

Southern Planning Committee

Agenda

Date:	Wednesday, 10th January, 2018
Time:	10.00 am
Venue:	Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ

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.

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

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

1. **Apologies for Absence**

To receive apologies for absence.

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

To provide an opportunity for Members and Officers to declare any disclosable pecuniary 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 5 - 10)

To approve the minutes of the meeting held on 29 November 2017.

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

4. **Public Speaking**

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

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

A total period of 3 minutes is allocated for each of the planning applications for the following:

- Members who are not members of the planning committee and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **17/3915C Land South Of Middlewich Road And East Of Abbey Road, Sandbach: Approval of reserved matters (appearance, landscaping, layout and scale) following outline approval 12/1463C - Erection of 126 two storey detached, semi detached and mews dwellings, landscaping, open space, parking and associated works for Mr Chris Dobson, Redrow Homes & Anwyl Homes (Pages 11 - 34)**

To consider the above planning application.

6. **17/3916C Land South Of Middlewich Road And East Of Abbey Road, Sandbach: Erection of 25 two storey detached dwellings, landscaping, open space, parking and associated works for Mr Chris Dobson, Redrow Homes Ltd & Anwyl Homes (Pages 35 - 58)**

To consider the above planning application.

7. **17/4326N Wrenbury Fishery, Hollyhurst Road, Wrenbury CW5 8HE: Siting of 20 Timber Clad Twin Unit Caravans for Holiday Accommodation, Associated Access/Car Parking Works and Landscaping for W Spencer, Marcus Brook Ltd (Pages 59 - 76)**

To consider the above planning application.

8. **17/4995N Shavington Green Farm, Crewe Road, Shavington CW2 5JB: 5 no. new build houses within domestic curtilage of Shavington Green Farm for Cherry Robinson (Pages 77 - 88)**

To consider the above planning application.

9. **17/2211N Whittakers Green Farm, Pewit Lane, Hunsterson, Cheshire CW5 7PP: Agricultural Building to Provide Grain Store (resubmission of 16/2930N) for Mr F.H. Rushton (Pages 89 - 100)**

To consider the above planning application.

10. **Update following the resolution of minded to refuse application 17/0339N but with heads of terms if the appeal is allowed - Land to the north of Little Heath Barns, Audlem Road, Audlem (Pages 101 - 104)**

To consider a report regarding a proposed amendment to the Heads of Terms for the legal agreement.

THERE ARE NO PART 2 ITEMS

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 29th November, 2017 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor J Wray (Chairman)

Councillors Rhoda Bailey, E Brooks (for Cllr M J Weatherill), P Butterill,
J Clowes, W S Davies, S Edgar, A Kolker, J Rhodes, B Roberts and
B Walmsley

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillor G Merry

OFFICERS PRESENT

Adrian Crowther (Major Applications Team Leader)
Daniel Evans (Principal Planning Officer)
Andrew Goligher (Principal Development Control Officer - Highways)
James Thomas (Senior Lawyer)
Julie Zientek (Democratic Services Officer)

Apologies

Councillors D Bebbington and M J Weatherill

65 DECLARATIONS OF INTEREST/PRE DETERMINATION

Councillor J Wray declared that he had made up his mind with regard to application number 17/2398N, which was in his Ward. He would vacate the Chair, exercise his separate speaking rights as a Ward Councillor and not take part in the debate or vote.

With regard to application number 17/2398N, Councillor B Walmsley declared that she knew the representative of Moston Parish Council who had registered to address the Committee with respect to this application, but that she had kept an open mind.

All Members of the Committee declared that they had received correspondence with regard to application number 17/2398N.

66 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 1 November 2017 be approved as a correct record and signed by the Chairman.

67 17/0560N LAND OFF SYDNEY ROAD, CREWE: FULL PLANNING PERMISSION FOR THE PROPOSED DEVELOPMENT OF 40 AFFORDABLE DWELLINGS, COMPRISING OF 17 TWO-BED AND 23 THREE-BED DWELLINGS, THE CREATION OF A NEW VEHICLE AND PEDESTRIAN ACCESS FROM SYDNEY ROAD, INTERNAL SHARED SURFACE ROADS, CAR PARKING, LANDSCAPING AND PUBLIC OPEN SPACE FOR GALLIFORD TRY PARTNERSHIPS

Note: Mr C Barnes attended the meeting and addressed the Committee on behalf of the applicant.

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

RESOLVED

- (a) That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reasons:
 - 1. It is considered that the harm to the Open Countryside is not outweighed by the benefits of proposed development, given its poor layout and design resulting in the lack of satisfactory provision of recreational open space and opportunities for children's play. The development is therefore deemed to be contrary to Policies PG6 (Open Countryside), SE1 (Design), SC3 (Health and Wellbeing), SD1 (Sustainable Development in Cheshire East), and SD2 (Sustainable Development Principles) of the Cheshire East Local Plan Strategy, and saved Policy RT3 of the Borough of Crewe and Nantwich Replacement Local Plan 2011.
 - 2. It has not been demonstrated that the proposals cannot deliver the necessary financial contributions towards identified educational need and off-site open space/play space to mitigate the adverse impacts of the development. The proposals are therefore contrary to the Policies IN 1 (Infrastructure) and IN 2 (Developer Contributions) of the Cheshire East Local Plan Strategy and saved Policy RT3 of the Borough of Crewe and Nantwich Replacement Local Plan 2011.
- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Planning (Regulation), in consultation with the Chairman (or in his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

68 16/5584N 84, EDLESTON ROAD, CREWE CW2 7HD: CHANGE OF USE FROM DWELLING (C4) TO SUI GENERIS HOUSE IN MULTIPLE OCCUPATION FOR 7 PEOPLE INCLUDING THE PROVISION OF A REAR DORMER FOR BEN MORRIS, HOPSCOTCH INVESTMENTS LTD

Note: Mr B Morris (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, for the reasons set out in the report and the written update, the application be APPROVED subject to the following conditions:
 - 1. 3 years commencement
 - 2. Compliance with approved plans
 - 3. Materials as specified
 - 4. Refuse and cycle storage to be provided as shown
- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Planning (Regulation), in consultation with the Chairman (or in his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

69 17/3611C LAND OFF MARSH GREEN ROAD, SANDBACH: OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT ON LAND OFF MARSH GREEN ROAD, ELWORTH, SANDBACH FOR SAFEGUARD LIMITED

Note: Councillor A Kolker arrived at the meeting during consideration of this item and did not take part in the debate or vote.

Note: Councillor G Merry (Ward Councillor), Ms V Boylin (objector) and Ms J Redmond (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, a written update and an oral report of the site inspection.

RESOLVED

- (a) That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

It is considered that the loss of Best and Most Versatile (BMV) Agricultural Land and Open Countryside outweighs any benefits of the proposed development. The development is therefore deemed to be contrary to Policy PS8 (Open Countryside) of the Congleton Borough Local Plan First Review 2005 and Policies SD1 (Sustainable Development in Cheshire East), SD2 (Sustainable Development Principles) and PG6 (Open Countryside) of the Cheshire East Local Plan Strategy.

- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Planning (Regulation), in consultation with the Chairman (or in his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.
- (c) That, should this application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:
 - 1. Provision of at least 1950sqm of on-site Open Space.
 - The submission/approval of a plan detailing the design and break down of the make up of the open space
 - The submission/approval of an Open Space management and maintenance plan
 - 2. The provision of £146,791 towards education provision (£65,078 for primary schools and £81,713 for secondary schools)
 - 3. Provision of 100% affordable housing scheme

70 17/2398N HORSESHOE FARM, WARMINGHAM LANE, MOSTON, MIDDLEWICH, CHESHIRE CW10 0HJ: CHANGE OF USE OF LAND TO USE AS A TRANSIT CARAVAN SITE FOR GYPSIES, INCLUDING THE STATIONING OF NO MORE THAN 8 CARAVANS, LAYING OF HARDSTANDING AND ERECTION OF AMENITY BUILDING FOR MR OLIVER BOSWELL

Note: Prior to consideration of this application, the meeting was adjourned for refreshments.

Note: Councillor J Wray vacated the Chair and, in the absence of the Vice-Chairman, Committee members appointed Councillor J Clowes to chair the meeting for this item.

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

Note: Parish Councillor A Roscoe (on behalf of Moston Parish Council) 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, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The proposed provision of an additional 8 transit caravans, in an area of the Borough with an existing significant number of gypsy and traveller sites, would dominate the nearest settled community, contrary to advice in para. 25 of Planning Policy for Traveller Sites, August 2015, and is contrary to the sustainable development policies within the National Planning Policy Framework.

- (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 Head of Planning (Regulation) 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.

Informative:

Members would like the retrospective amenity block to be demolished.

71 16/6197C HAPPY DAYS CLUB AND NURSERY SCHOOL, JUBILEE WALK, HOLMES CHAPEL, CW4 7FN: REMOVAL OF CONDITION 1 AND VARIATION OF CONDITION 3 ON APPROVED 14/5464C - VARIATION OF CONDITIONS 1 & 2 ON APPLICATION 13/1064C- CONSTRUCTION OF PRE-FABRICATED PRE-SCHOOL AND ASSOCIATED EXTERNAL WORKS FOR MRS HELEN SCOTT, HOLMES CHAPEL PRIMARY SCHOOL

Note: Mrs H Hall attended the meeting and addressed the Committee on behalf of the applicant.

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

RESOLVED

- (a) That, for the reasons set out in the report and the written update, the application be APPROVED subject to referral to the Secretary of State further to the Statutory Objection of Sport England

and the following conditions:

1. Approved Plans
 2. Boundary treatment scheme
 3. Hours of Operation limited to 08.00 until 18.00 Mondays to Fridays
- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Planning (Regulation), in consultation with the Chairman (or in his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

The meeting commenced at 10.00 am and concluded at 2.45 pm

Councillor J Wray (Chairman)

Application No: 17/3915C

Location: LAND SOUTH OF MIDDLEWICH ROAD AND EAST OF, ABBEY ROAD,
SANDBACH

Proposal: Approval of reserved matters (appearance, landscaping, layout and scale)
following outline approval 12/1463C - Erection of 126 two storey
detached, semi detached and mews dwellings, landscaping, open space,
parking and associated works.

Applicant: Mr Chris Dobson, Redrow Homes & Anwyll Homes

Expiry Date: 12-Jan-2018

SUMMARY

The letters of objection from local residents and the Town Council have been noted. However the principle of development has already been accepted as part of the outline approval on this site.

Despite the concerns raised in the letters of objection the development will not have a detrimental impact upon residential amenity, it would provide benefits in terms of much needed affordable housing provision and would help in the Councils delivery of 5 year housing land supply. The development would comply with Policy GR6 (Amenity and Health) of the CLP.

In terms of the POS and play space provision this is considered to be acceptable and would be a benefit to this scheme.

The proposed landscaping scheme is acceptable and the development is acceptable in terms of its impact upon ecology and trees/woodlands and would comply with Policies SE1 (Design), SE3 (Biodiversity and Geodiversity), SE4 (The Landscape), SE5 (Trees, Hedgerows and Woodland) and SE6 (Green Infrastructure) of the CELPS and PC2 (Landscape Character) and PC4 (Biodiversity and Geodiversity) of the SNP.

The drainage/flood risk implications for this proposed development are considered to be acceptable.

The proposed access point is acceptable and the traffic impact as part of this development has already been accepted. The internal design of the highway layout and parking provision is considered to be acceptable.

The design/layout of the development is considered to be acceptable and has been subject to negotiation with the developer. The design/layout is considered to comply with the Design Guide SPD and Policies SE1 (Design) of the CLP and H2 (Housing Layout) of the SNP.

RECOMMENDATION

APPROVE with conditions

PROPOSAL

Planning permission 12/1463C gave approval for the erection of 280 homes together with associated public open space, and highway improvements.

Reserved matters approval was given under application 15/0446C for a total of 154 dwellings.

This application seeks Reserved Matters approval for the details of appearance, landscaping, layout and scale of the development.

This application relates to a development of 126 dwellings and the site is split between Anwyl and Redrow.

SITE DESCRIPTION

The application site is part of a larger development which measures approximately 15.6ha of land, situated on the southern side of Middlewich Road, west of Park Lane and east of Abbey Road. The site included two residential properties 170 and 172 Middlewich Road which have now been demolished. The site is bordered by residential properties to its north, western and eastern boundaries, with open fields to the south.

The site is relatively flat although the land level drops slightly to the south/east of the site. There are a number of hedgerows running along the existing field boundaries. There are a number of trees within the residential curtilages of the properties surrounding the site with a number of mature trees within the grass verges along Abbey Road and Park Lane.

At the time of the case officers site visit the approved development was under construction and some of the approved dwellings are now occupied

RELEVANT HISTORY

17/5107C - Non material amendment to 16/2728C; Substitution of House types to plots 76 & 77 - Plot 76 from a PENRHOS to a GLYN, Plot 77 from a DOLWEN to a PENRHOS – Approved 26th October 2017

17/3916C - Erection of 25 two storey detached dwellings, landscaping, open space, parking and associated works – No decision made at the time of writing this report

17/0702C - Non-material amendment to approval 16/2728C – Approved 28th February 2017

16/6068C - Variation of condition 1 (plot 08 house type substitution) on approved application 16/0223C – Application undetermined

16/2728C - Variation of conditions 2 (housetypes on Plots A26 and A56) and 10 (landscaping) on application 15/0446C - Erection of 154 two storey detached, semi detached and mews dwellings landscaping, formation of community park, open space, parking and associated works – Approved 14th September 2016

16/2260C - Changes to Section 106 agreement: Affordable housing – Application undetermined

16/1550C - Non material amendment to approval 12/1463C – Refused 22nd April 2016

16/0223C - Variation of Condition 2 on application 15/0446C to change the roof design to 5no house types as approved under the approval and as such, submit replacement planning layout and the house type elevations – Approved 11th March 2016

15/0446C - Erection of 154 two storey detached, semi detached and mews dwellings landscaping, formation of community park, open space, parking and associated works – Approved 10th September 2015

12/1463C - Demolition of 170 and 172 Middlewich Road, Sandbach, Formation of New Access to Serve Residential Development of up to 280 Dwellings, Landscaping, Open Space, Highways and Associated Works – Approved 7th October 2014

14/0191C - Removal of Condition 14 (25% of Housing with no more than 2 bedrooms) on approval 10/3471C - Proposed Residential Development of up to 280 Dwellings, Landscaping, Open Space, Highways and Associated Works – Withdrawn

11/0440C - Demolition of 170 and 172 Middlewich Road, Sandbach and Formation of New Access to Serve Residential Development – Approved subject to the completion of a Unilateral Undertaking 18th October 2012

10/3471C - Proposed Residential Development of up to 280 Dwellings, Landscaping, Open Space, Highways and Associated Works - Refused 18th November 2010 – Appeal lodged – Appeal dismissed – High Court challenge – Decision quashed, Appeal to the Court of Appeal – Appeal Dismissed. Appeal Allowed by Secretary of State

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

17611/1 – Residential Development – Refused 10th June 1986

NATIONAL & LOCAL POLICY

Cheshire East Local Plan Strategy (CELPS)

PG1 – Overall Development Strategy
PG2 – Settlement Hierarchy
PG7 - Spatial Distribution of Development
SC4 – Residential Mix
CO1 - Sustainable Travel and Transport
CO4 – Travel Plans and Transport Assessments
SC5 – Affordable Homes
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE 1 - Design
SE 2 - Efficient Use of Land
SE 3 - Biodiversity and Geodiversity
SE 4 - The Landscape
SE 5 - Trees, Hedgerows and Woodland
SE 6 – Green Infrastructure
SE 8 – Renewable and Low Carbon Energy
SE 9 – Energy Efficient Development
SE 13 - Flood Risk and Water Management
IN1 – Infrastructure
IN2 – Developer Contributions

Congleton Borough Local Plan First Review

The relevant Saved Policies are:

PS8 - Open Countryside
NR4 - Non-statutory sites
GR6 - Amenity and Health
GR7 - Amenity and Health
GR9 - Accessibility, servicing and provision of parking
GR14 - Cycling Measures
GR15 - Pedestrian Measures
GR16 - Footpaths Bridleway and Cycleway Networks
GR17 - Car parking
GR18 - Traffic Generation
NR3 - Habitats
NR5 - Habitats

Sandbach Neighbourhood Plan

PC2 – Landscape Character
PC3 – Policy Boundary for Sandbach
PC4 – Biodiversity and Geodiversity
PC5 – Footpaths and Cycleways
HC1 – Historic Environment
H1 – Housing Growth
H2 – Housing Layout
H3 – Housing Mix and Type
H4 – Housing and an Ageing Population
H5 – Preferred Locations
IFT1 – Sustainable Transport, Safety and Accessibility
IFT2 – Parking
CW1 – Amenity, Play, Recreation and Outdoor Sports
CW3 – Health
CC1 – Adapting to Climate Change

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.
50. Wide choice of quality homes
56-68. Requiring good design

Supplementary Planning Documents

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
Cheshire East Design Guide

CONSULTATIONS

CEC Strategic Housing Manager: Concerns have been raised by the Councils Housing Officer who has confirmed that he would have no issue with the application subject to a Deed of Variation to the original S106 Agreement as long as the total amount is not less than 30% and the 30% is then split to 65% Affordable/Social Rent and 35% Intermediate Tenure.

