the determination of this application is whether the development is in accordance with Policies BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Car Parking and Access), NE.2 (Open Countryside), NE.5 (Nature Conservation and Habitats), NE.9 (Protected Species), TRAN.9 (Car Parking) and CF.2 (Community Facilities) of the Borough of Crewe and Nantwich Replacement Local Plan 2011. These policies seek to ensure that the proposed development respects the scale, form and design of the existing buildings and the general character of the area.

In summary, these policies seek to protect the character and appearance of the open countryside whilst allowing for appropriate development. Policies also protect residential amenity and ensure safe vehicular access and adequate parking. An extension will not be permitted unless it harmonises with its setting and is sympathetic in scale, form and materials to the character of the built form and the area particularly adjacent buildings and spaces.

Design

Guidance advocated within NPPF supports well designed buildings. Policy BE.2 (Design Standards) is broadly in accordance with this guidance but places greater emphasis on the impact to the streetscene and encouraging development which respects the character, pattern and form of development within the area.

As a matter of fact, the NPPF states *'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'* (paragraph 64)

However, the NPPF clearly states that *'Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness'* (paragraph 60).

The design of new development should be of a high standard and wherever possible the built environment and surroundings should be enhanced. It is important that the relationship with the existing street scene is considered and improved, and not harmed by new development.

The proposal is for a two storey extensions to the existing nursing home. The nursing home is located adjacent to Wrenbury Hall Drive, which is private access road and there are several residential properties located in relative close proximity to the application site. According to the submitted plans the proposed two storey extension on the right hand side would measure approximately 6.4m wide by 8.1m deep. It is noted that the eaves and ridge height of the building would remain at the same height of the host building. The proposed development will be constructed out of facing brick under a tile roof and this would be secured by condition, in

the event that planning permission is approved. The fenestration on the proposed is in keeping with the window pattern, style and design on the host property and as such would not appear as an alien or incongruous feature.

In addition to the above, the applicant is proposing to erect a single storey extension on the front of the building, which would be used as a sun room. The proposed single storey outrigger would measure approximately 8.4m wide by 5m deep and would incorporate a mono pitch roof. The proposed extension would be constructed out of similar materials to the host property. Located on the front elevation are three sets of French doors and 6no. roof lights on the roof plane. It is noted that the proposed extension would project out approximately 5m and would help to break up this elevation.

Another two storey extension is proposed on the rear elevation of the right hand wing of the host property. The proposed extension would project out approximately 6.2m by 7m wide. Again the eaves and ridge of the extension are at a similar height of the host property.

A further two storey extension is proposed on the left hand side of the host property. The proposed extension would measure approximately 12m wide by 3.5m deep and the ridge height and eaves are at a similar level to the host property. The extension would be constructed out similar materials to the host property and this would be secured by condition. The proposed fenestration are in keeping with the host property and would not appear as an alien or incongruous feature.

Overall, it is considered that the proposed design, scale and massing of the proposed extension would be in keeping with the host property. It is considered providing careful consideration is given to the materials used to construct the extensions will help the extensions to harmonise with the host property. Overall, it is considered that the proposal complies with policy BE.2 (Design Standards).

Amenity Considerations

Policy BE.1 (Amenity) states that development will be permitted provided that the development is compatible with surrounding land uses, does not prejudice the amenity of future or neighbouring occupiers, does not prejudice the safe movement of traffic and does not cause an increase in air, noise, water pollution which might have an adverse impact on the use of land for other purposes.

It is considered that the development of the site for additional nursing home accommodation within an existing nursing home is considered to be compatible with the surrounding land uses. The proposals are also unlikely to result in noise, air or water pollution. A principle consideration in determining this application is its effect upon the amenity of adjacent occupants.

This primarily includes the residents of no's 4 and 6 Wrenbury Hall Drive, which are located on either side of host property. The general thrust of Policy BE.1 requires that development does not have a prejudicial impact on the amenity of occupiers in an adjacent property.

It is noted that both of these properties (no's 4 and 6) are both set well forward of the application site. There is a distance of approximately 11m separating the applicants property

from no. 4 and 9m from no. 6. It was noted that there were a number of windows on the side elevation of extension (at ground and first floor level) which may overlook the garden of no.6 and a obscure glazing condition could be attached to the decision notice, which will help to prevent any overlooking or loss of privacy. Furthermore, given the scale and nature of the proposed development, orientation and juxtaposition of the extensions in relation to the surrounding residential properties and the boundary treatment would all help to mitigate any negative externalities caused by the proposed development. Overall it is considered that the proposal complies with policy BE.1 (Amenity).

The impact on other residential properties in the locality will be negligible.

Drainage

Development on sites such as this generally reduces the permeability of at least part of the site and changes the site's response to rainfall.

The NPPF states that in order to satisfactorily manage flood risk in new development, appropriate surface water drainage arrangements are required. The guidance also states that surface water arising from a developed site should, as far as possible, be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development.

It is possible to condition the submission of a satisfactory drainage scheme in order to ensure that any surface water runoff generated by the development is sufficiently discharged. This will probably require the use of Sustainable Drainage Systems (SUDS) which include source control measures, infiltration devices as well as filter strips and swales which mimic natural drainage patterns. Concerns have been raised that if the proposal was to be approved, it will exacerbate flooding in the immediate area and it is considered prudent to attach a condition relating to drainage, if planning permission is to be approved.

Sustainability of the site

The NPPF identifies that there is a presumption in favour of sustainable development and that significant weight should be attached to proposals which enable economic growth and the delivery of sustainable development. With regard to the urban economy, the Framework advises that developments should be located and designed where practical to:-

- Accommodate the efficient delivery of goods and supplies;
- Give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- Create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians;
- Consider the needs people with disabilities by all modes of transport

The document goes onto enunciate that

'Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised'. (paragraph 34).

The site would be sited in a sustainable location alongside the existing nursing home. The site would have access to the facilities within the village of Wrenbury. However, the agent stresses that majority of residents suffer from dementia and the unit is secured with residents not able to leave the property. Nevertheless, it is still considered prudent to address the sustainability of the site.

Overall, it is considered that the site is in a sustainable location and the proposal is in accordance with Policy BE.3 (Access and Parking) and advice advocated within the National Planning Policy Framework.

Highways

According to the submitted plans and application forms the existing access arrangements will remain unaltered. According to the application forms there are 15 spaces and sufficient space for vehicles to manoeuvre so that they can enter and leave in a forward. The agent stresses given the nature of the clients utilising the nursing home no additional car spaces are required. The proposal would increase the number of employees by three. The applicant claims that the majority of staff arrive at work via public transport and there is always sufficient car parking available. Overall, it is considered that the proposal complies with policies BE.3 (Access and Parking) and TRAN.9 (Car Parking Standards).

Other Matters

Whilst the concerns of the objectors are noted the devaluation of a property is not a material planning consideration. Furthermore, vehicles obstructing the access is not a sufficient justification to warrant refusing the application, as this matter can be dealt with by the police under their legislation.

CONCLUSIONS AND REASON(S) FOR THE DECISION

Having regard to the pattern of existing development in the area and other material considerations, it is concluded that the proposed development would be in accordance with Policies BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), BE.4 (Drainage Utilities and Resources), BE.5 (Infrastructure), NE.5 (Nature Conservation and Habitats), CF.2 (Community Facilities), and TRAN.9 (Car Parking) of the Borough of Crewe and Nantwich Replacement Local Plan 2011, and that it would not materially harm the character or appearance of the area or the privacy and living conditions of neighbouring occupiers and would be acceptable in terms of highway safety.

Approve subject to the following conditions:

- 1. Standard Time Limit**
- 2. Plan References**
- 3. Materials**
- 4. Surfacing Materials**
- 5. Drainage**
- 6. Landscaping submitted**
- 7. Landscaping implemented**

8. Obscure glazing

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

Should this application be the subject of an appeal, authority be delegated to the Principal Planning Manager in consultation with the Chairman of the Southern Planning Committee, to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

(c) Crown copyright and database rights 2014. Ordnance Survey 100049045, 100049046.



This page is intentionally left blank

Application No: 14/1741N

Location: Land Off, ORION WAY, CREWE

Proposal: Variation of (condition 2 - internal floor plan) and (condition 16 business clarification) on approved application (10/4760N erection of 4 industrial units)

Applicant: Black & White Cheshire Ltd

Expiry Date: 04-Jun-2014

RECOMMENDATION: Approve subject to conditions

MAIN ISSUES:

- Principle of development;
- Design and Layout;
- Highways;
- Impact upon the Historic Park and Gardens

REFERRAL

This application is referred to Southern Planning Committee because it relates to the variation of the conditions attached to application 10/4760N which was determined by the Southern Planning Committee.

SITE DESCRIPTION

Orion Park is located on the east side of University Way, Crewe and was formerly known as Area B. The land is generally level although the north end is slightly higher than the remaining areas on the site. A number of employment units have already been constructed under previous permissions and this application relates to four units at the southern end of the development. Unit 1 and 2 would form a single building fronting University Way and Unit 2 would also face onto Orion Way. Unit 4 would face onto Orion Way, the internal service road, close to unit 16 which has been constructed. Unit 3 would be located to the rear of Unit 4 and together these units form a single building. The service area would be located centrally between Units 1 / 2 and Units 3 / 4. Car Parking would be provided between the units and Orion Way.