CEC Flood Risk Manager: Conditions suggested

Natural England: No comments to make

CEC Strategic Highways Manager: No objection.

United Utilities: United Utilities has reviewed the drainage proposals and confirm the proposals are acceptable in principle. A condition is suggested in relation to Sustainable Drainage Systems.

CEC Environmental Health: Conditions suggested in relation to a Piling Method Statement, Noise Mitigation Dust Control, Environment Management Plan, Travel Plan and Electric Vehicle Infrastructure and an informative has been suggested in relation to hours of construction and contaminated land.

Cheshire Archaeologist: The current reserved matters application covers only the western extent of the proposed development area where no significant archaeological deposits were encountered. No further archaeological mitigation is required within this area.

Ansa (Public Open Space): Following the adoption of Cheshire East Local Plan Policy SE6 requires the development to provide 9,060sqm of public open space equating to 3020sqm over three land typologies – Children's Play Space, Amenity Green Space and Green infrastructure Connectivity.

The outline application provided two NEAPs one within the community park and the other to the south-west of the site. The NEAP to the south west has been replaced by attenuation and a kick about area. Following discussions with the applicant it has been agreed the Phase II NEAP can be replaced with a LEAP and for 4 additional items of equipment to be added to the NEAP in the Community Park. Some discussions have taken place as to the choice of equipment that would be acceptable. The bund proposed to demark the play facility and protect from the SUDS scheme should be no higher than 0.5m to enable good natural surveillance.

A LEAP sized play facility will complement the NEAP located in the Community Park with adjacent amenity green space for informal games. The LEAP should be to Fields in Trust standards embracing the DDA ethos, low level planting to aid natural surveillance with a 20m minimum depth buffer to separate the activity zone and the boundary of the nearest property to reduce potential nuisance to residents. The amenity green space should be fit for the purpose it is intended, available all year round for the enjoyment of the community.

Environment Agency: No comments received.

Cheshire Wildlife Trust: No comments received.

Cheshire Gardens Trust: No comments received.

Ramblers Association: No comments received.

Cheshire Brine Subsidence Board No comments received.

CEC PROW: The development does not appear to affect a PROW. The proposed accesses onto Abbey Road are variously described in the application documents as 'pedestrian', 'emergency' and 'pedestrian/cyclist' access routes. It is understood that these are not proposed as vehicular routes, but should be designed and constructed to best practice standards for the use of pedestrians and cyclists in order to increase the permeability of the site. Further, it is not clear from the application plans that linking paths connect between the southern access onto Abbey Road and the Full application development estate roads.

Local user groups are particularly keen to see the delivery of the 'potential link to the Wheelock Rail Trail and future sports pitches'. The application documents do not clearly or consistently propose this link. The developer should be tasked to make provision for this route.

VIEWS OF THE PARISH COUNCIL

Sandbach Town Council: Sandbach Town Council object to this application for the following reasons;

- The housing within this phase of development is far too dense.
- There is no green space of any significance.
- There are no bungalows on the development for older residents who wish to downsize.
- There are no front gardens for affordable houses. These houses shouldn't be made to stand out and should be Tenure Blind.
- This development would impose unacceptably on air quality levels. In view of the Air Quality numbers being revisited for the adjacent Middlewich Road, the amount of housing on this site should be substantially reduced.
- Members are in full support of Mr Whitworth's comments on Air Quality which can be found on application 17/3916C but are also applicable to this application.

As a result of the above, this application is in contravention of policies H2, H3, H4 of the Sandbach Neighbourhood Development Plan and policy SD2 of the Cheshire East Local Plan.

REPRESENTATIONS

Letters of objection have been received from 20 local households raising the following points:

Principal of development

- The provision of new housing is not providing any benefit to existing residents in Sandbach
- The Local Plan states that Sandbach will provide 2000 new homes and the Town is on track to meet its commitment
- A further 150 dwellings is not necessary
- Further housing will detract from the semi-rural character of the area
- The development is little more than profiteering by a large corporation
- The development will erode the gap between Sandbach and Elworth and undermines the Neighbourhood Plan

- Sandbach has taken its fair share of housing development already
- Sandbach is becoming over-developed
- Loss of green open space
- It is already difficult enough to sell existing houses in the town

Highways

- The development will increase traffic on Middlewich Road and Abbey Road which are both very busy
- Cumulative highways impact from other approved developments
- Existing traffic queues at the Waitrose roundabout and along Middlewich Road
- Traffic congestion in the area when the M6 is closed
- Increased traffic will pose a risk to children crossing Abbey Road
- Further traffic congestion in Sandbach
- The junction with Middlewich Road is poor
- Pedestrian safety
- Vehicles mount the pavement along Middlewich Road
- The road network within the vicinity of the site is already at capacity
- It is difficult to exit private driveways on Abbey Road/Middlewich Road
- The first phase of construction on this site has resulted in continuous disruption at the site entrance with regular temporary traffic lights being installed
- The proposed development will create a suburb of Manchester commuters
- The traffic models do not take into account caused when delays on the motorway cause tailbacks up the slip roads and through into Sandbach
- Car-parking is limited in Sandbach
- Problems along Middlewich Road during the school run
- There have been 8 sets of road works along Middlewich Road in the last 12 months
- Inefficiency of utility providers in undertaking numerous road works along Middlewich Road
- Narrow country roads are now being used as rat runs and this is a danger to pedestrians/cyclists
- The proposed pedestrian access points are surprisingly wide and the original access condition should be enforced to prevent use by any motorised vehicles
- Concern that the developer will install vehicular access points onto Abbey Road
- Would it not be better to consider an alternative access to this site to the south. One access is not sufficient

Green Issues

- The submitted Ecological Report is out of date

Infrastructure

- With all the approved developments there have been no extensions to schools, parking or medical infrastructure
- Schools are overcrowded
- Dentists and Doctors are full

Design Issues

- The development will create a soulless housing development with no community feel
- There is a lack of green space proposed as part of this development

Amenity Issues

- Dirt, dust, noise and fumes during the construction phase of the development
- The bungalows at 204, 206 and 208 Middlewich Road have very short back gardens
- Overshadowing of bungalows on Middlewich Road – there should be greater separation distances
- Loss of light to solar panels on Middlewich Road
- Appropriate boundary treatment will be required to the surrounding boundaries with adjacent dwellings
- Negative visual impact of the proposed development
- Loss of privacy – overlooking of rear gardens

Air Quality

- The submitted Air Quality Report is out of date
- Further pollution and impact upon local air quality
- Increase in traffic will impact upon air quality
- It is widely known that false air quality figures have been used in the assessment of some planning applications
- A new Air Quality Assessment should be undertaken with the correct data
- Can residents be sure that the development will be assessed using accurate air quality data
- The application should not be determined until the air quality reports have been compiled by an independent Inspector
- Residents of the elderly peoples home and children's nurse's at Abbey Road need protection from air quality
- Health impact from increased air pollution

Other Issues

- Typo within the submitted Design and access Statement
- It is not clear how many houses are being proposed as part of this application
- There is a further proposal for an additional 25 dwellings on this site

A representation has been received from Sandbach Woodland and Wildlife Group which raises the following points;

- The SWWG supports the comments made by the Sandbach Footpath Group and Cycling UK (Sandbach)
- The SWWG considers that serious account should be made of the SANDBACH Neighbourhood Plan – particularly PC5 (Footpaths and Cycleways) and Appendix 2 (Footpaths – Action Plan)
- Policy PC5 of the SNP requires that developments will be expected to establish publicly accessible links from development sites to the wider footpath and cycleways network and green spaces wherever possible. Initiatives for improvement and enhancement to public footpaths and cycleways will be strongly supported. Proposals which lead to the loss or degradation of any public right of way or cycleway will not be permitted other than in very special circumstances.
- The Footpaths Action Plan identifies that developments will extend the footpath network in and around Sandbach to provide more continuity of the footpath system and to eliminate, as far as possible, having to resort to road walking between sections of footpath, ensure that wherever developments take place, these are supported by the creation of suitable landscaped dedicated footpaths and ensure that all replacement or new footpaths are genuine dedicated footpaths, of an adequate width to act as a green corridor and suitably planted with appropriate species.
- The following new footpaths are required – Link from Congleton Road to the Wheelock Rail Trail (Abbeyfields)

A representation has been received from UK Cycling Sandbach which raises the following points;

- Would like to see access for cyclists from the site to Abbey Road. This link would extend across the wide grass verge on Abbey Road to reach the road itself
- It would be useful to secure the pedestrian links to Middlewich Road and Abbey Road
- The potential link to the Wheelock Rail Trail and Sports Pitches should be secured
- Should developer funding be available then a pedestrian crossing should be provided at Middlewich Road/Abbey Road/The Co-op Food Store

A representation has been received from Sandbach Footpath Group which raises the following points;

- SFG considers that the following items of special interest should be given to the following; Community park through the centre of the site linking Abbeyfields and the sports pitches to the south; potential link to Wheelock Rail Trail and future sports pitches, potential pedestrian/cycle links to Middlewich and Abbey Road
- SFG would agree if that if all of the above are realised then access to footpaths will benefit. However it is not clear from the current application that all will be provided.
- It would be a great benefit if residents could walk and have access through the football pitches to the Wheelock Rail Trail without a long route through the perimeter of the estate

APPRAISAL

Principle of Development

A large number of the letters of representation refer to the principle of residential development on this site. However the principle of residential development and the point of access has already been accepted following the approval of the outline application 12/1463C.

The site is located within the Open Countryside as defined by Policy PS8 (Open Countryside) but has now been removed from this designation as part of Policy PC3 (Policy Boundary for Sandbach) of the SNP which identifies that the site is now located within the Settlement Zone Line.

This application relates to the approval of the appearance, landscaping, layout and scale of the development.

Housing Mix

Paragraph 50 of the Framework sets out that Council's should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. They should also identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.

Policy SC4 of the submission version of the Local Plan requires that developments provide an appropriate mix of housing (however this does not specify a mix). This is echoed within the SNP Policies H3 (Housing Mix and Type) which states that housing should be designed to provide a mix of houses to meet identified need (e.g. affordable housing, starter homes and provision for housing an ageing population) and Policy H4 (Housing and an Ageing Population) which states that developments will be supported that provide suitable, accessible houses for older people.

Policy SC4 of the submission version of the Local Plan requires that developments provide an appropriate mix of housing (however this does not specify a mix). This is echoed within the SNP Policies H3 (Housing Mix and Type) which states that housing should be designed to provide a mix of houses to meet identified need (e.g. affordable housing, starter homes and provision for housing an ageing population) and Policy H4 (Housing and an Ageing Population) which states that developments will be supported that provide suitable, accessible houses for older people.

For application 17/3915C (reserved matters application for 126 dwellings) the development would provide;

4 x one bed units (which includes two ground floor and two first floor apartments)
21 x two bed units
26 x three bed units
74 x four bed units
1 x five bed unit

For application 17/3916C (full application for 25 dwellings) the development would provide;

3 x two bed units
4 x three bed units
17 x four bed units
1 x five bed unit

Clearly there are a larger number of four bedroom units proposed as part of this application. In relation to this issue the applicant has stated that the four bed units vary in size and consequently they vary in price (c.£264k – c.£475K based the sales as part of the earlier phases).

In terms of house prices within Sandbach information from Rightmove dated December 2017 states that;

'Last year most property sales in Sandbach involved detached properties which sold for on average £300,439. Semi-detached properties sold for an average price of £182,169, while terraced properties fetched £145,929.'

'Sandbach, with an overall average price of £230,828, was similar in terms of sold prices to nearby Alsager (£230,016), but was more expensive than Haslington (£208,816) and cheaper than Holmes Chapel (£255,708).'

In this case it should be noted that this is a Reserved Matters application and the outline decision includes a condition which requires the Reserved Matters to follow the general parameters of the Design and Access Statement and in relation to unit sizes this document states as follows;

- Vision – To deliver a mix of housing, offering 2-5 bedroom properties
- Framework – A mix of dwelling types from 2 to 5 bedroom units
- Housing mix - Housing will range from the provision of two bedroom houses to larger four bedroom units. House types will include; 2, and 2.5 storey houses, semi detached dwellings, detached dwellings, and a small number of town houses.

From the above it is clear that the proposed dwellings which are proposed are within a price range which would appear consistent with the existing price range identified by Rightmove. The wording of Policy SC4 states that *'New residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and*

inclusive communities' and it is clear that the development meets this requirement as it would provide housing ranging from 1-5 bed units.

Affordable Housing

The S106 attached to the outline consent requires 30% affordable housing provision on this site with a tenure split of 65% social/affordable rent and 35% intermediate tenure.

This is the Reserved Matters application for 126 dwellings and there is a requirement for 30% of dwellings to be provided as affordable dwellings. This equates to 38 Dwellings and 25 units should be provided as Affordable/Social rent and 13 units as Intermediate tenure.

The SHMA 2013 shows the majority of the demand in the Sandbach and Sandbach Rural area per year until 2018 is for 31 x one bedroom, 35 x two bedroom, 10 x three bedroom and 12 x four bedroom dwellings for general needs. The SHMA 2013 also shows a need for 13 x one bedroom and 5 x two bedroom dwellings for older persons.

The majority of the demand on Cheshire Homechoice is for 137 x one bedroom, 145 x two bedroom, 92 x three bedroom, 22 x four bedroom and 4 x five bedroom dwellings. Therefore a mix of 1, 2, 3 and 4 bedroom dwellings on this site would be acceptable.

The applicants have provided both an Affordable Housing plan and schedule. The requirement for the affordable housing is 38 units on this site. The applicants are providing 40 affordable dwellings on this site, the mix of property types are meeting the local need. However the tenure split of 24 Affordable rent and 16 Intermediate Tenure is both not Policy compliant and not compliant with the S106.

In this case the applicant has stated that they are intending on providing 30% affordable housing across both this application and application 17/3916C (full application for 25 dwellings) and that the percentage of affordable housing will vary on each site. In order to address this issue the applicant is proposing to amend the S106 Agreement to the original outline consent to secure a higher level of affordable housing on this reserved matters application and negotiations on this matter will continue and an update will be provided.

Public Open Space

The majority of the open space requirement for this site would be provided within the proposed community park (2.39 hectares) which would benefit residents for the whole of Sandbach and is located within an earlier phase which is now under construction.

A condition attached to the earlier outline consent requires the provision of a NEAP within the Community Park area.

In this case condition 4 attached to the outline consent states that;

'The development hereby permitted shall follow the general parameters of the illustrative Development Framework (Drwg No 4333-P-02 Rev D), the Masterplan (Drwg No 4333-P-03 Rev E), and the Design and Access Statement'

The Design and Access Statement and the Development Framework Plan state that the developer should provide Equipped Play Areas = 0.4 Ha (2no. NEAPS @ 0.2 Ha each) and that 'A minimum

of two equipped children's play areas will be provided, offering toddler, child and teenage play provision. Each play space will be set within an area of green space and distributed evenly within the development to ensure that all parts of the site are within easy walking distance of them'

In this case the developer will not provide a second NEAP as part of this application and is instead proposing a LEAP (5 pieces of equipment) within the application area for application 17/3916C. To compensate for the shortfall in playing equipment as part of the development the developer has also proposed to provide an additional 4 pieces of equipment within the Community Park on Phase 1. This is considered to be a reasonable compromise and a condition will be attached to ensure that the 4 pieces of additional play equipment within the Community Park are provided before any dwellings are first occupied on this phase.

Education

This issue was dealt with as part of the outline application where a contribution of £513,771.11 was secured as part of the S106 Agreement.

Health

A number of the letters of objection raise concerns about the impact upon health provision in this area. In this case there was no requirement for any contribution towards health contribution at the outline stage.

Residential Amenity

In this case the Congleton Borough SPG requires the following separation distances:

21.3 metres between principal elevations

13.8 metres between a non-principal and principal elevations

In this case the separation distances proposed to the adjacent dwellings fronting Abbey Road all exceed those set out within the SPG. The separation distances between principal elevations range between 32.5 metres and 38 metres. The separation distance between non-principal and principal elevations range between 24 metres and 28 metres. As such it is not considered that the proposed development would have a detrimental impact upon adjacent residential amenity through loss of light, privacy or overbearing impact.

In this case it should also be noted that there are a number of bungalows to the north of the site which front Middlewich Road. These properties have relatively short rear gardens with low level boundary treatment and the separation distances to the dwellings on plots R81 and R82 would vary from 22m to 25m. The separation distance on plot R83 which has a side elevation (with single storey garage) facing the properties on Middlewich Road would be 19m. The applicant has also provided slab level information and cross-sections which show that the proposed dwellings would be sited at a lower level than the adjacent bungalows (the slab levels of plots R1-R83 would vary from 62.20 AOD - 62.90 AOD with the slab levels on the adjacent dwellings being 62.92 AOD - 63.25 AOD). On this basis the impact upon the adjacent bungalows is considered to be acceptable.

The non-principal elevations which face the dwellings which adjoin the site are on plots R83 R86, R94 and R132 and none of these plots would include any first floor windows to the side elevations facing Middlewich Road or Abbey Road.

Condition 4 attached to the Outline Planning Permission

This condition states that:

The development hereby permitted shall follow the general parameters of the illustrative Development Framework (Drwg No 4333-P-02 Rev D), the Masterplan (Drwg No 4333-P-03 Rev E), and the Design and Access Statement.

Reason: In order to comply with the parameters set out in the outline application and in accordance with the NPPF and Policies GR1, GR2 and GR3 of the Congleton Borough Local Plan First Review.

In this case the revised landscaping plans now provide for buffer tree planting to the boundaries of the site.

Light pollution

The concerns raised regarding light pollution have been noted and a condition could be attached to ensure that external lighting details are submitted to the Council for approval.

Noise

In terms of the impact upon the adjacent dwellings it is not considered that the proposed development would result in levels of noise from future occupiers which would harm residential amenity.

The applicant has submitted an acoustic report in support of the application. The impact of the noise from road traffic and industrial noise on the proposed development has been assessed in accordance with BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings and BS4142:2014 Methods for rating and assessing industrial and commercial sound. This is an agreed methodology for assessing noise of this nature.

The report recommends mitigation (in the form of glazing and ventilation) designed to ensure that occupants of the properties are not adversely affected by noise from road traffic and industrial noise. The conclusions of the report and methodology used are acceptable. As such, and in accordance with the acoustic report, a condition will be attached to ensure that the proposed mitigation measures are implemented as part of the proposed development.

Disturbance during the construction phase of the development

In this case there are the following conditions attached to the outline approval:

- Hours of construction
- Construction Method Statement

It is considered that these conditions attached to the outline consent would be adequate to protect residential amenity during the construction phase.

Contaminated Land

The outline planning approval 12/1463C did not contain a land contamination condition.

Intrusive works that have been carried out demonstrate that the topsoil and subsoil on site is suitable for reuse, however it would be advisable to undertake further testing of this material prior to placement in gardens to support this conclusion. A watching brief should be undertaken during groundworks, if visual or olfactory evidence of contamination is noted or soils are encountered with a high organic content then further investigation into any such material would be required. If materials are to be imported onto site for use in garden or soft landscaping areas then it should be tested for contamination to determine its suitability for use.

An informative will be attached to the decision notice at the request of the Environmental Health Officer.

Air Quality

A large number of the letters of objection refer to the air quality implications of this development. However the development has outline consent and the reserved matters are only under consideration as part of this application.

The Environmental Health Officer has requested the following conditions in relation to air quality;

- Dust Control
- Travel Plan
- Electric Vehicle Infrastructure

In this case there is a Travel Plan condition on the outline consent and a dust control is referred to within the Construction Management Plan condition.

There is no electric vehicle charging infrastructure condition attached to the outline consent and it would not be reasonable to impose a condition to require this provision on the whole site. In response to the concerns raised by local residents and the Town Council the applicants have stated that they will provide charging points in all dwellings with a garage and this equates to 65% of the development. This will be controlled through the imposition of a planning condition.

Public Rights of Way

There are no public footpaths crossing the site.

The proposed provision of new cycle infrastructure on Middlewich Road and Abbey Road would increase the permeability of the site for non-motorised users.

However, the proposed access onto Abbey Road would be an 'emergency' and 'pedestrian/cyclist' access route. These should be designed and constructed to best practice standards for the use of pedestrians and cyclists in order to increase the permeability of the site.

Highways

The letters of objection refer to the highway safety and traffic generation implications of this proposed development. However the point of access and the traffic generation as part of this development were considered as part of the outline application.

Some of the letters of objection refer to concerns that the proposed access points off Abbey Road will be used in future for vehicular access. In this case the more central access (between 35 and 43 Abbey Road) would be used as a pedestrian/cycle access.

The more southern gap between 83 and 93 Abbey Road is shown as a vehicular access serving a development to the south of the site which was allowed at appeal (outline application with access - 14/1189C for 165 dwellings). This is due to a small overlap in the red-edge between the two developments.

The Council's Highways Officer has confirmed that the internal layout of the proposed development is in line with the Council's adoptable standards and includes appropriate shared spaces and pedestrian/cycle links to Abbey Road and the earlier phases of development.

Trees and Hedgerows

The application is supported by a Tree Survey and Tree Protection Plan.

The majority of the arboricultural impacts relate to the site subject of 17/3916C and not the site subject of this application although the new emergency access/pedestrian/cycle link to Abbey Road (between 35 and 43 Abbey Road) would have impacts. A construction specification for this will be secured as part of a planning condition.

The tree protection plan does not extend to protect all the lengths of retained hedge on site. This could be addressed by an updated plan under a tree protection condition.

Design

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

Connections

Does the scheme integrate into its surroundings by reinforcing existing connections and creating new ones; whilst also respecting existing buildings and land uses along the boundaries of the development site?

The consented scheme only has a single point of vehicular access to the north off Middlewich Road whilst there is the potential for a second access point via Abbey Road between numbers 83 and 93 which is shown on the submitted plans for application 14/1189C. It is intended that that the

development layout approved as part of application 14/1189C will connect through Phase 1 and that both Phases will be able to take access via either access point to the wider highway network. The submitted plans show the proposed link but the final details will only be secured when a Reserved Matters application is received for the outline approval 14/1189C.

Internally within the site the highway network has been improved through a more prominent loop road and a hierarchy of street design with varied road widths, shared services and a varied use of surfacing materials.

Pedestrian connectivity has also been improved to provide a connection to the central Avenue Greenway through the centre of the site and provision of a link along the southern boundary of the site. This ensures that the development ties into the approved pedestrian connections approved as part of the earlier phases.

Facilities and services

Does the development provide (or is it close to) community facilities, such as shops, schools, workplaces, parks, play areas, pubs or cafes?

This issue was considered as part of the outline application. The application site is highly sustainable and is within easy walking distance of the Town Centre, schools, employment, the train station, bus routes and leisure facilities.

Public transport

Does the scheme have good access to public transport to help reduce car dependency?

Again this issue was considered as part of the outline application. The application site is highly sustainable and is within easy walking distance of the Town Centre, schools, employment, the train station, bus routes and leisure facilities.

Meeting local housing requirements

Does the development have a mix of housing types and tenures that suit local requirements?

In terms of the affordable housing on site and as discussed above the development would provide a mix of affordable housing and the developer intends to provide 30% affordable housing across both this application and application 17/3916C.

In terms of the open market housing this is discussed above and is considered to be acceptable on balance given the requirement that the development follows the outline application Design and Access Statement.

Character

Does the scheme create a place with a locally inspired or otherwise distinctive character?

The design guide identifies that Sandbach to the east is located within the Silk, Cotton & Market Towns area of the Design Guide and Elworth to the west is located within the Salt & Engineering Towns area of the design guide. This site is split between the two areas but given the surrounding residential development to Middlewich Road, Abbey Road and Park Lane it is considered that the site is more closely related to Sandbach. Sandbach is identified as an example settlement within the Design SPD and the design cues for this area include the following;

- Tudor, Georgian, Victorian and Edwardian architecture are all found within the town.
- A fine grain of residential lanes/secondary streets lie immediately adjacent to the main streets.
- Streets are well overlooked.
- Streets and lanes curve up the hills into the town centre creating unfolding views.
- Strong well enclosed urban spaces.
- Town centre is surrounded by rows of terraces, beyond which is a mix of 20th Century housing suburbs and estates.
- Mature 'Garden Suburb' style housing (i.e. Park Lane)

There is a variation of house-types adjoining the site. The majority are two-storey in height although there are some single-storey units in the area (to the north along Middlewich Road). The age of the surrounding dwellings also varies. To all sides and specifically to Park Lane and Abbey Road the residential areas are characterised by wide grass verge's with mature trees planted within them. The dwellings surrounding the site vary from detached to semi-detached.

The surrounding dwellings have largely hipped roofs but there are some properties with pitched roofs located around the site. As a general rule the dwellings further west which are along Park Lane (specifically referred to within the Design Guide as 'Garden Suburb' style housing) are more detailed, with the a greater mix of dwellings along Middlewich Road and simpler designed semi-detached units located along Abbey Road. The dwellings in the locality of the site include a number of design features such as projecting gables (some with timber infill details but the majority in brick, render or with hanging tiles), bay windows (single and two-storey), window header and sill details (brick, arched and flat-topped) and chimneys. The materials in the locality are largely red brick with some render properties and hanging tile detailing. The roofs are largely tiled (relatively even split of blue and red).

The proposed dwellings would all be two-storeys in height. The proposed dwellings would have a mixed roof design and there appears to be an even split between hipped and pitched roofs. The roof heights vary across the development which would add some interest. The height variation across the proposed development is consistent with the wider locality in this part of Sandbach and is considered to be acceptable.

Largely it is considered that the proposed development respects this character of the area. Many of the design cues within this location are incorporated into the development with a modern design. The development includes projecting gables (some with a timber and render infill), window design includes bay windows, brick cill and header details, brick banding, hanging tiles to two-storey bay windows (the design guide refers to single and full height bay windows) and finial detailing.

The perimeter block type layout is at an appropriate density (27.6 dwellings per hectare) with corner turning houses providing active frontages and removing the requirement for prominent blank gables within the street-scene. However it is considered that further work could be done to improve the side elevations to certain plots; R98, R128, R127, A2, A18, A5, A68, A58, A74, A52, A50, A26 and A27. An update will be provided in relation to this matter.

The proposed materials would match the first phase of the development and complies with the Cheshire East Design Guide.

Working with the site and its context

Does the scheme take advantage of existing topography, landscape features (including watercourses), wildlife habitats, existing buildings, site orientation and microclimates?

The site is currently open former farmland with no existing buildings with the retention of the majority of existing hedgerows to the southern and south-east edge of the site.

The only concern was the relationship to the existing dwellings and the lack of buffer as discussed above. However the amended plans now show that this would be provided.

Creating well defined streets and spaces

Are buildings designed and positioned with landscaping to define and enhance streets and spaces and are buildings designed to turn street corners well?

The proposed dwellings are generally positioned well in a loose perimeter block layout, front doors face the street, blocks turn corners effectively in a variety of ways creating good passive surveillance and they do define the streets and spaces.

However it is considered that further work could be done to improve the side elevations to certain plots; R98, R128, R127, A2, A18, A5, A68, A58, A74, A52, A50, A26 and A27. An update will be provided in relation to this matter.

Easy to find your way around

Is the scheme designed to make it easy to find your way around?

The layout is legible with a wide variety of house types and a varied and interesting layout including corner turning blocks and properly terminated views all of this will aid navigation around the proposed development. The proposal now provides pedestrian/cycle linkages with the earlier phase of development and Abbey Road.

Streets for all

Are streets designed in a way that encourage low vehicle speeds and allow them to function as social spaces?

There is a clear hierarchy of streets with variations in materials and shared-space mews turnings. It can be seen that all streets are designed in such a way as to reduce vehicle speeds. There is a real potential for the streets to be used as social/play spaces, specifically the shared-space areas. Overall the streets are pedestrian and cycle friendly as well as being safe for vehicles.

Car parking

Is resident and visitor parking sufficient and well integrated so that it does not dominate the street?

The level of off street parking is suitable and complies with the Councils standards. This is provided predominantly in curtilage on driveways to the front and side of homes and in small parking courts serving the terraces of smaller two and three-bed houses. These parking courts are landscaped with short runs of adjacent bays which are located close to properties and are well overlooked.

Public and private spaces

Will public and private spaces be clearly defined and designed to be attractive, well managed and safe?

All areas of public open space are well overlooked and would feel safe. With regard to private space, every house has a private but independently accessible rear garden that is clearly defined and most homes also have gardens to the front.

External storage and amenity space

Is there adequate external storage space for bins and recycling as well as vehicles and cycles?

All houses have adequately sized rear gardens with external access that are suitable for the storage of refuse and recycling bins as well as potentially cycles.

Design Conclusion

On the basis of the above assessment it is considered that the proposed development does score well and on this basis it is considered that the design of the development is acceptable and would comply with the Cheshire East Design guide.

Land Levels

The applicant has provided a plan which shows the land levels of the proposed development. There would be some minor changes to the levels on the site which are considered to be acceptable.

Landscape

The applicant has now provided a landscaping scheme for the site. This includes tree planting to form a buffer to the dwellings which surround the site and follows on from that approved on the earlier phase. The detailed landscaping scheme has been considered by the Councils Landscape Architect and the details are considered to be acceptable.

Ecology

Bats

Bat surveys were undertaken at the two properties proposed for demolition to facilitate the proposed site access as part of the outline application at this site. These buildings are outside the boundary of the current application and the updated survey has not identified any potential for roosting bats. The proposed development is not likely to result in an adverse impact upon roosting bats.

Other Protected Species

Evidence of other protected species activity was previously recorded on this site during surveys completed in support of previous planning applications.

No evidence of other protected species was recorded during the updated survey and so the proposed development is unlikely to have an impact upon this species.

In the event that planning permission is granted a condition could be imposed which requires the submission of an updated badger survey to be undertaken prior to the commencement of development.

Hedgerows

Hedgerows are a priority habitat and hence a material consideration. The existing hedgerows occur on the sites western, northern and southern boundaries. The hedgerows on the northern and western boundaries are not shown as being retained on the submitted landscape masterplan and a condition to ensure the protection of all hedgerows on the site is proposed.

Ecological Enhancements

The open space areas towards the site eastern edge provide an opportunity to secure an enhancement for biodiversity in accordance with the NPPF. The detailed landscaping scheme shows the provision of meadow grassland in this area as well as the use of native tree planting.

Nesting Birds

If planning consent is granted the conditions are required to safeguard nesting birds and ensure some additional provision is made for roosting bats and nesting birds as part of the proposed development.

Flood Risk/Drainage

The application site is located within Flood Zone 1 (low probability of river/tidal flooding) according to the Environment Agency Flood Maps. A Flood Risk Assessment (FRA) was submitted as part of the outline application and judged to be acceptable at that stage.

The outline consent relating to the disposal of surface water, as a result it is not necessary to repeat the drainage conditions suggested by the Council's flood risk engineer as part of this reserved matters application.

Archaeology

This reserved matters application covers only the western extent of the proposed development area where no significant archaeological deposits were encountered and therefore the Cheshire Archaeology Planning Advisory Service (APAS) advise that no further archaeological mitigation is required within this area.

CONCLUSION

The letters of objection from local residents and the Town Council have been noted. However the principle of development has already been accepted as part of the outline approval on this site.

Despite the concerns raised in the letters of objection the development will not have a detrimental impact upon residential amenity, it would provide benefits in terms of much needed affordable

housing provision and would help in the Councils delivery of 5 year housing land supply. The development would comply with Policy GR6 (Amenity and Health) of the CLP.