Orion Park is located within the settlement boundary of Crewe and the land is allocated for employment uses under allocation E.2.1 of the Replacement Local Plan 2011. To the rear and south of Orion Park is the Historic Park and Garden of Crewe Hall which is protected under policy BE.14 of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

Works have commenced on this site constructing these units although at the time of the case officer's site visit the units were not occupied.

DETAILS OF PROPOSAL

This application seeks to vary conditions 2 and 16 attached to application 10/4760N. This application relates to a full planning consent to develop Unit 1 for 592 sq m of industrial (B2) floor space and 70 sq m of ancillary office space. Unit 2 is a warehouse and distribution unit (B8) with a floor area of 1,394 sq m of floor space. It is fronted by a show room. Access is from the estate road, Orion Way, and a total of 72 car parking spaces would be provided for the units as whole. Covered cycle parking for 12 bikes would also be provided.

This application seeks to vary condition 2 (approved plans) to allow the following alterations to units 1 and 2:

- The inclusion of 3 windows and two personnel doors on the rear elevation;
- The relocation of Roller shutter doors and personnel doors on the front elevation;
- Internal alterations would see the party wall re-positioned to create a larger unit 2. There would also be some minor changes to the layout of the ancillary offices.

This application also seeks the variation of condition 16 which states as follows:

Notwithstanding Schedule 2 Part 3 of the Town and County Planning (General Permitted Development) Order 1995, as amended, Units 1 and 3 hereby permitted shall only be used as B2 (general industrial) development and shall not be used for any purpose other than a purpose within Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended. Units 2 and 4 shall only be used for B8 purposes (Warehouse and Distribution) of the Town and Country Planning (Use Classes) Order 1987 as amended. The showroom and trade counter area at Unit 2 shall be limited to those areas shown on the floor plans hereby approved and shall only be used for trade purposes and not for retail to the general public.

It is requested that the condition is varied to allow Units 1 and 2 to be used for uses which fall within B1, B2 and B8.

RELEVANT PLANNING HISTORY

14/1492N - Erection of 6 industrial units class B1, B2 and B8 classifications – Application not determined

14/0956N - Variation of Condition 2 on Approved application 10/4760N – Approved 11th June 2014

10/4760N - Extension to time limit for application P08/0561 – Approved 2nd February 2011

10/3023N - 2 New Windows at unit 16 - Approved 30th September 2010.

10/3020N- Temporary Permission for Operational & Site-based Staff Vehicle Parking Associated with the Occupation of Unit 16 - Approved 30th September 2010.

P08/0951 - Creation of first floor space and conversion of part of ground floor warehouse and use of building for B8 or B2 Unit 4 - Approved 2nd October 2008.

P08/0562 - Two Industrial Warehouses - Approved 29th July 2008.

P08/0561 - Four industrial units - Approved 31st July 2008.
P08/0364 - Additional office space and warehouse space below at unit 16 - Approved 6th May 2008.
P08/0219 - Additional windows at unit 14 - Approved 11th April 2008.
P07/01263 - Additional facilities at unit 12 - Approved 22nd October 2007.
P07/0017 - Outline permission for 5 office units - Approved 4th April 2007.
P06/1416 - B8 Unit - Approved 9th March 2007.
P06/1260 - B8 unit - Approved 12th January 2007.
P05/1463 - Four B2/B8 units - Approved 7th February 2006.
P04/0489 - Part outline part full permission for general employment and warehousing - Approved 19th October 2004.

PLANNING POLICIES

National Policy

National Planning Policy Framework

Local Plan Policy

E.2 .1 New Employment Allocations
BE.1 Amenity
BE.2 Design
BE.3 Access and Parking
TRAN.3 Pedestrians
TRAN.5 Provision for Cyclists
TRAN.9 Car Parking

Other Considerations

The EC Habitats Directive 1992
Conservation of Habitats & Species Regulations 2010
Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System
Interim Planning Statement Affordable Housing
Interim Planning Statement Release of Housing Land
SHMA Update 2013

Cheshire East Local Plan Strategy – Submission Version

PG2 – Settlement Hierarchy
CO2 – Enabling Business Growth through Transport Infrastructure
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE1 - Design

OBSERVATIONS OF CONSULTEES

None consulted

VIEWS OF THE PARISH / TOWN COUNCIL

No comments received

OTHER REPRESENTATIONS

No representations received

APPLICANT'S SUPPORTING INFORMATION:

N/A

OFFICER APPRAISAL

Principle of Development

Given that the principle of development has been established by the granting of planning permission P08/0561 and 10/4760N this application does not represent an opportunity to re-examine the appropriateness of the site for employment use. This application relates to changes to the external elevations and internal layout of units 1 and 2 and seeks to alter the use of the units.

Design and Layout

The scale of the building would not alter as part of this application there would just be changes to the external appearance of the units through the re-positioning and removal of doors and windows.

It is considered that these alterations would result in a reduction in the design quality of the units. Although this is unfortunate it is considered that the design is still acceptable and would not result in such harm to warrant the refusal of this application. This view is taken when considering the NPPF's emphasis towards sustainable economic growth.

The internal layout changes and alterations to uses would not raise any design issues.

This amendment complies with Policy BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan.

Amenity

There are no residential properties in close proximity to this site which would be affected by this development. It is considered to comply with the requirement of policy BE1 (amenity) of the local plan.

Highways

There would be no change in parking provision or vehicular access on this site. The external and internal alterations would not raise any highways issues.

In terms of the alteration of the use to allow Units 3 and 4 to be used for B1, B2 and B8 uses this would comply with Policy E.2.1 which identified the site for B1, B2 and B8 use.

Impact upon the Historic Park and Garden

This application would not have any greater impact upon the setting of the nearby Historic Park and Garden.

CONCLUSIONS

The site lies within the settlement boundary for Crewe, where there is a presumption in favour of new development, subject to compliance with other local plan policies. The principal of this development has already been accepted as part of application P08/0561 and 10/4760N.

The changes to the external elevations and internal layout would not raise any issues and are considered to be acceptable.

The alteration to the approved use of the buildings would still comply with Policy E.2.1 and an update will be provided in relation to the highways impact.

RECOMMENDATION

APPROVE subject to the following conditions:

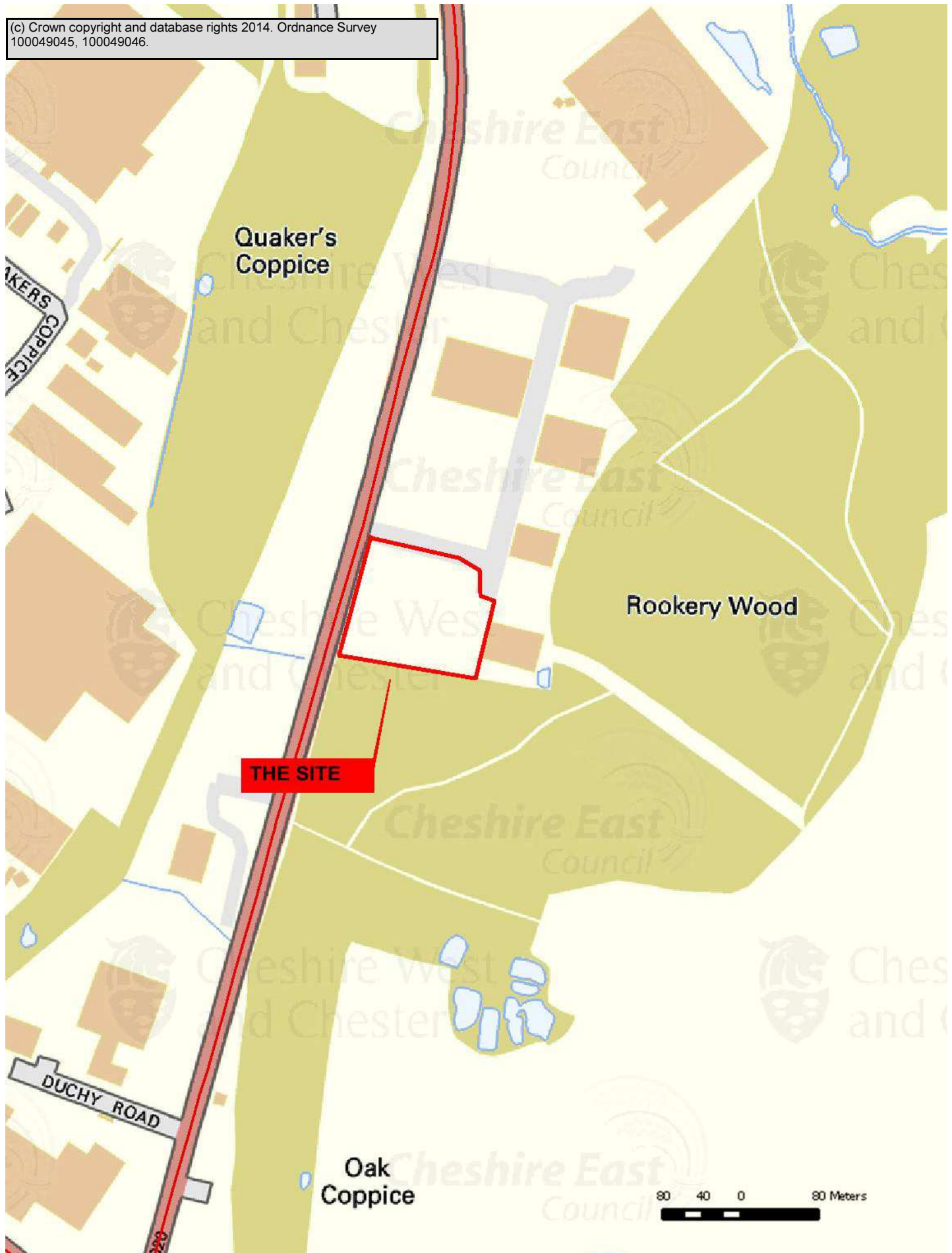
1. Plans as approved under P08/0561
2. Materials as detailed in the application unless otherwise approved in writing.
3. Car Parking to be provided before the development is first used.
4. Cycle Parking and linkages to University Way to be provided
5. Development in accordance with Travel Plan approved as part of application 13/1732D
6. Landscaping scheme in accordance with that approved as part of application 13/1732D. Implementation and maintenance of landscaping
7. Showers to be provided within each unit and retained for use by all staff at that unit in accordance with the approved plans.
8. Boundary treatment to match that used elsewhere on the development
9. Oil interceptors to be provided to car parks.
10. Lighting scheme in accordance with that approved as part of application 13/1732D.
11. No outside storage.
12. Offices and trade counter only to be used for that specific unit and not to be occupied as a separate business.
13. Access to be in accordance with the approved plans and to CEC specification
14. Units 1, 2, 3 and 4 to be used for use classes B1 (b and c), B2 and B8. The showrooms and trade counters shall be limited to those areas shown on the submitted plans and not used for retail to the general public.
15. Scheme of surface water regulation in accordance with that approved as part of application 13/1732D.