In terms of the POS and play space provision this is considered to be acceptable and would be a benefit to this scheme.

The proposed landscaping scheme is acceptable and the development is acceptable in terms of its impact upon ecology and trees/woodlands and would comply with Policies SE1 (Design), SE3 (Biodiversity and Geodiversity), SE4 (The Landscape), SE5 (Trees, Hedgerows and Woodland) and SE6 (Green Infrastructure) of the CELPS and PC2 (Landscape Character) and PC4 (Biodiversity and Geodiversity) of the SNP.

The drainage/flood risk implications for this proposed development are considered to be acceptable.

The proposed access point is acceptable and the traffic impact as part of this development has already been accepted. The internal design of the highway layout and parking provision is considered to be acceptable.

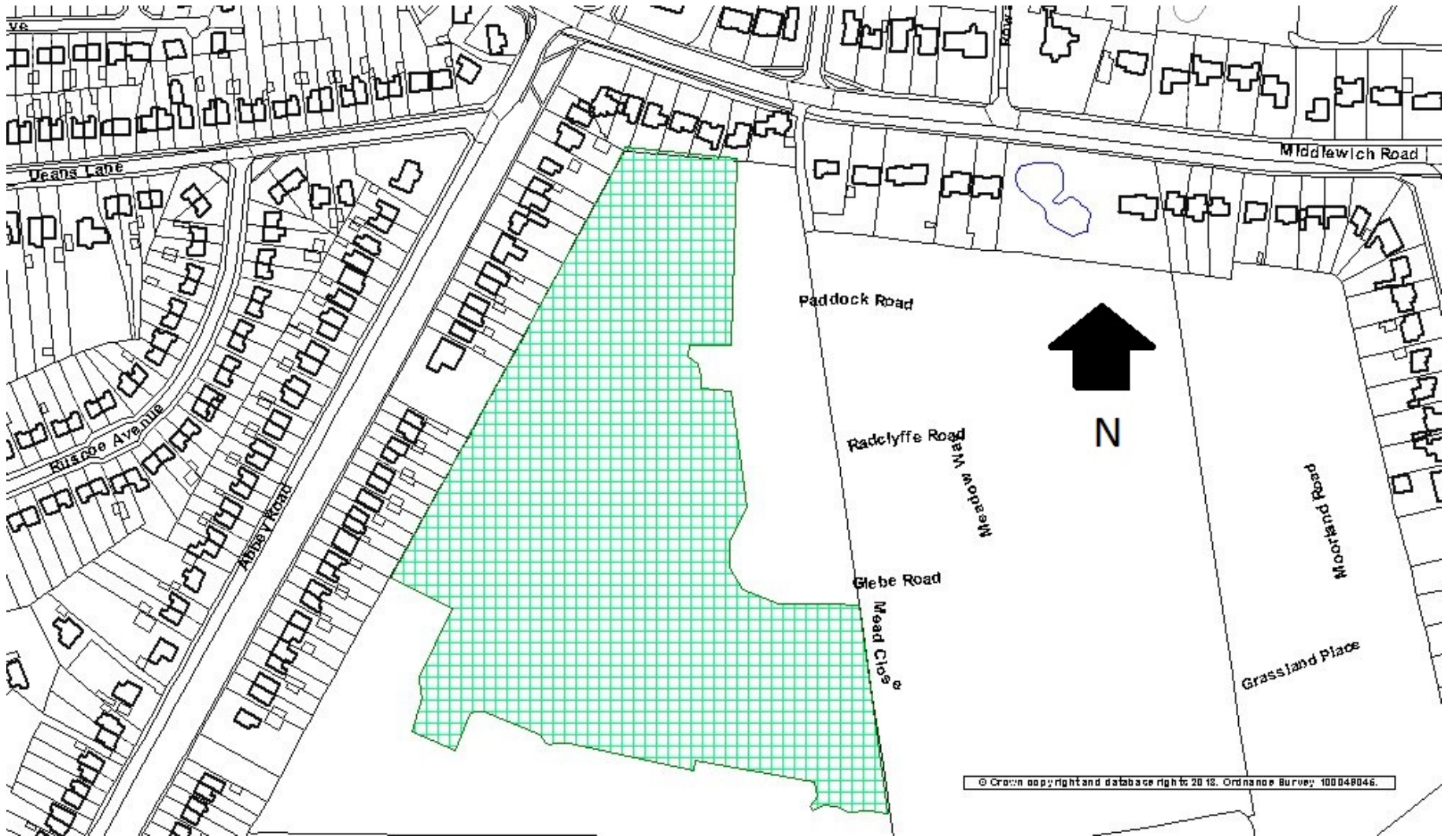
The design/layout of the development is considered to be acceptable and has been subject to negotiation with the developer. The design/layout is considered to comply with the Design Guide SPD and Policies SE1 (Design) of the CLP and H2 (Housing Layout) of the SNP.

RECOMMENDATION:

APPROVE subject to the following conditions;

- 1. Approved Plans**
- 2. Implementation of the approved landscaping**
- 3. Prior to the first occupation of the development a scheme to provide an additional 4 pieces of play equipment within the Community Park on phase 1 in accordance with the submitted plans**
- 4. Submission of an updated Tree Protection Plan to include all lengths of boundary hedgerow**
- 5. Construction specification details for the emergency access/pedestrian/cycle link to Abbey Road (between 35 and 43 Abbey Road) to be submitted and approved**
- 6. Updated survey for other protected species**
- 7. Nesting birds timing of works**
- 8. Scheme of nesting bird/roosting bat mitigation**
- 9. A scheme of boundary treatment to be submitted and approved**
- 10. Submission of Electric Vehicle Charging Specification for all properties with a garage**
- 11. Materials in accordance with the approved plans**

In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chair (or in her absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.



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Application No: 17/3916C

Location: LAND SOUTH OF MIDDLEWICH ROAD AND EAST OF, ABBEY ROAD,
SANDBACH

Proposal: Erection of 25 two storey detached dwellings, landscaping, open space,
parking and associated works.

Applicant: Mr Chris Dobson, Redrow Homes Ltd & Anwyl Homes

Expiry Date: 12-Jan-2018

SUMMARY

The letters of objection from local residents and the Town Council have been noted. However the principle of development is considered to be acceptable as the site lies within the settlement boundary as defined by the SNP. The principle of the proposed development would also comply with the CELPS and the CBLP.

Despite the concerns raised in the letters of objection the development will not have a detrimental impact upon residential amenity, it would provide benefits in terms of much needed affordable housing provision and would help in the Councils delivery of 5 year housing land supply. The development would comply with Policy GR6 (Amenity and Health) of the CLP.

In terms of the POS and play space provision this is considered to be acceptable and would be a benefit to this scheme.

The proposed landscaping scheme is acceptable and the development is acceptable in terms of its impact upon ecology and trees/woodlands and would comply with Policies SE1 (Design), SE3 (Biodiversity and Geodiversity), SE4 (The Landscape), SE5 (Trees, Hedgerows and Woodland) and SE6 (Green Infrastructure) of the CELPS and PC2 (Landscape Character) and PC4 (Biodiversity and Geodiversity) of the SNP.

The drainage/flood risk implications for this proposed development are considered to be acceptable.

The proposed access point is acceptable and the traffic impact as part of this development has already been accepted. The internal design of the highway layout and parking provision is considered to be acceptable.

The design/layout of the development is considered to be acceptable and has been subject to negotiation with the developer. The design/layout is considered to comply with the Design Guide SPD and Policies SE1 (Design) of the CLP and H2 (Housing Layout) of the SNP.

RECOMMENDATION

APPROVE subject to a S106 Agreement and conditions

PROPOSAL

Planning permission 12/1463C gave approval for the erection of 280 homes together with associated public open space, and highway improvements.

Reserved matters approval was given under application 15/0446C for a total of 154 dwellings.

17/3915C seeks Reserved Matters approval for the details of appearance, landscaping, layout and scale for 126 dwellings.

This application seeks full planning permission for an additional 25 dwellings on the site which was subject to the original outline approval (12/1463C).

SITE DESCRIPTION

The application site is part of a larger development which measures approximately 15.6ha of land, situated on the southern side of Middlewich Road, west of Park Lane and east of Abbey Road. The site included two residential properties 170 and 172 Middlewich Road which have now been demolished. The site is bordered by residential properties to its north, western and eastern boundaries, with open fields to the south.

The site measures 1.57 hectares and is relatively flat although the land level drops slightly to the east of the site. There are a number of hedgerows running along the existing field boundaries. There are a number of trees within the residential curtilages of the properties surrounding the site with a number of mature trees within the grass verges along Abbey Road and Park Lane.

At the time of the case officers site visit the approved development was under construction and some of the approved dwellings are now occupied

RELEVANT HISTORY

17/5107C - Non material amendment to 16/2728C; Substitution of House types to plots 76 & 77 - Plot 76 from a PENRHOS to a GLYN, Plot 77 from a DOLWEN to a PENRHOS – Approved 26th October 2017

17/3915C - Approval of reserved matters (appearance, landscaping, layout and scale) following outline approval 12/1463C - Erection of 126 two storey detached, semi detached and mews dwellings, landscaping, open space, parking and associated works – No decision made at the time of writing this report

17/0702C - Non-material amendment to approval 16/2728C – Approved 28th February 2017

16/6068C - Variation of condition 1 (plot 08 house type substitution) on approved application 16/0223C – Application undetermined

16/2728C - Variation of conditions 2 (housetypes on Plots A26 and A56) and 10 (landscaping) on application 15/0446C - Erection of 154 two storey detached, semi detached and mews dwellings landscaping, formation of community park, open space, parking and associated works – Approved 14th September 2016

16/2260C - Changes to Section 106 agreement: Affordable housing – Application undetermined

16/1550C - Non material amendment to approval 12/1463C – Refused 22nd April 2016

16/0223C - Variation of Condition 2 on application 15/0446C to change the roof design to 5no house types as approved under the approval and as such, submit replacement planning layout and the house type elevations – Approved 11th March 2016

15/0446C - Erection of 154 two storey detached, semi detached and mews dwellings landscaping, formation of community park, open space, parking and associated works – Approved 10th September 2015

14/1189C – Land off Abbey Road, Sandbach - Proposed residential development of up to 165 dwellings, including 'affordable housing', highway and associated works, public open space and green infrastructure – Refused 3rd June 2015 – Appeal Allowed by Secretary of State – 31st October 2016

12/1463C - Demolition of 170 and 172 Middlewich Road, Sandbach, Formation of New Access to Serve Residential Development of up to 280 Dwellings, Landscaping, Open Space, Highways and Associated Works – Approved 7th October 2014

14/0191C - Removal of Condition 14 (25% of Housing with no more than 2 bedrooms) on approval 10/3471C - Proposed Residential Development of up to 280 Dwellings, Landscaping, Open Space, Highways and Associated Works – Withdrawn

11/0440C - Demolition of 170 and 172 Middlewich Road, Sandbach and Formation of New Access to Serve Residential Development – Approved subject to the completion of a Unilateral Undertaking 18th October 2012

10/3471C - Proposed Residential Development of up to 280 Dwellings, Landscaping, Open Space, Highways and Associated Works - Refused 18th November 2010 – Appeal lodged – Appeal dismissed – High Court challenge – Decision quashed, Appeal to the Court of Appeal – Appeal Dismissed. Appeal Allowed by Secretary of State

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

17611/1 – Residential Development – Refused 10th June 1986

NATIONAL & LOCAL POLICY

Cheshire East Local Plan Strategy (CELPs)

PG1 – Overall Development Strategy

PG2 – Settlement Hierarchy

PG7 - Spatial Distribution of Development

SC4 – Residential Mix

CO1 - Sustainable Travel and Transport

CO4 – Travel Plans and Transport Assessments

SC5 – Affordable Homes

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

SE 1 - Design

SE 2 - Efficient Use of Land

SE 3 - Biodiversity and Geodiversity

SE 4 - The Landscape

SE 5 - Trees, Hedgerows and Woodland

SE 6 – Green Infrastructure
SE 8 – Renewable and Low Carbon Energy
SE 9 – Energy Efficient Development
SE 13 - Flood Risk and Water Management
IN1 – Infrastructure
IN2 – Developer Contributions

Congleton Borough Local Plan First Review

The relevant Saved Policies are:

PS8 - Open Countryside
NR4 - Non-statutory sites
GR6 - Amenity and Health
GR7 - Amenity and Health
GR9 - Accessibility, servicing and provision of parking
GR14 - Cycling Measures
GR15 - Pedestrian Measures
GR16 - Footpaths Bridleway and Cycleway Networks
GR17 - Car parking
GR18 - Traffic Generation
NR3 - Habitats
NR5 - Habitats

Sandbach Neighbourhood Plan

PC2 – Landscape Character
PC3 – Policy Boundary for Sandbach
PC4 – Biodiversity and Geodiversity
PC5 – Footpaths and Cycleways
HC1 – Historic Environment
H1 – Housing Growth
H2 – Housing Layout
H3 – Housing Mix and Type
H4 – Housing and an Ageing Population
H5 – Preferred Locations
IFT1 – Sustainable Transport, Safety and Accessibility
CW1 – Amenity, Play, Recreation and Outdoor Sports
CW3 – Health
CC1 – Adapting to Climate Change

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.
50. Wide choice of quality homes
56-68. Requiring good design

Supplementary Planning Documents

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
Cheshire East Design Guide

CONSULTATIONS

CEC Strategic Housing Manager: Concerns have been raised by the Councils Housing Officer who has confirmed that he would have no issue with the application subject to a Deed of Variation to the original S106 Agreement and the completion of a S106 Agreement for this application as long as the total amount is not less than 30% and the 30% is then split to 65% Affordable/Social Rent and 35% Intermediate Tenure

CEC Flood Risk Manager: Conditions suggested

CEC Education: To alleviate forecast pressures, the following contributions would be required:

5 x £11,919 x 0.91 = £54,231.00 (primary)
4 x £17,959 x 0.91 = £65,371.00 (secondary)
Total education contribution: £119,602.00

Natural England: Statutory sites – no objection. For advice on protected species refer to the Natural England standing advice.

CEC Strategic Highways Manager: No objection.

United Utilities: No objection subject to the imposition of planning conditions.

CEC Environmental Health: Conditions suggested in relation to a Piling Method Statement, Noise Mitigation Dust Control, Environment Management Plan, Travel Plan and Electric Vehicle Infrastructure and an informative has been suggested in relation to hours of construction and contaminated land. has been suggested in relation to hours of construction and contaminated land.

Ansa (Public Open Space): No formal comments received at the time of writing this report.

Environment Agency: No comments received.

Cheshire Wildlife Trust: No comments received.

Cheshire Gardens Trust: No comments received.

Ramblers Association: No comments received.

Cheshire Brine Subsidence Board: The Board concurs with the foundation design philosophy presented with this application but wishes to emphasise the importance associated with agreeing the specific foundation designs and zoning with the Board at the building control consultation process stage.

CEC PROW: The development does not appear to affect a PROW.

CEC Countryside Access: The proposed accesses onto Abbey Road are variously described in the application documents as 'pedestrian', 'emergency' and 'pedestrian/cyclist' access routes. It is understood that these are not proposed as vehicular routes, but should be designed and constructed to best practice standards for the use of pedestrians and cyclists in order to increase the permeability of the site. Further, it is not clear from the application plans that linking paths connect between the southern access onto Abbey Road and the Full application development estate roads.

Local user groups are particularly keen to see the delivery of the 'potential link to the Wheelock Rail Trail and future sports pitches'. The application documents do not clearly or consistently propose this link. The developer should be tasked to make provision for this route.

VIEWS OF THE PARISH COUNCIL

Sandbach Town Council: Sandbach Town Council object to this application due to the following reasons:

- The proposed properties do not reflect the range of requirements of the aging population of Sandbach.
- Members are in full support of Mr Whitworth's comments on Air Quality which have been submitted for this application. This development would impose unacceptably on air quality levels. In view of the Air Quality numbers being revisited for the adjacent Middlewich Road, the amount of housing on this site should be substantially reduced.
- Members are in full support of Sandbach Footpath Group's comments and agree that there should be a prepared footpath link from this site as outlined in the response by the Sandbach Footpath group on this application.

As a result of the above, this application is in contravention of policies H2, H3, H4 of the Sandbach Neighbourhood Development Plan and policy SD2 of the Cheshire East Local Plan.