16. Scheme for the management of overland flow in accordance with that approved as part of application 13/1732D.

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

Should this application be the subject of an appeal, authority be delegated to the Principal Planning Manager in consultation with the Chairman of the Southern Planning Committee, to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

(c) Crown copyright and database rights 2014. Ordnance Survey 100049045, 100049046.



This page is intentionally left blank

Application No: 14/2078N

Location: LAND ADJACENT, THE GABLES, PECKFORTON HALL LANE,
PECKFORTON, CW6 9TG

Proposal: Outline planning application for housing development off Back Lane on
land adjacent The Gables, Spurstow with all matters reserved.
(Resubmission of 13/4631N)

Applicant: Mr & Mrs J Gaskell

Expiry Date: 25-Jul-2014

SUMMARY RECOMMENDATION –

Refuse

MAIN ISSUES

Principle of development

Principle of Enabling Development

Housing Land Supply

Highways

Appearance, Landscaping, Layout and Scale

Amenity

Ecology

DESCRIPTION OF SITE AND CONTEXT

The site is wholly located within the Open Countryside as defined by the Borough of Crewe and Nantwich Replacement Local Plan 2011.

The site lies to the south of the Gables outside the settlement of the village of Spurstow, although there are dwellings opposite. The site is in current use as horse grazing although it appears to be agricultural. To the rear is open countryside. The village of Spurstow has poor access to day to day services that a resident would need. The Village contains a post box, children's nursery and restaurant (Panama Hatties). Other day to day facilities and services are located elsewhere, the closest for the majority of the services being Bunbury. Power cables traverse the Back Lane Frontage and Telephone cables traverse the Peckforton Hall Lane frontage of the site. The site is enclosed by a mature hedge to both frontage with sporadic trees.

DETAILS OF PROPOSAL

This is an outline proposal for 18 dwellings (12 market and 6 affordable) with all matters reserved. It is a resubmission of application 13/4631N which was refused in February and is

now the subject of appeal. The difference between the 2 schemes relates to the removal access in the current application so this application concerns all matters being reserved.

The indicative proposals demonstrate the individual access points/driveways for each of the 18 proposed dwellings arranged in a linear configuration along the Back Lane and Peckforton Hall Lane frontage of the site. Six of the units would be two storey semi-detached dwellings located in a group to the western boundary of the site with the remainder being two storey detached dwellings wrapping around the street frontage of Back Lane and Peckforton Hall Lane. Each individual access would punch through the hedge

POLICIES

National Planning Policy

National Planning Policy Framework

Borough of Crewe and Nantwich Replacement Local Plan 2011

NE.2 (Open Countryside)

NE.5 (Nature Conservation)

NE.9 (Protected Species)

RES.5 (Housing in the Open Countryside)

RES.8 (Affordable Housing in rural areas outside settlement boundaries (rural exceptions policy))

TRAN.9 (Parking Standards)

BE.1 (Amenity)

BE.2 (Design)

BE.3 (Access and Parking)

BE.4 (Drainage, Utilities and Resources)

BE.5 (Infrastructure)

BE.6 (Development on Potentially Contaminated Land)

Cheshire East Local Plan Strategy – Submission Version

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is

appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28th February 2014, the Council resolved to approve the *Cheshire East Local Plan Strategy – Submission Version* for publication and submission to the Secretary of State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect.

Cheshire East Local Plan Strategy – Submission Version

PG2 – Settlement Hierarchy
PG5 - Open Countryside
PG6 – Spatial Distribution of Development
SC3 – Health and Wellbeing
SC4 – Residential Mix
SC5 – Affordable Homes
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE1 - Design
SE2 - Efficient Use of Land
SE3 – Biodiversity and Geodiversity
SE4 - The Landscape
SE5 – Trees, Hedgerows and Woodland
SE9 –Energy Efficient Development
IN1 - Infrastructure
IN2 – Developer Contributions

Other Material Considerations

The EC Habitats Directive 1992
Conservation of Habitats & Species Regulations 2010
Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System
Interim Planning Statement Affordable Housing
Interim Planning Statement Release of Housing Land
Core Strategy Pre-Submission Document

CONSULTATIONS (External to Planning)

United Utilities: No Objection subject to the following condition -

The site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Local Authority. If surface water is allowed to be discharged to the public surface water sewerage system we may require the flow to be attenuated to a maximum discharge rate determined by United Utilities.

Archaeologist : No sites are currently recorded on the Cheshire Historic Environment Record from within the limits of the application area. In addition, I have carried out a rapid

examination of the 19th-century Ordnance Survey maps, the tithe map, and the aerial photographs and have not identified any features, earthworks, or field names that suggest any particular archaeological significance within the proposed development area. In these circumstances, it is advised that it would not be reasonable to secure further archaeological mitigation on the c 1ha of land affected by development.

One further point concerns the presence of the extensive area of medieval earthworks to the north of Peckforton Hall Lane, which are designated as a Scheduled Monument (SM 30388). The southern tip of the designated area lies c 80m to the north of the proposed development area and it might be thought that the effect of any development on the 'setting' of the Scheduled Monument should be considered. There is, however, relatively-recent housing to the east and north of the application area so it would be difficult to argue that 'setting' was a significant issue in this instance.

Highways: No reply at time of writing report but objected to the previous application on grounds that they do not consider the site to be a sustainable one as it is almost wholly dependent on car. There are very few facilities within walking distance and public transport service is poor.

Housing: - : No Objection subject to 30% affordable housing being provided in a 65% affordable rent:35% intermediate split

Environmental Health: (Amenity) : No objection subject to conditions

VIEWS OF PARISH COUNCIL

Spurstow Parish Council: Repeat previous objection on grounds of

- The proposed development site is outside of the settlement boundary of Spurstow which has been in place for many years and local plans going back to 1997 show this boundary. Cheshire East's latest Local Plan dated November 2013 confirms that the Council intends to maintain this boundary for the next twenty years to 2030.
- The residents wish that the existing Open Countryside status is maintained and the good agricultural land continues to be used for that purpose.
- The proposal does not meet CE's Council's criteria for exceptional permission, not being for essential agricultural, forestry, outdoor recreation or essential works by public service authorities.
- Neither can the proposal be considered to be "infilling" which would normally cover only one or two dwelling as this site is outside of the established development area.
- Spurstow Parish is a disparate settlement having no community facilities (shops, Post Office, village hall or church). In that part of Spurstow there is a Mexican style restaurant on the A49 road but the only pub is situated over the boundary with Bunbury.
- The proposal does not meet the definition of a sustainable settlement as there are no bus services or other public transport facilities unless you walk to either Tarporley (4 miles) or Altham (4 miles) to catch a timetabled bus. Bunbury used

to offer a single daily bus journey during school terms but this was cancelled from Easter 2013.

- There are no planned extra employment opportunities in the immediate area.
- Whilst there are pedestrian footpaths to the west of the A49 trunk road there is no footpath or alternative route to walk to the centre of Bunbury on the east side of Spurstow down Long Lane which is a major commuter through road to Nantwich. Walking down the twisty Long Lane is not considered safe for family groups containing school children.
- The area is unsuitable for this number of high density family houses and nearby South Croft already provides affordable housing opportunities.
- This Parish area does not have the necessary infrastructure to accommodate young families as there are no recreational facilities for children and insufficient quality street lighting.
- Spurstow/Peckforton is 14th out of 15 priority areas set out in Cheshire East's analysis for development. (Whilst Bunbury is joint 5th)
- Spurstow does not adjoin Bunbury in any meaningful way so it cannot be assumed that the proposal is just an annex to the larger village of Bunbury.
- The telephone box mentioned in the proposal has been out of commission for many years and we are awaiting BT to attend and remove it.
- Back Lane is a narrow country road and whilst the developer has indicated willingness to widen it with a footpath even this is not likely to eliminate congestion. The road would need to be brought up to full authority standard. Not sure if much of the hedge will remain after the road widening.
- Access to both the A49 and Peckforton Hall lane poses hazards risks due to limited visibility. Now that farming has resumed at Haycroft Farm due to the narrow entrance it is often necessary for tractors and trailers to back into Back Lane to gain access to the farm.
- The site does not provide acceptable access for builder's vehicles, storage of materials and workers parking unless a large temporary builder's yard is created on the countryside behind the proposed houses. Even the building activity will be blight on the area until completed.
- Houses in the village have not sold quickly casting doubt on how much demand there is.
- Bunbury is already a nightmare for parking and transit around the Co-op shop and school, so more cars would add to current problems.
- There is already approval for 20 new houses on Beeston Market site with applications for another 120 on the cattle market area. This is only 2 miles away.
- Water and sewerage facilities fail to cope adequately at present. We would wish to avoid unnecessary damage to rural eco environment that will be caused by development such as this proposal, and damage to the recently planted trees behind were the houses are planned.

OTHER REPRESENTATIONS

A petition signed by 24 local residents opposing the proposal of grounds of –

Lack of need

Loss of countryside

Lack of Infrastructure in village – doctors, pavements, shops, public transport

16 Letters/emails of objection have been received from the occupiers of properties in the locality. The main issues raised are;

- More traffic, disruption during construction, making main road more congested. Spurstow is already congested
- Loss of privacy / daylight / views of open views of countryside
- Lack of infrastructure, schools, doctors, buses, pavements to support more residents
- No facilities in the village, walking to Bunbury is hazardous – lack of street lighting and pavements therefore people will be reliant on private car
- NO employment in area to support new dwellings
- Housing in area is already difficult to sell no need for more
- Water pressure is low

APPLICANT'S SUPPORTING INFORMATION:

- Flood Risk Assessment
- Design and Access Statement
- Transport Assessment inc framework Travel Plan
- Section 106 Heads Of Terms
- Planning Statement
- Ecological Survey
- Tree Survey

Copies of these documents can be viewed on the application file. In precise, it is the Applicants case is that the application will bring forward much needed affordable housing , the market housing is needed to bring forward the affordable housing and that development is in keeping with its environment and passes the sustainability test.

OFFICER APPRAISAL

Principle of Development

Given that the application is submitted in outline, the main issues in the consideration of this application are the suitability of the site for residential development having regard to matters of planning policy and housing land supply, open countryside, affordable housing, highway safety and traffic generation, contaminated land, air quality, noise impact, landscape impact, hedge and tree matters, ecology, amenity, open space, drainage and flooding, sustainability.

Local Plan Policy

The site lies in the Open Countryside as designated in the Borough of Crewe and Nantwich Replacement Local Plan 2011, where policy NE.2 states that only development which is essential for the purposes of agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.

Housing Land Supply

The National Planning Policy Framework (NPPF) confirms at paragraph 47 the requirement to maintain a 5 year rolling supply of housing and states that Local Planning Authorities should:

“identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land”

The NPPF clearly states at paragraph 49 that:

“housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

This must be read in conjunction with the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF which for decision taking means:

*“where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
specific policies in the Framework indicate development should be restricted.”*

Appeal decisions in October 2013 concluded that the Council could not conclusively demonstrate a five year supply of deliverable housing land. This was founded on information with a base date of 31 March 2012 selectively updated to 31 March 2013.

In response, in February 2014 The Council published a 5 Year Supply Position Statement which seeks to bring evidence up to date to 31 December 2013. The approach taken to the Statement has been informed by policy requirements and by consultation with the Housing Market Partnership.

The Position Statement set out that the Borough's five year housing land requirement as 8,311. This was calculated using the 'Sedgefield' method of apportioning the past shortfall in housing supply across the first five years. It included a 5% buffer, which was considered appropriate in light of the Borough's past housing delivery performance and the historic imposition of a moratorium.

A standard formula of build rates and lead-in times was applied to most housing sites, unless more detailed site-specific information is available. Those considered deliverable within the five year supply were 'sense-checked' and assumptions altered to reflect the circumstances of the particular site. The Criticisms made of the yields from certain sites in the recent appeals, particularly those in the merging Local Plan, were also been taken on board.

Sources of supply included sites under construction; sites with full and outline planning permission; sites awaiting Section 106 Agreements; selected Strategic Sites which are included in the emerging Local Plan; sites in adopted Local Plans; and small sites. This approach accorded with the National Planning Policy Framework, existing guidance and the emerging National Planning Policy Guidance at that time.

A discount was been applied to small sites, and a windfall allowance included reflecting the applications which will come forward for delivery of small sites in years four and five.

A number of sites without planning permission were identified and could contribute to the supply if required. However, these sites were not relied upon for the five year supply.

The current deliverable supply of housing was therefore assessed as being some 9,757 homes. With a total annual requirement of 1,662 based on the 'Sedgefield' methodology and a 5% 'buffer' the Five Year Housing Land Supply Position Statement demonstrated that the Council has a 5.87 year housing land supply. If a 20% 'buffer' was applied, this reduced to 5.14 years supply.

Notwithstanding this, however, the recent appeal at Elworth Hall Farm, Sandbach (11 April 2014) determined that the Council had still not evidenced sufficiently the 5 year supply position, although the Inspector declined to indicate what he actually considered the actual supply figure to be.

Members should note, however, that the Elworth Hall Farm inquiry took place shortly after the publication of the Position Statement with only very limited time available to evidence the case. Since that time, the housing figures have been continuously refined as part of the preparation of evidence for further public inquiries which have taken place during March and April 2014 and are scheduled to take place within the coming months and against the RSS target, Cheshire East Council can now demonstrate a 5.94 year housing land supply with a 5% buffer or 5.2 year housing land supply with a 20% buffer.

Following the release of the Planning Practice Guidance (PPG), which now proposes that Council's include development which falls into the C2 Use Class category (i.e. care homes, halls of residence etc.) when considering housing land supply figures, the requirement provisionally drops to 6,496 (due to increased delivery in previous years) and the supply is elevated to 10,514. This equates to 8.09 years supply.

At the time of the Elworth Hall Farm inquiry the PPG was only in draft form, and although the Inspector gave consideration to the potential contribution of C2 accommodation to supply, the full implications of its inclusion were not known at that stage. The Inspector considered that the Council had a record of under-delivery and expressed the view that a 20% buffer would be appropriate. However, the inclusion of the C2 consents takes away the suggestion of persistent under supply.

The Elworth Hall Farm inspector also criticised assumptions which the Council had made around build rates and lead in times, which he considered to be overly optimistic. In response Officers have been reworking the supply figures using longer lead in times, and on build rates which do not assume that on large sites there will be two or more developers except where

there is the actual site specific evidence. Whilst this clearly reduces the overall supply, this is balanced out by the inclusion of the C2 permissions, and (subject to confirmation) the most recent figures still indicate that the Council can demonstrate a 5 year supply of housing land.

In the light of the above the Council considers that the objective of the framework to significantly boost the supply of housing is currently being met and accordingly there is no justification for a departure from Local Plan policies and policies within the Framework relating to housing land supply, settlement zone lines and open countryside in this area.

Additionally, the adverse impacts in terms of conflict of this proposal with the emerging draft strategy of releasing this site for housing development would, in the planning balance, outweigh the benefits of the proposal in terms of housing land supply, since the site is not relied upon with the emerging Core Strategy or the Assessed Housing land supply.

Therefore, the site is not required for the 5 year housing land supply plus buffer.

Open Countryside Policy

As well as assessing housing supply, the recent Appeal decisions at Sandbach Road North Congleton Road Sandbach, the Moorings/Goldfinch Close in Congleton and Crewe Road, Gresty Green are also significant for clarifying the status and intent of settlement zone line and countryside policies within the existing Plan.

Some have sought to argue that as settlement boundaries effectively contain the built area of a town or village – and so define the area in which development is usually concentrated – that accordingly they should be viewed as housing supply policies. This subsequently could mean that those policies, along with normal countryside policies, should be considered “out of date” if there is no five year supply of housing land. This view is derived from paragraph 49 of the framework which states that:

“Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”.

There are appeal decisions that appear to support this perspective, although the recent appeals in Cheshire East (mentioned above) have generally taken a different approach.

The recent appeal decisions consider this matter in some detail. It was noted by Inspectors decisions” that the settlement zone lines serve a variety of purposes – and take account of land allocated for development up to a particular point (in this case 2011). However, the Inspector considered that settlement zones lines were not driven by the need to identify land for development, but rather are based on the objective of protecting countryside once development land is identified. Consequently, he concluded that the related policy (Policy PS4 of the Congleton Local Plan) was “not sufficient directly related to housing land supply that it can be considered time expired for that purpose.” Instead the Policy is “primarily aimed at countryside & green belt protection”. These objectives are largely in conformity with the NPPF and attract “significant weight”. In both appeals conflict with countryside policies were acknowledged.