REPRESENTATIONS

Letters of objection have been received from 26 local households raising the following points:

Principal of development

- The provision of new housing is not providing any benefit to existing residents in Sandbach
- The Local Plan states that Sandbach will provide 2000 new homes and the Town is on track to meet its commitment
- Sandbach has adequate affordable housing
- Further housing will detract from the semi-rural character of the area
- The development is little more than profiteering by a large corporation
- The development will erode the gap between Sandbach and Elworth and undermines the Neighbourhood Plan
- Sandbach has taken its fair share of housing development already
- No justification for additional housing now that the local plan is adopted
- Sandbach is becoming over-developed
- Loss of green open space
- There is a large number of new builds in Sandbach already
- The development will have no benefits for Sandbach

- The developers are having difficulty in selling their new builds
- Sandbach is already over developed

Highways

- The development will increase traffic on Middlewich Road and Abbey Road which are both very busy
- The submitted traffic survey is now out of date
- Cumulative highways impact from other approved developments
- Bus cuts are now being proposed by Cheshire East which will reduce the sustainability credentials of the site
- Traffic congestion in the area when the M6 is closed
- Increased traffic will pose a risk to children crossing Abbey Road
- Further traffic congestion in Sandbach
- Difficulty leaving driveway onto Middlewich Road
- Pedestrian safety
- The road network within the vicinity of the site is already at capacity
- It is difficult to exit private driveways on Abbey Road/Middlewich Road
- Car-parking is limited in Sandbach
- Problems along Middlewich Road during the school run
- There have been 8 sets of road works along Middlewich Road in the last 12 months
- Inefficiency of utility providers in undertaking numerous road works along Middlewich Road
- Concern that the developer will install vehicular access points onto Abbey Road

Green Issues

- Loss of landscape
- Loss of wildlife

Infrastructure

- With all the approved developments there have been no extensions to schools, parking or medical infrastructure
- Schools are overcrowded
- Dentists and Doctors are full

Design Issues

- The development will create a soulless housing development with no community feel

Amenity Issues

- Dirt, dust, noise and fumes during the construction phase of the development
- Negative visual impact of the proposed development
- Loss of privacy – overlooking of rear gardens

Air Quality

- The submitted Air Quality Report is out of date
- Further pollution and impact upon local air quality
- Increase in traffic will impact upon air quality
- It is widely known that false air quality figures have been used in the assessment of some planning applications
- A new Air Quality Assessment should be undertaken with the correct data

- Can residents be sure that the development will be assessed using accurate air quality data
- Health impact from increased air pollution

Other Issues

- Loss of agricultural land

A representation has been received from Sandbach Woodland and Wildlife Group which raises the following points;

- The SWWG supports the comments made by the Sandbach Footpath Group and Cycling UK (Sandbach)
- The SWWG considers that serious account should be made of the SANDBACH Neighbourhood Plan – particularly PC5 (Footpaths and Cycleways) and Appendix 2 (Footpaths – Action Plan)
- Policy PC5 of the SNP requires that developments will be expected to establish publicly accessible links from development sites to the wider footpath and cycleways network and green spaces wherever possible. Initiatives for improvement and enhancement to public footpaths and cycleways will be strongly supported. Proposals which lead to the loss or degradation of any public right of way or cycleway will not be permitted other than in very special circumstances.
- The Footpaths Action Plan identifies that developments will extend the footpath network in and around Sandbach to provide more continuity of the footpath system and to eliminate, as far as possible, having to resort to road walking between sections of footpath, ensure that wherever developments take place, these are supported by the creation of suitable landscaped dedicated footpaths and ensure that all replacement or new footpaths are genuine dedicated footpaths, of an adequate width to act as a green corridor and suitably planted with appropriate species.
- The following new footpaths are required – Link from Congleton Road to the Wheelock Rail Trail (Abbeyfields)

A representation has been received from UK Cycling Sandbach which raises the following points;

- Would like to see access for cyclists from the site to Abbey Road. This link would extend across the wide grass verge on Abbey Road to reach the road itself
- It would be useful to secure the pedestrian links to Middlewich Road and Abbey Road
- The potential link to the Wheelock Rail Trail and Sports Pitches should be secured
- Should developer funding be available then a pedestrian crossing should be provided at Middlewich Road/Abbey Road/The Co-op Food Store

A representation has been received from Fiona Bruce MP which raises the following points;

- Sandbach has no immediate need for future housing in light of consent already in the pipeline and the new builds being constructed.
- The additional pressure of more housing will add to the current pressure on resources.

A representation has been received from Sandbach Footpath Group which raises the following points;

- SFG considers that the following items of special interest should be given to the following; Community park through the centre of the site linking Abbeyfields and the sports pitches to the south; potential link to Wheelock Rail Trail and future sports pitches, potential pedestrian/cycle links to Middlewich and Abbey Road
- SFG would agree if that if all of the above are realised then access to footpaths will benefit. However it is not clear from the current application that all will be provided.

- It would be a great benefit if residents could walk and have access through the football pitches to the Wheelock Rail Trail without a long route through the perimeter of the estate

APPRAISAL

Principle of Development

A large number of the letters of representation refer to the principle of residential development on this site. However the principle of residential development on this site and the point of access has already been accepted following the approval of the outline application 12/1463C. However it is accepted that this development would provide an additional 25 units.

The site is located within the Open Countryside as defined by Policy PS8 (Open Countryside) but the site has now been removed from this designation as part of Policy PC3 (Policy Boundary for Sandbach) of the SNP which identifies that the site is now located within the Settlement Zone Line.

Policy PC3 of the SNP states that new housing development will be supported in principle within the settlement boundary for Sandbach, whilst Policy H1 states that future housing growth in Sandbach will be delivered through amongst other things windfall sites. On this basis the addition of 25 additional dwellings within the settlement boundary for Sandbach would comply with policies PC3 and H1 and the development is considered to be acceptable in principle.

Housing Mix

Paragraph 50 of the Framework sets out that Council's should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. They should also identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.

Policy SC4 of the submission version of the Local Plan requires that developments provide an appropriate mix of housing (however this does not specify a mix). This is echoed within the SNP Policies H3 (Housing Mix and Type) which states that housing should be designed to provide a mix of houses to meet identified need (e.g. affordable housing, starter homes and provision for housing an ageing population) and Policy H4 (Housing and an Ageing Population) which states that developments will be supported that provide suitable, accessible houses

For application 17/3916C (full application for 25 dwellings) the development would provide;

- 3 x two bed units
- 4 x three bed units
- 17 x four bed units
- 1 x five bed units

For application 17/3915C (reserved matters application for 126 dwellings) the development would provide;

- 4 x one bed units
- 21 x two bed units
- 26 x three bed units
- 74 x four bed units
- 1 x five bed units

Clearly there are a larger number of four bedroom units proposed as part of this application. In relation to this issue the applicant has stated that the four bed units vary in size and consequently they vary in price (c.£264k – c.£475K based the sales as part of the earlier phases).

In terms of house prices within Sandbach information from Rightmove dated December 2017 states that;

‘Last year most property sales in Sandbach involved detached properties which sold for on average £300,439. Semi-detached properties sold for an average price of £182,169, while terraced properties fetched £145,929.

Sandbach, with an overall average price of £230,828, was similar in terms of sold prices to nearby Alsager (£230,016), but was more expensive than Haslington (£208,816) and cheaper than Holmes Chapel (£255,708)’

The wording of Policy SC4 states that *‘New residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities’* and it is clear that the development meets this requirement as it would provide housing ranging from 1-5 bed units.

Affordable Housing

This is a full application for 25 dwellings and there is a requirement for 30% of dwellings to be provided as affordable dwellings. In this case the developer is providing just 5 affordable units as part of this application (all rented).

The site falls within the Sandbach sub area for the purposes of the Strategic Housing Market Assessment (SHMA) Update 2013. This identified a net requirement for 94 affordable units per annum for the period 2013/14 – 2017/18. Broken down this is a requirement for 18 x 1 bed, 33 x 2 bed, 18 x 3 bed, 9 x 4+ bed general needs units and 11 x 1 bed and 5 x 2 bed older persons accommodation.

In addition to this, information taken from Cheshire Homechoice shows that there are currently 400 applicants who have selected one of the Sandbach lettings areas (Sandbach and Sandbach Rural) as their first choice. These applicants require 137 x 1 bed, 145 x 2 bed, 92 x 3 bed and 26 x 4+ bed units.

In this case the applicant has stated that they are intending on providing 30% affordable housing across both this application and application 17/3915C (reserved matters application for 126 dwellings) and that the percentage of affordable housing will vary on each site. In order to address this issue the applicant is proposing to amend the S106 Agreement to the original outline consent to secure a higher level of affordable housing on the reserved matters application (17/3915C) and negotiations on this matter will continue and an update will be provided.

Public Open Space

The majority of the open space requirement for this site would be provided within the proposed community park (2.39 hectares) which would benefit residents for the whole of Sandbach and is located within an earlier phase which is now under construction.

A condition attached to the earlier outline consent (12/1463C) requires the provision of a NEAP within the Community Park area.

In this case condition 4 attached to the outline consent states that;

'The development hereby permitted shall follow the general parameters of the illustrative Development Framework (Drwg No 4333-P-02 Rev D), the Masterplan (Drwg No 4333-P-03 Rev E), and the Design and Access Statement'

The Design and Access Statement and the Development Framework Plan state that the developer should provide Equipped Play Areas = 0.4 Ha (2no. NEAPS @ 0.2 Ha each) and that *'A minimum of two equipped children's play areas will be provided, offering toddler, child and teenage play provision. Each play space will be set within an area of green space and distributed evenly within the development to ensure that all parts of the site are within easy walking distance of them'*

In this case the developer will not provide a second NEAP in the area identified on the plans approved as part of application 12/1463C and is instead proposing a LEAP (5 pieces of equipment). To compensate for the shortfall in playing equipment as part of the development the developer has also proposed to provide an additional 4 pieces of equipment within the Community Park on Phase 1. This is considered to be a reasonable compromise and a condition will be attached to ensure that the 4 pieces of additional play equipment within the Community Park are provided before any dwellings are first occupied on this phase.

Education

An application of 25 dwellings is expected to generate 5 primary aged children and 4 secondary aged children.

In terms of primary school education, the proposed development would be served by six local primary schools.

From the table below which it can be seen that by 2021 there will be a shortfall of 17 spaces within the local primary schools and on this basis a contribution of £54,231 will be required to mitigate the impact of this development upon local primary provision.

	PAN Sep 17	PAN Sep 18	NET CAP May-17	any Known Change s	PUPIL FORECASTS based on October 2016 School Census					
					2017	2018	2019	2020	2021	Comments
Primary Schools										
Elworth CE	45	45	315	315	334	366	391	415	431	
Elworth Hall	30	30	210	210	175	178	185	184	186	
Offley Primary	60	60	420	420	375	385	383	378	376	
Sandbach Primary Academy	15	15	105	105	103	111	117	117	118	
St John's CE	25	25	175	175	154	166	171	170	169	
Wheelock	45	45	315	315	303	325	328	332	334	
Total Schools Capacity				1,540						
Developments with S106 funded and pupil yield included in the forecasts				195						
Developments pupil yield not included in the forecasts									133	
Pupil Yield expected from this development									5	
OVERALL TOTAL	220	220	1,540	1,735	1,444	1,531	1,575	1,596	1,752	
OVERALL SURPLUS PLACES PROJECTIONS based on Revised NET CAP					291	204	160	139	-17	

In terms of secondary schools, the development would be served by Sandbach High and Sandbach School and the proposed development would generate 4 new secondary places which cannot be accommodated (see table below). As there are capacity issues at these local schools the education department has requested a contribution of £65,371.

	PAN Sep 17	PAN Sep 18	NET CAP May-17	any Known Change s	PUPIL FORECASTS based on October 2016 School Census						
Secondary Schools					2017	2018	2019	2020	2021	2022	2023
Sandbach High	210	210	1,074	1,074	1,169	1,236	1,329	1,390	1,418	1,420	1,452
Sandbach School	210	210	1,050	1,050	1,028	1,045	1,095	1,139	1,153	1,137	1,132
Total Schools Capacity				2,124							
Developments with S106 funded and pupil yield included in the forecasts				237	Please Note: All figures quoted exclude any allowance for 6th Form Pupils						
Developments pupil yield not funded and not included in the forecasts											46
Pupil Yield expected from this development											4
OVERALL TOTAL	420	420	2,124	2,361	2,197	2,281	2,424	2,529	2,571	2,557	2,634
OVERALL SURPLUS PLACES PROJECTIONS					164	80	-63	-168	-210	-196	-273

Both education contributions will be secured via a S106 Agreement should the application be approved.

Health

A number of the letters of objection raise concerns about the impact upon health provision in this area. In this case there has been no request for a contribution and a search using the NHS Choices website shows that they are still accepting patients at the Doctors Surgery in Sandbach indicating that there is capacity.

Residential Amenity

In this case the Congleton Borough SPG requires the following separation distances:

21.3 metres between principal elevations

13.8 metres between a non-principal and principal elevations

In this case the separation distances proposed to the adjacent dwellings fronting Abbey Road all exceed those set out within the SPG. The separation distances between principal elevations range between 37 metres and 38 metres. The separation distance between non-principal and principal elevations range between 25 metres and 27 metres. As such it is not considered that the proposed development would have a detrimental impact upon adjacent residential amenity through loss of light, privacy or overbearing impact.

As the non-principal elevation on Plot R145 includes a first floor window in close proximity to the shared boundary it will be necessary to attach an obscure glazing condition and to remove permitted development rights for new windows.

Light pollution

The concerns raised regarding light pollution have been noted and a condition could be attached to ensure that external lighting details are submitted to the Council for approval.

Noise

In terms of the impact upon the adjacent dwellings it is not considered that the proposed development would result in levels of noise from future occupiers which would harm residential amenity.

The applicant has submitted an acoustic report in support of the application. The impact of the noise from road traffic and industrial noise on the proposed development has been assessed in accordance with BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings and BS4142:2014 Methods for rating and assessing industrial and commercial sound. This is an agreed methodology for assessing noise of this nature.

The report recommends mitigation (in the form of glazing and ventilation) designed to ensure that occupants of the properties are not adversely affected by noise from road traffic and industrial noise. The conclusions of the report and methodology used are acceptable. As such, and in accordance with the acoustic report, a condition will be attached to ensure that the proposed mitigation measures are implemented as part of the proposed development.

Disturbance during the construction phase of the development

In this case a Construction Method Statement could be secured by condition to protect residential amenity.

Contaminated Land

The application is for new residential properties which are a sensitive end use and could be affected by any contamination present or brought onto the site. The Contaminated Land Report submitted in support of the application states that no remediation is required. However, a review of available information shows there were former buildings on the southern boundary which have not been investigated and this requires further assessment. As such, and in accordance with the NPPF, the Environmental Health Officer recommends that a contaminated land condition is attached to any approval.

Air Quality

Policy SE12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality whilst Policy H2 of the SNP states that development should not cause unacceptable air pollution. This is in accordance with paragraph 124 of the NPPF and the Government's Air Quality Strategy.

This proposal is for the erection of 25 new dwellings as part of a larger development comprising up to 280 dwellings. Whilst this scheme itself is of a small scale, an air quality impact assessment has been submitted in relation to the overall development of 280 dwellings. This assessment concludes that the overall development will have a negligible effect on the NO₂ levels and a negligible to slightly adverse impact on levels of particulate matter. However, there is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality.

Air Quality Monitoring undertaken in Sandbach indicates that the annual mean nitrogen dioxide limit value has been exceeded for the years 2014 – 2015 in the area around Middlewich Road. The Council is currently undertaking a verification process in accordance with the Local Air Quality Management regime including the need to declare an Air Quality Management Area and the due process involved in that decision. Sandbach also already has one Air Quality Management Area, and as such the cumulative impact of developments in the town is likely to make the situation worse, unless managed.

The Environmental Health Officer has requested the following conditions in relation to air quality;

- Dust Control
- Travel Plan
- Electric Vehicle Infrastructure

Subject to these conditions, the impacts on air quality will be adequately mitigated and the development will be in accordance with policies SE12 and H2.

Public Rights of Way

There are no public footpaths crossing the site.

The proposed provision of new cycle infrastructure on Middlewich Road and Abbey Road would increase the permeability of the site for non-motorised users.

However, the proposed access onto Abbey Road would be an 'emergency' and 'pedestrian/cyclist' access route. These should be designed and constructed to best practice standards for the use of pedestrians and cyclists in order to increase the permeability of the site.

Highways

The letters of objection refer to the highway safety and traffic generation implications of this proposed development. The proposed 25 dwellings would be accessed via the approved access at Middlewich Road approved as part of application 12/1463C whilst there would also be a link to the development site to the south which is accessed off Abbey Road (14/1189C – 165 dwellings – outline consent only).

The proposal for an additional 25 dwellings will have a minimal impact upon the wider highway network and the Councils Highway Officer considers that the development will generate an additional 15-20 vehicular two-way movements during the peak hour. This would be via the existing access onto Middlewich Road but when the development to the south is built out it would be split with the Abbey Road access point.

The internal highways design is to adoptable standards and parking provision is in line with CEC requirements. As a result the proposal complies with Policies IFT1 (Sustainable Transport, Safety and Accessibility) of the SNP, GR15 (Pedestrian Measures), GR16 (Footpaths Bridleway and Cycleway Networks), GR17 (Car parking), GR18 (Traffic Generation) of the CBLP and SD2 (Sustainable Development Principles) and SE 1 (Design) of the CELPS.

Trees and Hedgerows

The Arboricultural Impact Assessment Report identifies that for this site the impacts would involve the loss of 4 trees individual trees and a group of trees to accommodate the main vehicular access from Abbey Road (this loss was accepted as part of the approval of application 14/1189C), one tree from Group G9 and 42 metres of hedgerow to the south of the site.

Tree protection measures are proposed for retained trees however the measures do not extend to protect all the lengths of retained hedgerow, or to trees retained either side of the new access between 83 and 93 Abbey Road. An amended plan could be sought by condition.

Recommendations are made for planting to help to mitigate losses although planting on Abbey Road would have to be agreed with the landowner.

Design

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

Connections

Does the scheme integrate into its surroundings by reinforcing existing connections and creating new ones; whilst also respecting existing buildings and land uses along the boundaries of the development site?

The consented scheme only has a single point of vehicular access to the north off Middlewich Road whilst there is the potential for a second access point via Abbey Road between numbers 83 and 93 which is shown on the submitted plans for application 14/1189C. It is intended that that the development layout approved as part of application 14/1189C will connect through Phase 1 and that both Phases will be able to take access via either access point to the wider highway network. The submitted plans show the proposed link but the final details will only be secured when a Reserved Matters application is received for the outline approval 14/1189C.

Internally within the site the highway network has been improved through a more prominent loop road and a hierarchy of street design with varied road widths, shared services and a varied use of surfacing materials.

Pedestrian connectivity has also been improved to provide a connection to the central Avenue Greenway through the centre of the site and provision of a link along the southern boundary of the site. This ensures that the development ties into the approved pedestrian connections approved as part of the earlier phases.

Facilities and services

Does the development provide (or is it close to) community facilities, such as shops, schools, workplaces, parks, play areas, pubs or cafes?

This issue was considered as part of the outline application. The application site is highly sustainable and is within easy walking distance of the Town Centre, schools, employment, the train station, bus routes and leisure facilities.

Public transport

Does the scheme have good access to public transport to help reduce car dependency?

Again this issue was considered as part of the outline application. The application site is highly sustainable and is within easy walking distance of the Town Centre, schools, employment, the train station, bus routes and leisure facilities.

Meeting local housing requirements

Does the development have a mix of housing types and tenures that suit local requirements?

In terms of the affordable housing on site and as discussed above the development would provide a mix of affordable housing and the developer intends to provide 30% affordable housing across both this application and application 17/3915C.

In terms of the open market housing this is discussed above and is considered to be acceptable on balance given the scale of this application.

Character

Does the scheme create a place with a locally inspired or otherwise distinctive character?

The design guide identifies that Sandbach to the east is located within the Silk, Cotton & Market Towns area of the Design Guide and Elworth to the west is located within the Salt & Engineering Towns area of the design guide. This site is split between the two areas but given the surrounding residential development to Middlewich Road, Abbey Road and Park Lane it is considered that the site is more closely related to Sandbach. Sandbach is identified as an example settlement within the Design SPD and the design cues for this area include the following;

- Tudor, Georgian, Victorian and Edwardian architecture are all found within the town.
- A fine grain of residential lanes/secondary streets lie immediately adjacent to the main streets.
- Streets are well overlooked.
- Streets and lanes curve up the hills into the town centre creating unfolding views.
- Strong well enclosed urban spaces.
- Town centre is surrounded by rows of terraces, beyond which is a mix of 20th Century housing suburbs and estates.
- Mature 'Garden Suburb' style housing (i.e. Park Lane)

There is a variation of house-types adjoining the site. The majority are two-storey in height although there are some single-storey units in the area (to the north along Middlewich Road). The age of the surrounding dwellings also varies. To all sides and specifically to Park Lane and Abbey Road the residential areas are characterised by wide grass verges with mature trees planted within them. The dwellings surrounding the site vary from detached to semi-detached.

The surrounding dwellings have largely hipped roofs but there are some properties with pitched roofs located around the site. As a general rule the dwellings further west which are along Park Lane (specifically referred to within the Design Guide as 'Garden Suburb' style housing) are more detailed, with the a greater mix of dwellings along Middlewich Road and simpler designed semi-detached units located along Abbey Road. The dwellings in the locality of the site include a number of design features such as projecting gables (some with timber infill details but the majority in brick, render or with hanging tiles), bay windows (single and two-storey), window header and sill details (brick, arched and flat-topped) and chimneys. The materials in the locality are largely red brick with some render properties and hanging tile detailing. The roofs are largely tiled (relatively even split of blue and red).

The proposed dwellings would all be two-storeys in height. The proposed dwellings would have a mixed roof design and there appears to be an even split between hipped and pitched roofs. The roof heights vary across the development which would add some interest. The height variation across the proposed development is consistent with the wider locality in this part of Sandbach and is considered to be acceptable.

Largely it is considered that the proposed development respects this character of the area. Many of the design cues within this location are incorporated into the development with a modern design. The development includes projecting gables (some with a timber and render infill), window design includes bay windows, brick cill and header details, brick banding, hanging tiles to two-storey bay windows (the design guide refers to single and full height bay windows) and finial detailing.

The perimeter block type layout is at an appropriate density (15.9 dwellings per hectare) with corner turning houses providing active frontages and removing the requirement for prominent blank gables within the street-scene. However it is considered that further work could be done to improve the side elevations to certain plots; R152, A57 and A44. An update will be provided in relation to this matter.

The proposed materials would match the first phase of the development and complies with the Cheshire East Design Guide.

Working with the site and its context

Does the scheme take advantage of existing topography, landscape features (including watercourses), wildlife habitats, existing buildings, site orientation and microclimates?

The site is currently open former farmland with no existing buildings with the retention of the majority of existing hedgerows to the southern and south-east edge of the site.

The only concern was the relationship to the existing dwellings and the lack of buffer. However the amended plans now show that this would be provided.

Creating well defined streets and spaces

Are buildings designed and positioned with landscaping to define and enhance streets and spaces and are buildings designed to turn street corners well?

The proposed dwellings are generally positioned well in a loose perimeter block layout, front doors face the street, blocks turn corners effectively in a variety of ways creating good passive surveillance and they do define the streets and spaces. However it is considered that further work could be done to improve the side elevations to certain plots; R152, A57 and A44. An update will be provided in relation to this matter.

Easy to find your way around

Is the scheme designed to make it easy to find your way around?

The layout is legible with a wide variety of house types and a varied and interesting layout including corner turning blocks and properly terminated views all of this will aid navigation around the proposed development. The proposal now provides pedestrian/cycle linkages with the earlier phase of development and Abbey Road.

Streets for all

Are streets designed in a way that encourage low vehicle speeds and allow them to function as social spaces?

There is a clear hierarchy of streets with variations in materials and shared-space mews turnings. It can be seen that all streets are designed in such a way as to reduce vehicle speeds. There is a real potential for the streets to be used as social/play spaces, specifically the shared-space areas. Overall the streets are pedestrian and cycle friendly as well as being safe for vehicles.

Car parking

Is resident and visitor parking sufficient and well integrated so that it does not dominate the street?

The level of off street parking is suitable and complies with the Councils standards. This is provided predominantly in curtilage on driveways to the front and side of homes and in small parking courts serving the terraces of smaller two and three-bed houses. These parking courts are landscaped with short runs of adjacent bays which are located close to properties and are well overlooked.

Public and private spaces

Will public and private spaces be clearly defined and designed to be attractive, well managed and safe?

All areas of public open space are well overlooked and would feel safe. With regard to private space, every house has a private but independently accessible rear garden that is clearly defined and most homes also have gardens to the front.

External storage and amenity space

Is there adequate external storage space for bins and recycling as well as vehicles and cycles?

All houses have adequately sized rear gardens with external access that are suitable for the storage of refuse and recycling bins as well as potentially cycles.

Design Conclusion

On the basis of the above assessment it is considered that the proposed development does score well and on this basis it is considered that the design of the development is acceptable and would comply with the Cheshire East Design guide.

Land Levels

The applicant has provided a plan which shows the land levels of the proposed development. There would be some minor changes to the levels on the site which are considered to be acceptable.

Landscape

The applicant has now provided a landscaping scheme for the site. This includes tree planting to form a buffer to the dwellings which surround the site and follows on from that approved on the earlier phase. The detailed landscaping scheme has been considered by the Councils Landscape Architect and the details are considered to be acceptable.

Ecology

Other Protected Species

Evidence of other protected species activity was previously recorded on this site during surveys completed in support of previous planning applications.

No evidence of other protected species was recorded during the updated survey and so the proposed development is unlikely to have an impact upon this species.

In the event that planning permission is granted a condition could be imposed which requires the submission of an updated badger survey to be undertaken prior to the commencement of development.

Hedgerows

Hedgerows are a priority habitat and hence a material consideration. The existing hedgerows occur on the sites western, northern and southern boundaries. The hedgerows on the northern and western boundaries are not shown as being retained on the submitted landscape masterplan and a condition to ensure the protection of all hedgerows on the site is proposed.

Ecological Enhancements

The open space areas towards the site eastern edge provide an opportunity to secure an enhancement for biodiversity in accordance with the NPPF. The detailed landscaping scheme shows the provision of meadow grassland in this area as well as the use of native tree planting.

Nesting Birds

If planning consent is granted the conditions are required to safeguard nesting birds and ensure some additional provision is made for roosting bats and nesting birds as part of the proposed development.

Flood Risk/Drainage

The application site is located within Flood Zone 1 (low probability of river/tidal flooding) according to the Environment Agency Flood Maps.

The development of the wider site has been approved previously and it is not considered that the additional 25 dwellings would cause any flood risk/drainage implications. The Councils Flood Risk Management Team have raised no objection to this application subject to the imposition of planning conditions.

Archaeology

This application covers only the western extent of the proposed development area where no significant archaeological deposits were encountered and therefore the Cheshire Archaeology Planning Advisory Service (APAS) advise that no further archaeological mitigation is required within this area.

Economic Sustainability

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to Sandbach including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

CIL Compliance

In order to comply with the Community Infrastructure Regulations 2010 it is necessary for planning applications with planning obligations to consider the issue of whether the requirements within the S106 satisfy the following:

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

As explained within the main report, the area of open space/LEAP is identified on the submitted plans. It is necessary to secure these works and a scheme of management. This is directly related to the development and is fair and reasonable.

The development would result in increased demand for primary and secondary school places in the area and there is very limited spare capacity. In order to increase capacity of the primary and secondary schools which would support the proposed development, a contribution towards primary and secondary education is required. This is considered to be necessary and fair and reasonable in relation to the development.

On this basis the S106 recommendation is compliant with the CIL Regulations 2010 and a Deed of Variation will be required to the original S106 Agreement.

PLANNING BALANCE

The letters of objection from local residents and the Town Council have been noted. However the principle of development is considered to be acceptable as the site lies within the settlement boundary as defined by the SNP. The principle of the proposed development would also comply with the CELPS and the CBLP.

Despite the concerns raised in the letters of objection the development will not have a detrimental impact upon residential amenity, it would provide benefits in terms of much needed affordable housing provision and would help in the Councils delivery of 5 year housing land supply. The development would comply with Policy GR6 (Amenity and Health) of the CLP.

In terms of the POS and play space provision this is considered to be acceptable and would be a benefit to this scheme.

The proposed landscaping scheme is acceptable and the development is acceptable in terms of its impact upon ecology and trees/woodlands and would comply with Policies SE1 (Design), SE3 (Biodiversity and Geodiversity), SE4 (The Landscape), SE5 (Trees, Hedgerows and Woodland) and SE6 (Green Infrastructure) of the CELPS and PC2 (Landscape Character) and PC4 (Biodiversity and Geodiversity) of the SNP.

The drainage/flood risk implications for this proposed development are considered to be acceptable.

The proposed access point is acceptable and the traffic impact as part of this development has already been accepted. The internal design of the highway layout and parking provision is considered to be acceptable.

The design/layout of the development is considered to be acceptable and has been subject to negotiation with the developer. The design/layout is considered to comply with the Design Guide SPD and Policies SE1 (Design) of the CLP and H2 (Housing Layout) of the SNP.

RECOMMENDATION:

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

1. A scheme for the provision of affordable housing % to be agreed – Tenure split to be confirmed The scheme shall include:

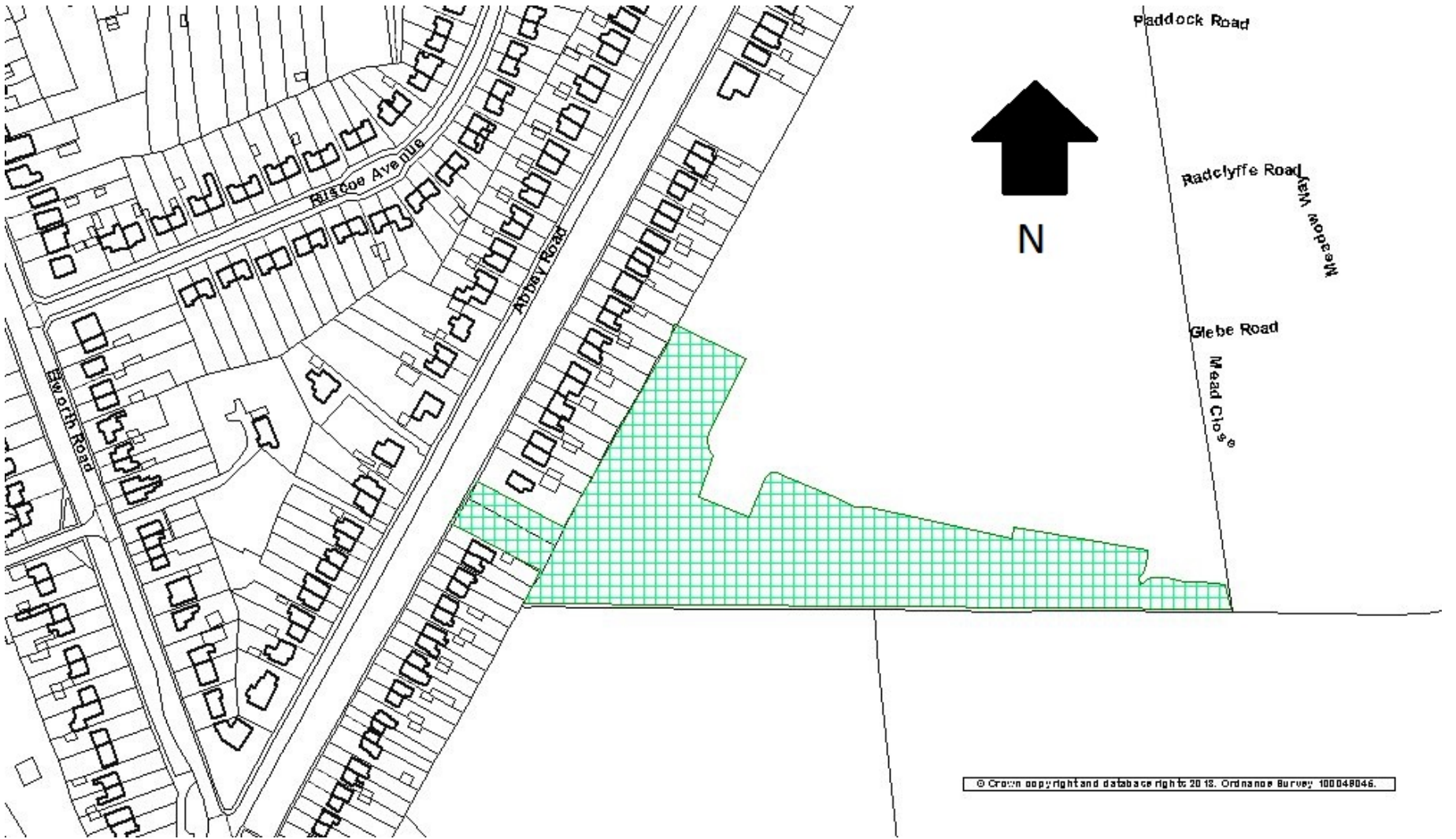
- The numbers, type, tenure and location on the site of the affordable housing provision**
- The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing**
- The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved**
- The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and**