This means that these policies remain important in the planning balance – but are not necessarily determinative. The two decisions (Congleton Road and Sandbach Road North) pinpoint that much depends on the nature and character of the site and the individual circumstances pertaining to the application. At Congleton Road, the Inspector considered that the objective to boost significantly the supply of housing outweighed the “relatively moderate” landscape harm. In contrast, at Sandbach Road North the provision of housing was viewed as an “important and substantial” material consideration, but there would also be serious harm resulting from the impact on the character and appearance of the countryside. On that occasion that identified harm, combined with the significant weight attributed to countryside policies, outweighed the benefits in terms of housing supply and notwithstanding the housing supply position previously identified by Inspector Major, the appeal was dismissed.

In reaching this conclusion, the Inspector memorably noted that:

“the lack of a 5 year supply of housing land does not provide an automatic ‘green light’ to planning permission”.

It is acknowledged that the Council has recently consented to judgement in a High Court challenge to the Sandbach Road decision and that accordingly that decision has been quashed on the grounds that the Inspector erred in law in concluded that Policies PS4, PS8 and H6 were not a relevant policy for the supply of housing within the meaning of paragraph 49 of the national Planning Policy framework to the extent that it seeks to restrict the supply of housing. This is consistent with other recent court cases such as South Northamptonshire v Secretary of State for Communities and Local Government and Barwood Land.

Whilst the implications of this judgement are still being considered, the Council’s current stance on this matter, as put at recent inquiries, such as Weston Lane, Shavington is that, countryside policies in existing local plans can be considered as consistent with NPPF and are not housing land supply policies in so far as their primary purpose is to protect the intrinsic value of the countryside in accordance with paragraph 17 of the NPPF– and thus are not of date, even if a 5 year supply is not in evidence. However, it is acknowledged that where the Council cannot demonstrate a 5 year supply, they may be out of date in terms of their geographical extent, in that the effect of such policies is to restrict the supply of housing. They accordingly need to be played into the planning balance when decisions are made. Where appropriate, as at Sandbach Road North, conflict with countryside protection objectives may properly outweigh the benefit of boosting housing supply.

Therefore, the proposal remains contrary to Open Countryside policy regardless of the 5 year housing land supply position in evidence at any particular time and a judgement must be made as to the value of the particular area of countryside in question and whether, in the event that a 5 year supply cannot be demonstrated, it is an area where the settlement boundary should be “flexed” in order to accommodate additional housing growth.

Sustainable Development

Paragraph 34 of the NPPF states that decisions should ensure that developments that generate travel movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. In order to access services, it is unlikely

that future residents and travel movement will be minimised and due to its location, the use of sustainable transport modes maximised.

Paragraph 55 of the NPPF refers to the promotion of sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and Local Planning Authorities should avoid new isolated homes in the Countryside.

In addressing sustainability, members should be mindful of the key principles of the National Planning Policy Framework. This highlights that the principal objective of the planning system is to contribute to sustainable development. As the Planning Minister states in his preamble:

“Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world.”

Accessibility is a key factor of sustainability that can be measured. A methodology for the assessment of walking distance is that of the North West Sustainability Checklist, backed by the Department for Communities and Local Government (DCLG) and World Wide Fund for Nature (WWF). The Checklist has been specifically designed for this region and can be used by both developers and architects to review good practice and demonstrate the sustainability performance of their proposed developments. Planners can also use it to assess a planning application and, through forward planning, compare the sustainability of different development site options.

To aid this assessment, there is a toolkit which was developed by the former North West Development Agency. With respect to locational accessibility, the toolkit advises on the desired distances to local amenities which developments should aspire to achieve. The performance against these measures is used as a “Rule of Thumb” as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue. It is NOT expected that this will be interrogated in order to provide the answer to all questions.

The toolkit sets maximum distances between the development and local amenities. These comprise of:

- a local shop (500m),
- post box (500m),
- playground / amenity area (500m),
- post office (1000m), bank / cash point (1000m),
- pharmacy (1000m),
- primary school (1000m),
- medical centre (1000m),
- leisure facilities (1000m),
- local meeting place / community centre (1000m),
- public house (1000m),
- public park / village green (1000m),
- child care facility (1000m),
- bus stop (500m)
- railway station (2000m).

In this case the development meets the standards in the following areas:

- post box - 50m southcroft/ Peckforton Hall Lane
- childrens day care/nursery 400m Peckforton Hall Lane
- Panama Hatties – 50m restaurant, bar , lounge

A failure to meet minimum standard (with a significant failure being greater than 60% failure for amenities with a specified maximum distance of 300m, 400m or 500m and 50% failure for amenities with a maximum distance of 1000m or 2000m) exists in respect of the following:

- primary school – 1.8km Bunbury
- playground / amenity area - 1.46 Bunbury
- post office / bank / cash point - 1.34 km Bunbury
- pharmacy - 1.7km Bunbury
- medical centre – 1.7km Bunbury
- leisure facilities – 15.8km Malpas
- public house – 800m Yew Tree Inn
- public park – Bunbury
- local meeting place – 1.57 Bunbury Village Hall
- railway station (12.6km) Nantwich

Clearly, existing residents would have to travel the same distance to most everyday services. Public transport accessibility to the site is very poor. Even this limited analysis demonstrates, for day to day services and facilities that any resident would need, the site fails more criteria than it passes and locationally must be regarded as being unsustainable.

There are, in addition, three dimensions to sustainable development -: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

These roles should not be undertaken in isolation, because they are mutually dependent.

Inspectors have determined that locational accessibility is but one element of sustainable development and it is not synonymous with it. There are many other components of sustainability other than accessibility. These include, meeting general and affordable housing need, an environmental role in protecting and enhancing the natural environment, reducing energy consumption through sustainable design, and assisting economic growth and development. The proposal would also generate Government funding through the New Homes bonus.

The Design and Access Statement and the Transport information submitted do not provide any indication as to how principles of sustainable development / energy reduction would be met within the development. The application provides no indication as to how the development would contribute to sustainable transport options. Nevertheless, this is an outline application and a detailed scheme to achieve reduced energy consumption could be secured through the use of conditions, although it is less clear how this scheme would be designed to, or what commitment the Applicant has to encourage sustainable transport options. This is a significant failing within the context of whether this is a sustainable development.

No economic benefit analysis has been provided as part of the application, however, it is accepted that the construction of a housing development of this size would bring the usual economic benefit to the closest shops in Bunbury for the duration of the construction, and would potentially provide local employment opportunities in construction and the wider economic benefits to the construction industry supply chain. There would be some economic and social benefit by virtue of new resident's spending money in the area and using local services and as a result of the New Homes Bonus. Affordable housing is also a social benefit.

To conclude, the benefits include the provision of affordable housing, which is in great need; do not outweigh the harm caused by virtue of the unsustainable location of the site.

Affordable Housing

This application is for 18 dwellings, the affordable housing requirement put forward is 30% which equates to 6 units of affordable housing in a 35%:65% split between affordable or social rent and intermediate properties. The information submitted with the application suggests that 12 market units are required to fund 6 affordable units.

There is no information from Cheshire Homechoice specific to Spurstow as it is only a small settlement with few affordable homes. The closest are applications for nearby Bunbury. There are currently 36 active applicants on the waiting list with Cheshire Homechoice (which is the Choice based lettings system for allocating social & affordable rented accommodation across Cheshire East) who have selected Bunbury as their first choice, showing further demand for affordable housing. These applicants have stated that they require 6 x 1 bed, 19 x 2 bed, 10 x 3 bed and 1 x 4 bed.

To date there has been no delivery of the affordable housing required between 2013/14 and 2017/18 in the Peckforton sub-area.

The SHMA Update 2013 identified a requirement for 65 affordable homes in the Peckforton sub-area (of which Spurstow is a part) between 2013/14 and 2017/18, this was made up of a

requirement for 5 x 1 beds, 4 x 2 beds, 3 x 3 beds and 1 x 1 bed older persons dwellings each year.

Accordingly whilst there is a need for affordable housing in Spurstow and therefore this site should provide on-site affordable housing in line with the Council's policies. The applicants are offering 30% on site affordable housing which is acceptable to the Strategic Housing Manager.

Highways

The scheme is indicatively the same as the previous scheme which indicated individual access driveways for each plot. The previous application was considered to be unsustainably location by the Strategic Highways Manager. However, access is not being applied in this case the issues of concern remain unchanged

Policy BE3 states that proposals for development requiring access, servicing or parking facilities will only be permitted where a number of criteria are satisfied. These include adequate and safe provision for suitable access and egress by vehicles, pedestrians and other road users to a public highway.

Paragraph 32 of the National Planning Policy framework states that:-

'All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment and that any plans or decisions should take into account the following;

- *the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
- *safe and suitable access to the site can be achieved for all people; and*
- *improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.*
- *Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*

This outline application also includes details of access to be agreed at outline stage.

Each of the 18 dwellings is proposed to have its own individual driveway access to either Back Lane or Peckforton Hall Lane. These are being applied for at this stage.

Key Issues

- 1) Safety of the access proposal
- 1) Width of Back Lane
- 2) Visibility at the access points
- 3) Refuse collection
- 4) Car parking
- 5) Construction traffic

6) Sustainability of the proposal

Assessment

The layout is proposed with no footways and all dwellings being individually access from the highway network. No evidence has been presented relating to visibility to/from the proposed dwellings or to the safety and convenience of access to the dwellings for pedestrians.