- The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
- 2. Provision of a LEAP/Public Open Space to be maintained by a private management company
- 3. Education Contribution of £54,231 for Primary Education and £65,371 for Secondary Education

AND the following conditions;

1. Standard time – 3 years
2. Approved Plans
3. Obscure glazing first floor window to the side of plot R145
4. External Lighting Details to be submitted and approved
5. Construction Method Statement to be submitted and approved
6. Contaminated Land Report to be submitted and approved
7. Dust Control measures to be submitted and approved
8. Travel Plan to be submitted and approved
9. Electric Vehicle Infrastructure to be submitted and approved
10. Noise mitigation measures to be implemented as part of the proposed development
11. Prior to the first occupation of the development a scheme to provide an additional 4 pieces of play equipment within the Community Park on phase 1 in accordance with the submitted plans
12. Tree Retention
13. Updated scheme of Tree and hedge protection
14. Updated Arboricultural Management strategy with addition of an auditable programme of arboricultural supervision and reporting to the LPA
15. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment
16. The development hereby permitted shall not commence until a drainage strategy detailing on and off site drainage works along with flood water exceedance routes, both on and off site has been submitted to and approved in writing by the LPA.
17. No development should commence on site until such time as detailed calculations to support the chosen method of surface water drainage have been submitted to and agreed in writing with the LPA
18. Updated survey for other protected species
19. Nesting birds timing of works
20. Scheme of nesting bird/roosting bat mitigation
21. A scheme of boundary treatment to be submitted and approved
22. Materials in accordance with the approved plans

In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chair (or in her absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.



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Application No: 17/4326N

Location: Wrenbury Fishery, Hollyhurst Road, Wrenbury, CW5 8HE

Proposal: Siting of 20 Timber Clad Twin Unit Caravans for Holiday Accommodation, Associated Access/Car Parking Works and Landscaping

Applicant: W Spencer, Marcus Brook Ltd

Expiry Date: 11-Jan-2018

SUMMARY

On 27th July the Council adopted the Cheshire East Local Plan Strategy therefore the Council have demonstrated that they have a 5 year supply of deliverable housing sites.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.” The National Planning Policy Framework, which is the Secretary of State’s guidance, also advises Councils as to how planning decisions should be made. The ‘presumption in favour of sustainable development’ at paragraph 14 of the NPPF means “approving development proposals that accord with the development plan without delay”

The site lies largely in the Open Countryside as designated by the Adopted Cheshire East Local Plan, where policy PG6 states that within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.

The proposal seeks consent for the siting of 20 caravans and associated works for use as holiday lodges. Therefore the proposal is clearly aimed at tourism and outdoor recreation.

The development and use of the site has also already been established under the previous planning approval ref 10/4610N. This is an important material consideration. Whilst policy has changed since this decision, the current policy stance offers even stronger support for this type of use. As a result the principle of the development remains acceptable.

The proposal is considered to have a neutral impact in terms of amenity, highway safety, ecology, contaminated land, trees and flood risk.

The proposal is considered to have benefits in terms of boost to the rural economy through creation of jobs and spending of guests/users of the site and boost to local tourism by creating new visitor facilities/accommodation.

The negatives would be the visual impact on the open countryside however this impact is limited by the low key nature of the structures which are visually in keeping and would be predominantly screened by existing and proposed planting.

The previous decision to approve the use is also an important consideration especially as the current scheme seeks a reduced scheme from that previously approved.

Applying the tests within paragraph 14 it is considered that the benefits outweigh the dis-benefits. As such, on balance, it is considered that the development constitutes sustainable development and should therefore be approved.

RECOMMENDATION

APPROVE

PROPOSAL

The application seeks the siting of 20 timber clad twin unit caravans for holiday accommodation, associated access/car parking works and landscaping. The proposal also includes a warden's office, recycling area and cycle storage area.

The supporting information states that each unit will be a single storey structure with a pitched roof and measure a maximum of 6.8m x 20m in length with an internal ceiling height no greater than 3.05m. This complies with the definition of caravans as given in the Caravan Sites Act 1968 and amended by Statutory Instrument 12374:2006.

The 80 space car park approved under the planning permission for the fishery is no longer to be provided but each of the 20 units will have one parking space immediately outside the unit. The total number of parking spaces proposed is therefore 30. The proposal only includes a warden's office rather than an administration building as was previously approved and proposes the same overall number of units in the same location.

The twenty caravans to be provided would be placed to the south of Lake 1 and around Lake 3, the largest of the lakes. The access to the north is no longer proposed.

The landscaping scheme submitted with the application retains the existing hedgerows and trees around the site and on the road frontage to Hollyhurst Road. In addition the trees and hedgerow along one side of the original farm track located centrally through the site and those on the southern and eastern site boundaries are retained. The scheme now includes blocks of buffer planting whether as woodland mix and/ or hedgerow mix around Lake 2 (except where the four caravans are to be provided) and west of Lake 2, around the car park for the fishery, along the southern site boundary and the south eastern corner of Lake 3. There are also two smaller areas of hedgerow/ woodland mix along the eastern boundary of

Lake 3 between groups of caravans. In addition new tree groups will be provided to define the spaces between caravans.

SITE DESCRIPTION

The application area is an irregular shaped piece of gently undulating land where fishing pools have been constructed under a previous planning permission. A single island is present in each pool which is joined to the bank by an isthmus of land. The site is approached on an unmade access track located to the west of the application area with an access point on Hollyhurst Road. The track serves a poultry unit and other activities. Adjacent land was subject to an application for a water bottling facility.

The site is enclosed by established hedges, trees and fences. An unmade track with a mature hedgerow on one side passes through the middle of the application area.

The site is located within open countryside in the Local Plan.

RELEVANT HISTORY

11/1464N – Building and Plant for Bottling Water at Source with Access, Parking and Space for Loading and Turning – granted 27-Sep-2011

10/4610N – Siting of 20 Timber Clad Twin Unit Caravans for Holiday Accommodation & Erection of Administration Building on Site which already has Planning Permission for a Recreational Fishery Including an 80 Space Car Park – allowed at appeal 24 June 2011

10/1131N – Building and Plant for Bottling Water at Source with Access, Parking and Space for Loading and Turning – withdrawn 20-May-2010

10/1776N Siting of 34 Timber Clad Twin Units Caravans, Access works, Car Parking, Administration Building, Cycle Store and Landscaping – refused 27th September 2010 and dismissed at appeal given the harm to the open countryside

P09/0205 – Siting of Essential Rural Workers Dwelling in Association with Existing Fishery – refused 14-May-2009 as no essential need demonstrated

P06/0771 Three Commercial Fishing Lakes, Associated Car Parking, Toilet Building, Breeding Tanks and the Construction of an Access Road – approved 25th August 2006.

P06/0361 – Change of Use of Land to Commercial Fishing including Excavation of Three Commercial Fishing Lakes, Associated Car Parking, Toilet Building, Breeding Tanks and Construction of Access Road – withdrawn 16-May-2006

P04/0452 – Poultry Unit, Temporary Mobile Home, Access Track and Passing Places (retrospective in part) – approved 24-Aug-2004

DIFFERENCE BETWEEN CURRENT PROPOSAL AND THAT APPROVED UNDER 10/4610N

The current scheme is the same as the 10/4610N scheme approved by the Inspector other than it no longer proposes the 80 space car park and only includes a warden's office rather than an administration building.

The proposal also no longer includes connection with the fishery element.

NATIONAL & LOCAL POLICY

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development

28. Supporting a prosperous rural economy

56-68. Requiring good design

109-125 Conserving and enhancing the natural environment

Development Plan

Cheshire East Local Plan Strategy – Adopted Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

MP1 – Presumption in favour of sustainable development

PG1 – Overall Development Strategy

PG2 – Settlement Hierarchy

PG6 - Open Countryside

PG7 – Spatial Distribution of Development

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

SE5 – Trees, Hedgerows and Woodland

SE 1 - Design

SE 2 - Efficient Use of Land

SE 4 - The Landscape

SE 5 - Trees, Hedgerows and Woodland

SE 13 - Flood Risk and Water Management

EG1 – Economic Prosperity

EG2 – Rural Economy

EG4 – Tourism

SC1 – Leisure and recreation

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy Local Plan that still apply and have not yet been replaced. These policies are set out below.

NE.20 Flood Prevention

BE.1 Amenity

BE.3 Access and Parking

BE.4 Drainage, Utilities and Resources

BE.6 Development on Potentially Contaminated Land
NE.5 Nature Conservation and Habitats
NE.9 Protected Species
TRAN.3 Pedestrians
TRAN.5 Provision for Cyclists
RT10 Touring Caravans and Camping Sites

Wrenbury Neighbourhood Plan (Regulation 7 stage)

This is not at Regulation 14 stage and therefore cannot be attributed any weight

CONSULTATIONS

CEC Highways: No objection

CEC Environmental Health: No objection subject to conditions/informatives offered in all other regards such as external lighting, contaminated land and working hours for construction sites

CEC Flood Risk: No objection

CEC Visitor Economy: Support the proposal given the benefits to tourism and the rural economy

CEC Public Rights of Way: No objection subject to condition protecting the Public Right of Way

VIEWS OF THE PARISH/TOWN COUNCIL

Wrenbury-cum-Frith Parish Council offers the following comments:

- The road is extremely narrow and unsuitable for larger vehicles
- this will cause problems particularly during the building phase of the development
- The applicant has identified this and suggested a shuttle bus and it is expected that this will be enforced
- The site is in open countryside as set out on the Cheshire East Local Plan
- There is concern about the site being used for residential purposes therefore expects That a condition to any approval should restrict occupancy to less than a full year
- There is concern about the future use of the site.

Marbury and District Parish Council object on the following grounds:

- Hollyhurst Road is narrow with very soft grass verges and no passing places. It is used as a "Rat Run" between Whitchurch and Wrenbury/Nantwich, it is also well used by walkers, horseriders and cyclists.
- The Council were also very concerned at the position of the entrance to the site in relation to the junction of Hollyhurst Road and the Marbury/Wrenbury Road a very short distance from the entrance; measured in meters! The entrance is on a blind bend which is not very obvious from the plans but would have been obvious on a site visit.
- The Appeals Inspector commented on the narrow roads but would not have been aware of recent applications for a Wedding Venue and a Caravan and Camping site on this road. The situation now is very different now to when the original Application was made.

- As indicated in the comments on 17/4155N when the realistic traffic movement related to the Wrenbury Fishery/Holiday Camp is considered the number is well in excess of 20 units - occupancy of 8+ per unit could result in at least 2 or 3 vehicles per unit. The thought of an extra 40 to 60 vehicles in this area in addition to Farm traffic and HGVs, as well as traffic generated by farmers changing from milk production to potatoes etc. is obviously a major concern to residents
- There also seemed to be other activities in the area that would have negative influences on road safety and traffic.

REPRESENTATIONS

Letters received from x2 households regarding the following:

- Current proposal is not a certified camping site
- Harm to character/appearance of the area/countryside
- Harm to living conditions of residential properties in particular lakeside barns which was not in occupation at the time of the last application
- Noise from use of generators
- Concern from security given the number of people visiting the site
- Light pollution
- Highways safety concerns
- Ecology/wildlife concerns
- Precedent for future housing applications
- Incomplete application as no details of warden office provided
- Design and access statement is inaccurate/miss leading
- Should be considered on its own merits regardless of previous applications
- Parish Council comments should be considered
- Application includes land owned by Lakeside Barns
- Application form is wrong as it states that the site cannot be viewed from the road
- Could be used as dwellings
- Too much parking

APPRAISAL

Principle of Development

The site lies largely in the Open Countryside as designated by the Adopted Cheshire East Local Plan, where policy PG6 states that within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.

Policy PG6 considers development that is essential for outdoor recreation and other uses appropriate to the rural setting to be acceptable in the open countryside. The proposal seeks consent for the siting of 20 caravans and associated works for use as holiday lodges. Therefore the proposal is clearly aimed at tourism and outdoor recreation and therefore complies with policy.

The development and use of the site has also already been established under the previous planning approval ref 10/4610N. This is an important material consideration.

Whilst policy has changed since this decision, the current policy stance offers even stronger support for this type of use. As a result the principle of the development remains acceptable.

In the appeal for the 10/4610N scheme the planning inspector considered there to be 3 main issues with these being the effect on the character/appearance of the rural area, the sustainability of the site and the impact on the local economy.

These are explored below.

LOCATIONAL SUSTAINABILITY

The site is considered to be fairly isolated given its rural setting. However it is accepted that there are some tourism sites by their very nature which are difficult to access by sustainable modes of transport.

This issue was previously addressed by the planning inspectorate who commented as follows:

“In my view, the site’s rural location means that the proposed developments fall into this category. However, in their favour, there are shops and bus stops in Wrenbury about 1.8km away, and Wrenbury railway station is just over 2km away. Furthermore, the rural roads and footpaths in the area make recreational cycling and walking an attractive proposition.

Whilst I share the Council’s view that the proposed schemes would be largely car dependent, it is clear that the site could be accessed by a range of means of transport; one of the criteria of LP policy RT.6. I have also taken into account the appellant’s willingness to implement a Travel Plan with features such as an on-site minibus service, footpath and cycle route information and a pre-order service for basic groceries. I have therefore reached the view that the location of the appeal site is not something that warrants a refusal on sustainability grounds. The principles of sustainability are met to a sufficient degree.”

Given that the current proposal relates to the same site and the same use (excluding the fishery element) the location and proposal is considered to meet sustainability principles.

ENVIRONMENTAL SUSTAINABILITY

Residential Amenity

The main residential properties affected by this development are properties known as Yew Tree Barns and Lakeside Barn.

The nearest buildings of the proposal would be the caravans to the north of the sited which would be sited over 120m away to the boundary with the nearest residential property (Lakeside Barn) and set at a lower level.

This separation distance is clearly sufficient to prevent any significant harm to living conditions. Concerns have been raised by the occupants of these properties that the proposal would cause harm to living conditions through noise and disturbance. However the proposal has already been deemed to not cause any significant harm to living conditions by the planning inspector.

No details of external lighting have been submitted with the application but in reality some degree of lighting would be required to ensure the safety of people staying in the accommodation at night time. Therefore a condition should be attached to any permission for a scheme of lighting to be submitted, approved and implemented. Lighting should be predominately low level lighting, angled down, shielded and controlled by sensors so as to reduce light pollution. With these controls the lighting should not adversely impact on residential amenities at nearby dwellings.

The current proposal is also considered to be less intensive than the previous scheme as it no longer includes the fishery element and the parking area to the south-western boundary has been reduced. As a result it is considered that the proposal would actually improve the impact to living conditions compared to the previous scheme.

Notwithstanding the fact that the principle has already been established the use is for holiday lodges which would not be expected to result in any significant noise and disturbance over and above that which would be associated with a standard residential use.

As a result there would be no significant harm to living conditions of neighbouring properties.

Contaminated Land

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

Highways

The proposal would utilise an existing access from Hollyhurst Lane as per the previous application but no longer proposed to utilise the access to the north.

The application reflects the approval for the 20 timber clad caravans but the number of spaces, other than those associated with each individual unit, has been reduced from 80 to 10. Each individual unit will have a parking space located adjacent to them.

The Council's Highways Engineer has also been consulted and has confirmed that he has no objections to the proposal.