The transport report submitted in support of the application indicates average widths of 4.1m along Back Lane *'up to the start of the more modern dwellings'*. No mapping has been produced evidencing the existing width along this road and this information would normally be provided in instances of reduced carriageway width in order that the Strategic Highway Manager (SHM) could assess the safety and capacity implications of such proposals. Widths of the road need to be provided along the whole length being used for access not a simple average width.

An absence of sufficient street lighting is indicated in the report.

Peckforton Hall Lane and Back Lane are subject to a 30mph speed limit. A 50mph limit is in place on the A49.

The transport report indicates that visibility splays meets minimum required standards. The report makes no reference to what these minimum required standards are and how they have been calculated or referenced.

Typically visibility would be judged against observed traffic speeds or speed limits. Given an absence of speed surveys or plotted visibilities the Applicant's unsupported statement on visibility is not accepted. The Strategic Highways Manager accepts that traffic flows will be low. However, speed surveys on local roads and on the A49 would generally be required to justify visibility and the visibility requirement needs to be shown.

The Transport report considers that the development will encourage primarily car-borne journeys. Given the lack of any meaningful local facilities in the village (the village only supports children's day care, a restaurant, and a postbox) this is undoubtedly the case. The development site is not considered sustainable in transport terms.

No evidence is submitted to suggest that sustainable transport facilities are available or would be provided by the development (Footways, encouraging use of cycling and public transport, etc).

Bus service 56 (Vale Travel) provides one daytime service in each direction on Thursdays and Saturdays only between Tiverton and Nantwich. It seems clear that the great majority, if not all, of typical day-to-day and weekly trips from the proposed dwellings to work, shopping, education, etc will be undertaken by private car.

The proposed increased carriageway width to 4.5m with no footways is not considered suitable in the absence of further detailed information relating to design and speeds.

Conclusion

The Strategic Highways Manager recommends refusal on the grounds of a lack of highways and transport information and the lack of sustainable transport credentials of the proposal site.

Trees and Forestry

There are a number of trees and lengths of hedgerow to both the frontages of the site. Two high amenity value Oak trees and a high amenity Pine tree would be affected by the proposed site access.

The application is supported by a Tree Survey Report. The report indicates that the survey has been carried out in accordance with the recommendations of British Standard BS5837:2005 Trees in Relation to construction.

BS 5837:2005 has been superseded by *BS5837:2012 Trees in relation to design, demolition and Construction – Recommendations*. The new standard now places an emphasis on 'evidence based planning' and accords with standard RIBA work stages. The standard now requires higher levels of competency and a more precautionary approach to tree protection. The Standard requires a greater level of robustness and confidence to ensure the technical feasibility of a development in respect of the successful retention of trees.

The Arboricultural Assessment has identified three mature trees and two hedgerows which are material to this application

A mature Lime (listed as T1 in the survey) is a mature specimen located within the grounds of 'The Gables' and according to the survey has been assessed as a High 'A' category tree in accordance with the method of categorisation in BS5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations. The tree is protected by the Crewe and Nantwich Borough Council (Peckforton Hall Lane, Spurstow) TPO 2000.

Two mature Oak (listed as T2 and T3), located to the south of the site on Back Lane and adjacent to footpath (Spurstow FP1) are identified in the submitted survey as High 'A' category tree worthy of retention.

It should be noted that the AIA provides no supporting evidence in respect of these trees in terms of the direct and indirect effects of the proposed development on these trees. The only reference to any impact is shown on the Pre-commencement Tree Protection Plan which identifies root protection areas and proposed ground protection.

Notwithstanding this lack of information, the position of the proposed plot in respect of the protected Lime tree on Peckforton Hall Lane broadly complies with the requirements of the British Standard, respects the RPA of the tree and is acceptable in terms of relationship/social proximity.

The position of the proposed driveway to the southernmost plot to Oak (T1) lies slightly within the root protection area of this tree. Given this relatively slight incursion and vitality of the tree it is considered that the proposed development will not impact significantly on the trees long term health and safe well being.

The Council's Tree Officer is satisfied that a layout can be accommodated on this site without adverse impact upon the trees.

Appearance, Landscaping, Layout and Scale

As the application is outline, the appearance, landscaping, layout and scale of development would be covered in detail within the Reserved Matters application. The indicative layout proposed is considered acceptable as it loosely reflects the development on the opposite side of the road.

Amenity

Neighbouring amenity

A key consideration of the development would be the impact it would have on neighbouring amenity.

The indicative layout suggests that the amenities of neighbours opposite can be adequately safeguarded, in line with the interface standards in the Local Plan.

Ecology

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 resting 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) states that proposal for development will not be permitted which would have an adverse impact upon species specifically protected under Schedules 1, 5 or 8 of the wildlife and countryside Act 1981 (As amended) or 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."

The NPPF 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."

The NPPF 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.

To compensate for any loss of existing hedgerows on the site by virtue of the formation of the access driveways to each plot a native species hedgerows and tree planting should be included in any landscaping scheme formulated for the site, and bird boxes should be erected on the site. If planning consent were granted conditions requiring safeguard breeding birds during March and September would also be required.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The application seeks outline planning permission for 18 dwellings within the Open Countryside. This proposal is considered to be contrary to Policy NE2 and RES 5 of the Crewe and Nantwich Local Plan.

Furthermore, there insufficient information submitted with the application with regards to Highways access for the Council to determine the impact the proposal may have. It is therefore considered that the application is unacceptable and therefore recommended for refusal on the following grounds

Recommendation: REFUSE for the following reasons

1. The Local Planning Authority can demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy Framework, and as such the housing supply policies of the Local Plan can be considered to be up to date. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan. The proposed development is therefore contrary to Policy NE.2 (Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the NPPF.

2. Due to the location of the site, the development is likely to be a car dependant and thereby comprises unsustainable development contrary to the NPPF and comprises the loss of agricultural land within the open countryside. It is therefore contrary to Policy NE.2 (Open Countryside) NE 12 (Agricultural Land Quality) and Policy RES.5 (Housing in the Open Countryside) of the Borough Crewe and Nantwich Local Plan 2011, Policy PG5 of the emerging Cheshire East Local Plan Strategy - Submission Version and the principles of the National Planning Policy Framework, which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use. As such it and creates harm to interests of acknowledged importance.

3. Insufficient information has been submitted in relation to speed surveys to justify the visibility splays for the access driveways and sustainable transport provision. It is therefore considered that insufficient information has been submitted in relation to highway matters therefore the application does not accord with Policy BE.3 (Access and Parking) of the Crewe and Nantwich Replacement Local Plan 2011.

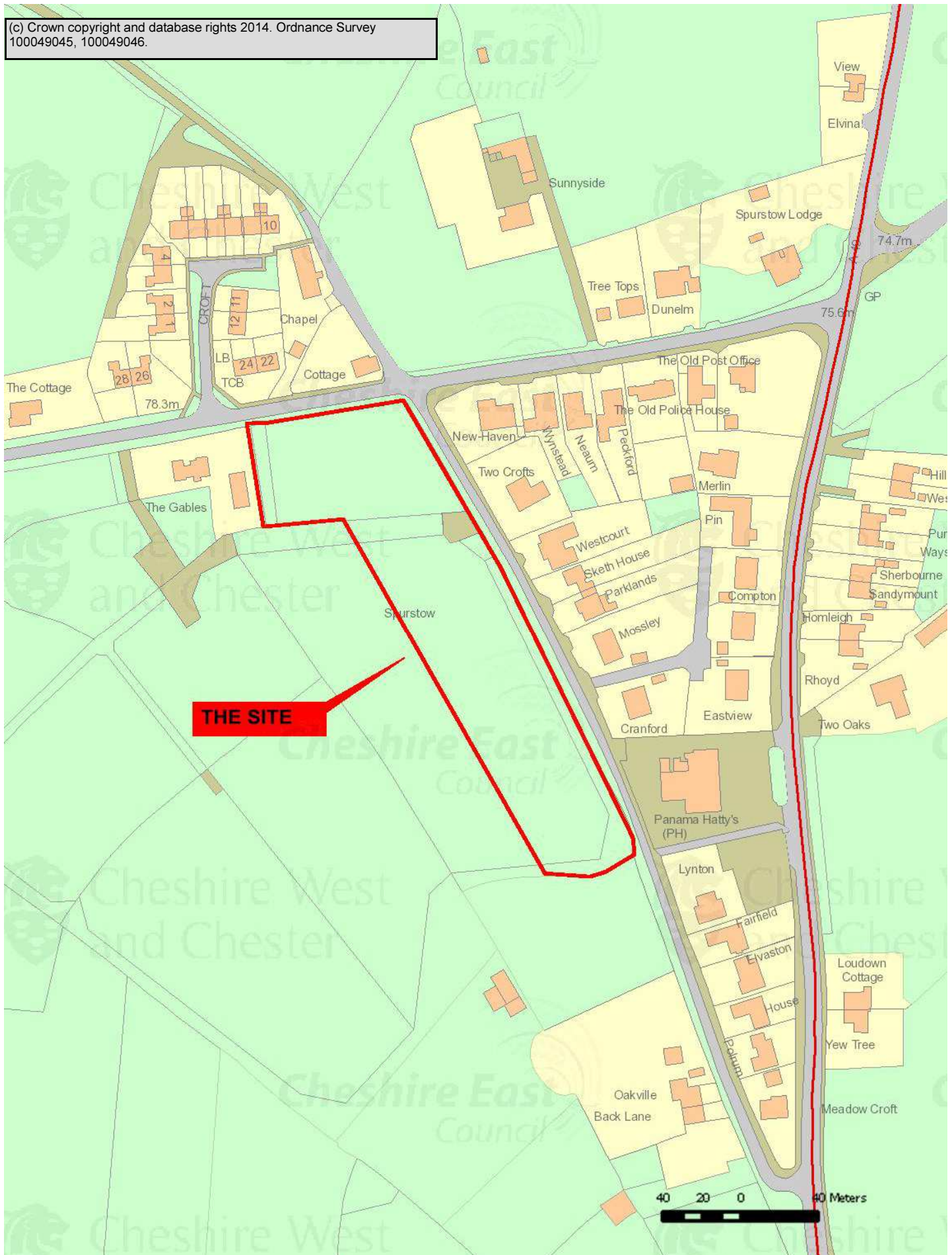
In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Planning and Place Shaping Manager has delegated authority to do so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

For the purposes of the current appeal on this site and should this application also be the subject of an appeal, authority be delegated to the Principal Planning Manager in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for

- Affordable housing:
 - 30% of all dwellings to be affordable (65% social or affordable rented and 35% intermediate tenure)
 - A mix of 1, 2 , 3 bedroom and other sized properties to be determined at reserved matters
 - units to be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration.
 - constructed in accordance with the Homes and Communities Agency Design and Quality Standards (2007) and should achieve at least Level 3 of the Code for Sustainable Homes (2007).
 - no more than 50% of the open market dwellings are to be occupied unless all the affordable housing has been provided, with the exception that the percentage of open market dwellings that can be occupied can be increased to 80% if the affordable housing has a high degree of pepper-potting and the development is phased.

- **developer undertakes to provide the social or affordable rented units through a Registered Provider who are registered with the Homes and Communities Agency to provide social housing.**
-

(c) Crown copyright and database rights 2014. Ordnance Survey 100049045, 100049046.



This page is intentionally left blank

Application No: 14/2254M

Location: 2, MEDDINGS CLOSE, ALDERLEY EDGE, WILMSLOW, CHESHIRE, SK9 7XA

Proposal: Single storey side and rear extensions and pitched roof to existing flat roof

Applicant: J Williamson

Expiry Date: 09-Jul-2014

Date Report Prepared: 20 June 2014

SUMMARY RECOMMENDATION

APPROVE subject to conditions

MAIN ISSUES

- Design/ Scale
- Impact on neighbouring amenity

REASON FOR REPORT

The applicant is an employee of Cheshire East Borough Council.

As such, the application is to be determined by the Southern Planning Committee.

DESCRIPTION OF SITE AND CONTEXT

The application site relates to a relatively large two storey dwelling located within a predominantly residential area, as defined by the Macclesfield Borough Local Plan. The area is characterised by predominantly detached two storey dwellings of a variety of architectural styles, with spacious plots and open frontages. The site lies adjacent to, but not within, a large field that lies within the Green Belt.

DETAILS OF PROPOSAL

The proposals are for the demolition of the existing rear conservatory and erection of 2no single storey rear extensions, formation of pitched roof over existing flat roofed garage, front entrance canopy and alterations to existing windows on the front, side and rear elevations. The property is also to be rendered. It has not been detailed in the application form what colour or nature the render is proposed to take. An alternative application has also been submitted under reference 14/2275M which will also go to the Southern Committee.

Planning History

None.

POLICIES

Macclesfield Borough Local Plan – Saved Policies

BE1- Design Guidance
DC1- New Build
DC2- Extensions and Alterations
DC3- Amenity
DC35- Materials and Finishes
DC38- Space, Light and Privacy

Cheshire East Local Plan Strategy – Submission Version

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28th February 2014, the Council resolved to approve the *Cheshire East Local Plan Strategy – Submission Version* for publication and submission to the Secretary of State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect.

The relevant policies are as follows:

MP1 – Presumption in Favour of Sustainable Development
PG2 – Settlement Hierarchy
SD1 – Sustainable Development in Cheshire East
SD2 – Sustainable Development Principles

SE1 – Design
SE2 – Efficient Use of Land
SE4 – The Landscape

The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these are to be applied.

The National Planning Policy Framework reinforces the system of statutory development plans. When considering the weight to be attached to development plan policies, paragraphs 214 and 215 enable 'full weight' to be given to Development Plan policies adopted under the 2004 Act. The Crewe and Nantwich Local Plan policies, although saved in accordance with the 2004 Act are not adopted under it. Consequently, following the guidance in paragraph 215, *"due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the framework, the greater the weight that may be given)"*.

The Local Plan policies outlined below are all consistent with the NPPF and should therefore be given full weight.

Other Material Considerations

Ministerial Statement – Planning for Growth
National Planning Policy Framework
Planning Practice Guidance

CONSULTATIONS (External to Planning)

None.

VIEWS OF THE PARISH COUNCIL

Alderley Edge Parish Council- No Objection.

OTHER REPRESENTATIONS

None.

Design/ Character and Appearance

Local Plan policies BE1 and DC1 address matters of design and appearance. Policy BE1 states that the Council will promote high standards of design and new development should reflect local character, use appropriate materials and respect form, layout, siting, scale and design of surrounding buildings and their setting. Policy DC1 states that the overall scale, density, height, mass and materials of new development must normally be sympathetic to the character of the local environment, street scene, adjoining buildings and the site itself. The National Planning Policy Framework also notes that "good design is a key aspect of sustainable development".

The proposed pitched roof and front canopy is considered to improve the character and appearance of the dwelling. It is noted that other properties on the street have had similar pitched roofs approved and built. The demolition of the existing conservatory and erection of the 2no single storey rear extensions, and alterations to windows are also considered to be acceptable in design terms, would not result in the overdevelopment of the site and would be in keeping with the existing and surrounding vernacular.

It is noted that other properties in the relatively close vicinity such as on Downesway have recently been approved to fully render the house, and that some properties on Meddings Close are partially rendered. Subject to the colour and type of render proposed, which can be controlled via condition, this aspect of the proposal is considered to be acceptable and would not adversely impact on the character and appearance of the street scene.

Subject to this, overall the proposed development is considered to be acceptable in design terms, in accordance with policies BE1, DC1, DC2, DC35 and the NPPF.

Amenity

Local Plan policies DC3 and DC38 seek to protect the amenity of residential occupiers. Policy DC3 states that development should not significantly injure the amenities of adjoining or nearby residential property due to matters such as loss of privacy, overbearing effect, loss of sunlight and daylight and traffic generation and car parking. Policy DC38 sets out guidelines for space between buildings.

The rear extension to replace the conservatory is considered to be of a sufficient distance away from the neighbouring property to the side and rear, at 12m and 18m respectively, and would in any case be screened by boundary hedging and trees to the side and rear boundaries. It is also considered that this element of the proposals could potentially constitute permitted development.

The other proposed single storey rear extension would project 3.5m from the rear of the existing garage. This extension is not considered to materially harm the amenities of the neighbouring property in terms of overbearing impact, overlooking or loss of light to the windows of this property, which has no side facing windows.

The pitched roof would not adversely impact on neighbouring no 1 Meddings Close, which has no side windows to habitable rooms.

Overall, a commensurate degree of space, light and privacy would remain to all neighbouring properties and the development would accord with policies DC3, DC38 and the NPPF.

CONCLUSIONS AND REASON(S) FOR THE DECISION

To conclude, it is considered that planning permission should be granted for the proposed development as the proposals accord with policies BE1 Design Guidance, DC1 New Build, DC2 Extensions, DC3 Amenity, DC35 Materials and Finishes, DC38 Space, Light and Privacy of the Macclesfield Local Plan 2004 and guidance within The Framework.

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

RECOMMENDATION

Approve subject to the following conditions

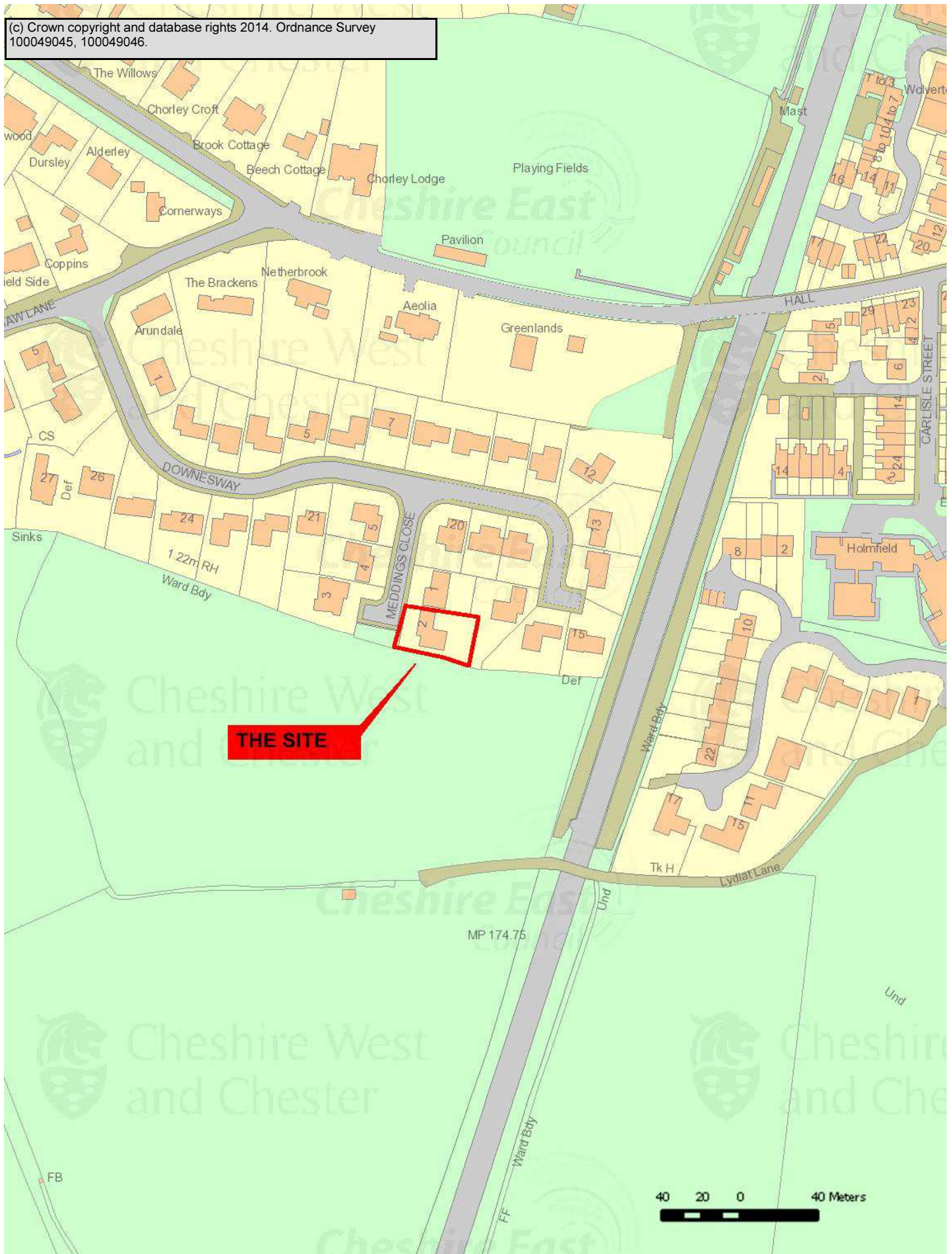
- 1) Commencement of development (3 years)
- 2) Development in accord with approved plans
- 3) Materials as application
- 4) Details of render to be submitted prior to commencement

Application for Householder

RECOMMENDATION: Approve subject to following conditions

1. A01AP - Development in accord with approved plans
2. A03FP - Commencement of development (3 years)
3. A06EX - Materials as application
4. Details of render prior to the commencement of development

(c) Crown copyright and database rights 2014. Ordnance Survey 100049045, 100049046.



Application No: 14/2275M
Location: 2, MEDDINGS CLOSE, ALDERLEY EDGE, CHESHIRE, SK9 7XA
Proposal: Single storey rear extension and pitched roof to existing flat roof
Applicant: J Williamson
Expiry Date: 07-Jul-2014

Date Report Prepared: 20 June 2014

SUMMARY RECOMMENDATION

APPROVE subject to conditions

MAIN ISSUES

- Design/ Scale
- Impact on neighbouring amenity

REASON FOR REPORT

The applicant is an employee of Cheshire East Borough Council.

As such, the application is to be determined by the Southern Planning Committee.

DESCRIPTION OF SITE AND CONTEXT

The application site relates to a relatively large two storey dwelling located within a predominantly residential area, as defined by the Macclesfield Borough Local Plan. The area is characterised by predominantly detached two storey dwellings of a variety of architectural styles, with spacious plots and open frontages. The site lies adjacent to, but not within, a large field that lies within the Green Belt.

DETAILS OF PROPOSAL

The proposals are for the demolition of the existing rear conservatory and erection of a single storey rear extension, formation of pitched roof over existing flat roofed garage, front entrance canopy and alterations to existing windows on the front, side and rear elevations. The property is also to be rendered. It has not been detailed in the application form what colour or nature the render is proposed to take. An alternative application has also been submitted under reference 14/2245M which will also go to the Southern Committee.

Planning History

None.

POLICIES

Macclesfield Borough Local Plan – Saved Policies

BE1- Design Guidance
DC1- New Build
DC2- Extensions and Alterations
DC3- Amenity
DC35- Materials and Finishes
DC38- Space, Light and Privacy

Cheshire East Local Plan Strategy – Submission Version

Paragraph 216 of the National Planning Policy Framework (NPPF) states that, unless other material considerations indicate otherwise, decision-takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

In view of the level of consultation already afforded to the plan-making process, together with the degree of consistency with national planning guidance, it is appropriate to attach enhanced weight to the Cheshire East Local Plan Strategy - Submission Version in the decision-making process.

At its meeting on the 28th February 2014, the Council resolved to approve the *Cheshire East Local Plan Strategy – Submission Version* for publication and submission to the Secretary of State. It was also resolved that this document be given weight as a material consideration for Development Management purposes with immediate effect.

The relevant policies are as follows:

MP1 – Presumption in Favour of Sustainable Development
PG2 – Settlement Hierarchy
SD1 – Sustainable Development in Cheshire East
SD2 – Sustainable Development Principles
SE1 – Design

SE2 – Efficient Use of Land

SE4 – The Landscape

The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these are to be applied.

The National Planning Policy Framework reinforces the system of statutory development plans. When considering the weight to be attached to development plan policies, paragraphs 214 and 215 enable 'full weight' to be given to Development Plan policies adopted under the 2004 Act. The Crewe and Nantwich Local Plan policies, although saved in accordance with the 2004 Act are not adopted under it. Consequently, following the guidance in paragraph 215, *"due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the framework, the greater the weight that may be given)"*.

The Local Plan policies outlined below are all consistent with the NPPF and should therefore be given full weight.

Other Material Considerations

Ministerial Statement – Planning for Growth

National Planning Policy Framework

Planning Practice Guidance

CONSULTATIONS (External to Planning)

None.

VIEWS OF THE PARISH COUNCIL

Alderley Edge Parish Council- No Objection.

OTHER REPRESENTATIONS

None.

OFFICER APPRAISAL

Design/ Character and Appearance

Local Plan policies BE1 and DC1 address matters of design and appearance. Policy BE1 states that the Council will promote high standards of design and new development should reflect local character, use appropriate materials and respect form, layout, siting, scale and design of surrounding buildings and their setting. Policy DC1 states that the overall scale, density, height, mass and materials of new development must normally be sympathetic to the character of the local environment, street scene, adjoining buildings and the site itself. The National Planning Policy Framework also notes that "good design is a key aspect of sustainable development".

The proposed pitched roof and front canopy is considered to improve the character and appearance of the dwelling. It is noted that other properties on the street have had similar pitched roofs approved and built. The demolition of the existing conservatory and erection of a single storey rear extension, and alterations to windows are also considered to be acceptable in design terms and in keeping with the existing and surrounding vernacular.

It is noted that other properties in the relatively close vicinity such as on Downesway have recently been approved to fully render the house, and that some properties on Meddings Close are partially rendered. Subject to the colour and type of render proposed, which can be controlled via condition, this aspect of the proposal is considered to be acceptable and would not adversely impact on the character and appearance of the street scene.

Subject to this, overall the proposed development is considered to be acceptable in design terms, in accordance with policies BE1, DC1, DC2, DC35 and the NPPF.

Amenity

Local Plan policies DC3 and DC38 seek to protect the amenity of residential occupiers. Policy DC3 states that development should not significantly injure the amenities of adjoining or nearby residential property due to matters such as loss of privacy, overbearing effect, loss of sunlight and daylight and traffic generation and car parking. Policy DC38 sets out guidelines for space between buildings.

The rear extension is considered to be of a sufficient distance away from the neighbouring property to the side and rear, 12.6m from 1 Mellings Close and 18m from 17 Meddings Close and would in any case be screened by boundary hedging and trees to the side and rear boundaries. It is also considered that this element of the proposals could potentially constitute permitted development.

The pitched roof would not adversely impact on neighbouring no 1 Meddings Close, as there are no side windows to habitable rooms on this property.

Overall, a commensurate degree of space, light and privacy would remain to all neighbouring properties and the development would accord with policies DC3, DC38 and the NPPF.

CONCLUSIONS AND REASON(S) FOR THE DECISION

To conclude, it is considered that planning permission should be granted for the proposed development as the proposals accord with policies BE1 Design Guidance, DC1 New Build, DC2 Extensions, DC3 Amenity, DC35 Materials and Finishes, DC38 Space, Light and Privacy of the Macclesfield Local Plan 2004 and guidance within The Framework.

RECOMMENDATIONS

Approve subject to following conditions

- 1) Commencement of development (3 years)
- 2) Development in accord with approved plans

3) Materials as application

4) Details of render to be submitted prior to commencement

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

Application for Householder

RECOMMENDATION: Approve subject to following conditions

1. A01AP - Development in accord with approved plans
2. A03FP - Commencement of development (3 years)
3. A06EX - Materials as application
4. Details of render to be submitted prior to commencement of development

(c) Crown copyright and database rights 2014. Ordnance Survey 100049045, 100049046.