As a result it is considered that the proposal could be accommodated without resulting in any significant harm to the existing highway network.

Landscape

The site is located in open countryside to the south west of Wrenbury. It comprises undulating grassland surrounding three lakes. There are lengths of hedge with hedgerow trees around the periphery, a hedge within the site and a single Oak tree within the site. The site is accessed from Hollyhurst Road along an existing track.

In 2006, approval was granted for a commercial fishery, an administration building, an 80 space car park, breeding tanks and an access road on the site. The lakes, breeding ponds and part of the access road have been implemented. In June 2011 under application 10/4610N, consent was granted on appeal for

a proposal 'Siting of 20 timber clad twin unit caravans for holiday accommodation & erection of an administration building on site which already has planning permission for a recreational fishery including an 80 space car park'.

The current application is similar to the proposals under 10/4610N but proposes a smaller carpark, and a wardens office rather than an administration building. The layout for the caravans is the same.

Whilst the LPA raised concerns regarding landscape impacts in respect of earlier proposals, the principle of a development of greater scale than now proposed has been deemed acceptable by a Planning Inspector.

The Councils Landscape Officer has also been consulted and has advised that she has no objection subject to the below conditions

- Detailed hard and soft landscape scheme to include specific detail for each plot
- Details of levels for each caravan
- Details of any proposed hardstanding for each unit
- Details of service and drainage routes
- Details of proposed external lighting
- An ecology & landscape management plan for the future management of the site
- A construction management plan to include details of spoil disposal

As a result any impact on the landscape would be mitigated by the above conditions.

Trees

There are boundary hedgerows to the site and a number of trees present, mainly in the hedgerows with a single mature Oak in the southern western area of the site.

The application is supported by a tree survey and assessment dated July 2017. This updates an earlier survey. Site layout plan 1300/03 shows tree constraints and lines of tree protection fencing in relation to the development proposals. The plan also identifies areas where no dig construction would be required to accommodate tree root protection areas.

As the majority of trees are to remain and the location of built form is as approved it is not considered that the current proposal would pose any harm to existing tree stock.

The Councils Arborist has also been consulted and has advised that she has no objection to the proposal subject to the below conditions:

- Non standard Levels
- Tree protection
- Non standard engineering details
- Service/drainage layout

Character/Appearance/Countryside

The site is an area of open grassland and lakes. All 20 caravans would be around the 2 eastern-most lakes. There would be no caravans around the western-most lake or, indeed, in any part of the western half of the site.

The open countryside in which the site lies is gently undulating, with hedges, mature trees and blocks of woodland. Buildings are few and far between. The nearest are at Yew Tree Farm, Yew Tree Barns & Lakeside Barns immediately to the north of the site, and there is a poultry farm to the south. Clear views of the site can be obtained from the garden of No 1 Yew Tree Barns and Lakeside Barns.

The site is generally secluded. The publicly accessible viewpoints with the greatest sensitivity, and where the greatest adverse impact would be experienced, are the footpath that runs to the east and south of Yew Tree Farm and the railway line slightly further to the north. The line is elevated, and train passengers would be able to see across the site.

Policies EG2 (Rural Economy), EG4 (Tourism), SC1 Leisure and Recreation) have a presumption in favour of recreational/tourism uses in the open countryside provided that, amongst other things, they do not harm the character or appearance of the countryside/landscape. Therefore a balance has to be struck between the recreational benefits of the 2 schemes and the protection of rural character.

As part of the previous appeal the inspector considered the issues of the impact on the character/appearance of the surrounding rural area and advised as follows:

In my view, the timber-clad caravans on the islands would be far more intrusive and prominent than those on the areas around the 3 lakes where ground levels appear to be generally lower.....In contrast, the 20-caravan scheme would not cause unacceptable harm because, not only would there be 14 fewer caravans, but there would also be no caravans on the western half of the site, none around the western-most lake and none on any of the islands.

I have also taken into account the mitigating effect of new planting. The appellant has devised landscaping schemes that include generous amounts of buffer planting to screen the caravans, particularly when viewed from the public footpath and Yew Tree Barns. The landscaping scheme for the 34-caravan scheme is more extensive but, in my view, the location of some of the planting could appear incongruous relative to the natural distribution of trees and hedges in the surrounding landscape, thereby causing undue change to the landscape's character

In addition, I consider that lights, activity and noise arising from the proposed use of the site would have a harmful effect on the tranquil character of this rural area. Logically, the greater the number of caravans the greater the harmful effect is likely to be.

Taking all the above reasons into account, I have reached the view that the 34- caravan scheme (Appeal No 1) would have an unacceptably harmful effect on the character and appearance of the surrounding rural area, whereas the 20- caravan scheme (Appeal No 2) would not.

Given that the inspector concluded that the previous scheme was acceptable in terms of impact on the open countryside, it would be unreasonable to conclude that the current proposal which seeks a slightly reduced scheme (less car parking and no association with the fishery) would have any harmful visual impact over and above the more intensive scheme which was allowed at appeal.

Notwithstanding the previous decision, given the limited heights of the caravans at just 3.05 and the significant boundary treatments both existing and proposed, it is considered that the visual impact of the proposal could be suitably mitigated to prevent significant visual impact. The design of the units would

consist of timber clad with would further assimilate with the rural setting. Materials forming access and parking areas could also be dealt with by condition to ensure that any visual impact is limited.

As a result it is not considered that the proposal would cause any significant visual harm to the overall character/appearance of the area.

Flood Risk

The site is in an area identified as having a low probability of flooding on the Environment Agency Flood Map and therefore a Flood Risk Assessment has been prepared. The site falls within Flood Zone 1, i.e. has a probability of less than 1 in 1000 in any one year (0.1%).

A Flood Risk Assessment has not been provided for the current proposal but one was provided for the previous application. This was based on the more intense use and concluded if the surface water run-off is managed correctly, then there will be no increase in flood risk to the development or to others. The land use also falls into 'more vulnerable' and this is appropriate for Flood Zone 1.

The planning inspector did not conclude any concerns from a flood risk/drainage perspective for the original scheme subject to drainage based conditions. Any issues concerning pollution of water/water quality would be a matter for the Environment Agency, who incidentally did not object to the previous application.

The Councils Flood Risk Team have also been consulted and have not raised any objection subject to drainage conditions.

Given that the current application is a resubmission of the same use where no significant drainage/flood risk issues were raised, the same is considered reasonable for the current proposal and therefore it is not considered that the proposal would pose significant concerns from a drainage/flood risk perspective.

Ecology

Hedgerows

As per the submitted layout plan (Drawing no: 1300-L02C) the existing hedgerows should be retained as part of the development. If planning consent is granted the Councils Ecologist recommends a landscape condition be attached that includes the retention and enhancement of the boundary hedgerows.

Trees

There are some anticipated losses during site clearance. The tree known as T9 in the submitted Preliminary Ecological Assessment (UES, 28/06/2017) had a confirmed soprano pipistrelle roost in 2010. Site plans show retention of T9 which should also be conditioned.

Great Crested Newts

Evidence of a medium population of Great Crested Newts (GCN) across 12 of the waterbodies on site and within 250m of the site has been recorded, including all 3 of the former fishing lakes. The usage of the site by GCN could potentially include extensive areas of terrestrial habitat as well as the lakes and ponds. The proposed loss of and disturbance to areas of terrestrial habitat on this site in the absence of

mitigation is likely to have a medium impact upon on GCN at the local level and a low impact upon the conservation status of the species as a whole.

The submitted report and method statement recommends the creation of hibernacula and enhancement of terrestrial habitat as a means of compensating for the loss of habitat and also recommends the timing and supervision of the works, including newt fencing, pitfall trapping and translocation of amphibians during the construction phase of the development to reduce the risk posed to any GCN that may be present when the works are completed.

Important

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected the proposed development the planning authority must have regard to whether Natural England would be likely to subsequently grant the applicant a European Protected species licence under the Habitat Regulations. A licence under the Habitats Regulations can only be granted when:

- the development is of overriding public interest,
- there are no suitable alternatives and
- the favourable conservation status of the species will be maintained.

EC Habitats Directive

Conservation of Habitats and Species Regulations 2010

ODPM Circular 06/2005

The UK implemented the EC Directive in the Conservation (natural habitats etc) regulations which contain two layers of protection:

- A licensing system administered by Natural England which repeats the above tests
- A requirement on local planning authorities ("lpas") to have regard to the directive's requirements.

The Habitat Regulations 2010 require local authorities to have regard to three tests when considering applications that affect a European Protected Species. In broad terms the tests are that:

- The proposed development is 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
- There is no satisfactory alternative
- There is no detriment to the maintenance of the species population at favourable conservation status in its natural range.

Current case law instructs that if it is considered clear or very likely that the requirements of the directive cannot be met because there is a satisfactory alternative, or because there are no conceivable "other imperative reasons of overriding public interest", then planning permission should be refused. Conversely, if it seems that the requirements are likely to be met, then there would be no impediment to planning permission be granted. If it is unclear whether the requirements would be met or not, a balanced view taking into account the particular circumstances of the application should be taken.

Overriding Public Interest

The provision of mitigation would assist with the continued presence of newts.

Alternatives

There is an alternative scenario that needs to be assessed, this are:

No development on the site

Without any development, specialist mitigation for newts would not be provided which would be of benefit to the species. Furthermore, the existing habitat could be lost as the result of the activities from the permitted fishery.

The Council's Ecologist has advised that if consent is granted the proposed mitigation/compensation is broadly acceptable and with some additions is likely to maintain the favourable conservation status of the species.

If planning consent is granted a condition to require the development to be undertaken in accordance with the Great Crested Newt Method Statement (UES, 29/06/2017) will be required.

Landscaping and ponds

The Councils Ecologist suggests that conditions should be applied that require: the landscaping of the site to be in accordance with the submitted drawing number 1300-L02D, including the access road layout and location of the new agreed wildlife pond; The creation of the pond in accordance with drawing number 1300-D05.

Other Protected Species

A main set has been recorded on site. As per the submitted Preliminary Ecological Assessment (UES, 28/06/2017) a preliminary check should be carried out up to 1 year prior to works commencing, and a further check immediately before works commence to confirm the no new setts have been created. The Councils Ecologist has suggested that a condition should be attached that following the pre-commencement checks works can proceed under the reasonable avoidance measures outlined in the submitted Preliminary Ecological Assessment providing badger activity remains confined to its previously confirmed location. If new setts are identified a Natural England licence may be required.

Grassland

Much of the site is composed of semi-improved grassland habitat. Under the Local Wildlife Site selection criteria the botanical species assemblage recorded during the Preliminary Ecological Assessment qualifies the habitat as restorable grassland meaning it has potential to be restored to Biodiversity Action Plan priority habitat. The Preliminary Ecological Assessment proposes to enhance and maintain this habitat by way of an Ecological Development Strategy and Landscape and Ecology Management Plan. The management plan(s), to include management of all grassland habitat on site for the operational life of the development should be submitted for review and approval. Adherence to the management plan, can be a post determination approval. The plan shall also consider how a resident badger population would be managed in relation to the proposed newt mitigation fencing during the construction phase

Breeding Birds

If planning consent is granted, the Councils Ecologist has recommended the following conditions:

- Detailed survey shall be carried out to check for nesting birds.
- Incorporation of features into the scheme suitable for use by breeding birds

The above conditions are considered to be necessary and reasonable in the interests of nature conservation and will therefore be added to any decision notice.

ECONOMIC SUSTAINABILITY

Rural Economy/Tourism

EG2 advises that proposals that create or extend rural based tourist attractions, visitor facilities and recreational uses will be supported provided it supports the rural economy, and could not reasonably be expected to locate within a designated centre, no harm to open countryside/appearance of the area and has adequate infrastructure.

The proposal would clearly benefit the rural economy as it would provide jobs and local spending power from visitors/users of the site. Given the nature of the use relying on the access to the countryside it would not be appropriate for the use to locate within a designated centre. The buildings are low key in height, with acceptable timber cladding appearance and would be screened by existing and proposed planting and would not cause significant harm to the appearance of the countryside. There are shops and bus stops in Wrenbury about 1.8km away, and Wrenbury railway station is just over 2km away. Furthermore, the rural roads and footpaths in the area make recreational cycling and walking an attractive proposition. Therefore it is considered that the site has adequate infrastructure.

EG4 advises that proposals which promote the enhancement and expansion of existing visitor attractions / tourist accommodation, and the provision of new visitor and tourism facilities, in sustainable and appropriate locations will be supported if in sustainable locations, use sustainable transport modes, evidence that tourist facility is required with a particular countryside attraction, access to services, no harm to landscape or amenity and adequate infrastructure.

As noted above the site is located in close proximity to services in Wrenbury and has access to walking and cycling routes. This issues was covered by the planning inspector for the previous appeal who concluded that

“It is clear that the site could be accessed by a range of means of transport; one of the criteria of LP policy RT.6. I have also taken into account the appellant’s willingness to implement a Travel Plan with features such as an on-site minibus service, footpath and cycle route information and a pre-order service for basic groceries. I have therefore reached the view that the location of the appeal site is not something that warrants a refusal on sustainability grounds. The principles of sustainability are met to a sufficient degree”.

As this is for the same use on the same site is considered to remain locationally sustainable and would also provide a range of transport options such as car, bus, walking, cycling. The particular tourist attraction seeks to utilise local countryside features such as walking and cycling options and is considered necessary and has been supported by a market assessment which confirms the need for such uses in the countryside throughout the UK. Similarly the Councils Visitor Economy Officer has confirmed the need for the facility locally and fully supports the proposal. As noted above the buildings are considered to be low key and would be screened by existing and proposed planting so would not

cause significant harm to the character/appearance of the area. Infrastructure has also been addressed above.

SC1 advises that proposal which support and promote the provision of better leisure, community and recreation facilities, where there is a need for such facilities will be supported where they are in highly assessable locations, no harm to the landscape, amenity, biodiversity and support the visitor economy and based on existing visitor attractions.

The proposal is not considered to cause significant harm to amenity given the separation distances to nearest neighbouring properties and the use itself is not expected to generate significant noise/disturbance. In terms of biodiversity it is considered that any impact could be mitigated by conditions. The use is considered to support the visitor economy and has been supported by the Councils Visitor Economy Officer. The existing visitor attractions are the countryside itself and the offer of walking and cycling. The issue of accessibility and impact on the landscape has been addressed above.

SC3 advises that new developments that improve health and well-being will be supported where they provide opportunities for healthy living and improve health and well-being through the encouragement of walking and cycling, good housing design, access to services, sufficient open space and other green infrastructure, and sports facilities and opportunity for recreation and sound safety standards.

The proposal offers access to the countryside and its associated recreational activities (walking and cycling etc) and is therefore considered to improve health and well-being. The site itself has sufficient areas of open space and certainly access to other areas of open space in the countryside. The site is not known to have any safety issues and the site has been deemed not to cause any significant harm to the existing highway network by the Councils Highways Engineer. The issue of access to services has been addressed above

Policy RT.10 (Touring Camping and Camping Sites) allows for touring caravan and camping sites where a number of criteria are met.

However this application is for timber clad holiday accommodation not touring accommodation.

PLANNING BALANCE

The site lies largely in the Open Countryside as designated by the Adopted Cheshire East Local Plan, where policy PG6 states that within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.

The proposal seeks consent for the siting of 20 caravans and associated works for use as holiday lodges. Therefore the proposal is clearly aimed at tourism and outdoor recreation.

The development and use of the site has also already been established under the previous planning approval ref 10/4610N. This is an important material consideration. Whilst policy has changed since this decision, the current policy stance offers even stronger support for this type of use. As a result the principle of the development remains acceptable.

The proposal is considered to have a neutral impact in terms of amenity, highway safety, ecology, contaminated land, trees and flood risk.

The proposal is considered to have benefits in terms of boost to the rural economy through creation of jobs and spending of guests/users of the site and boost to local tourism by creating new visitor facilities/accommodation.

The negatives would be the visual impact on the open countryside however this impact is limited by the low key nature of the structures which are visually in keeping and would be predominantly screened by existing and proposed planting.

The previous decision to approve the use is also an important consideration especially as the current scheme seeks a reduced scheme from that previously approved.

Applying the tests within paragraph 14 it is considered that the benefits outweigh the dis-benefits. As such, on balance, it is considered that the development constitutes sustainable development and should therefore be approved.

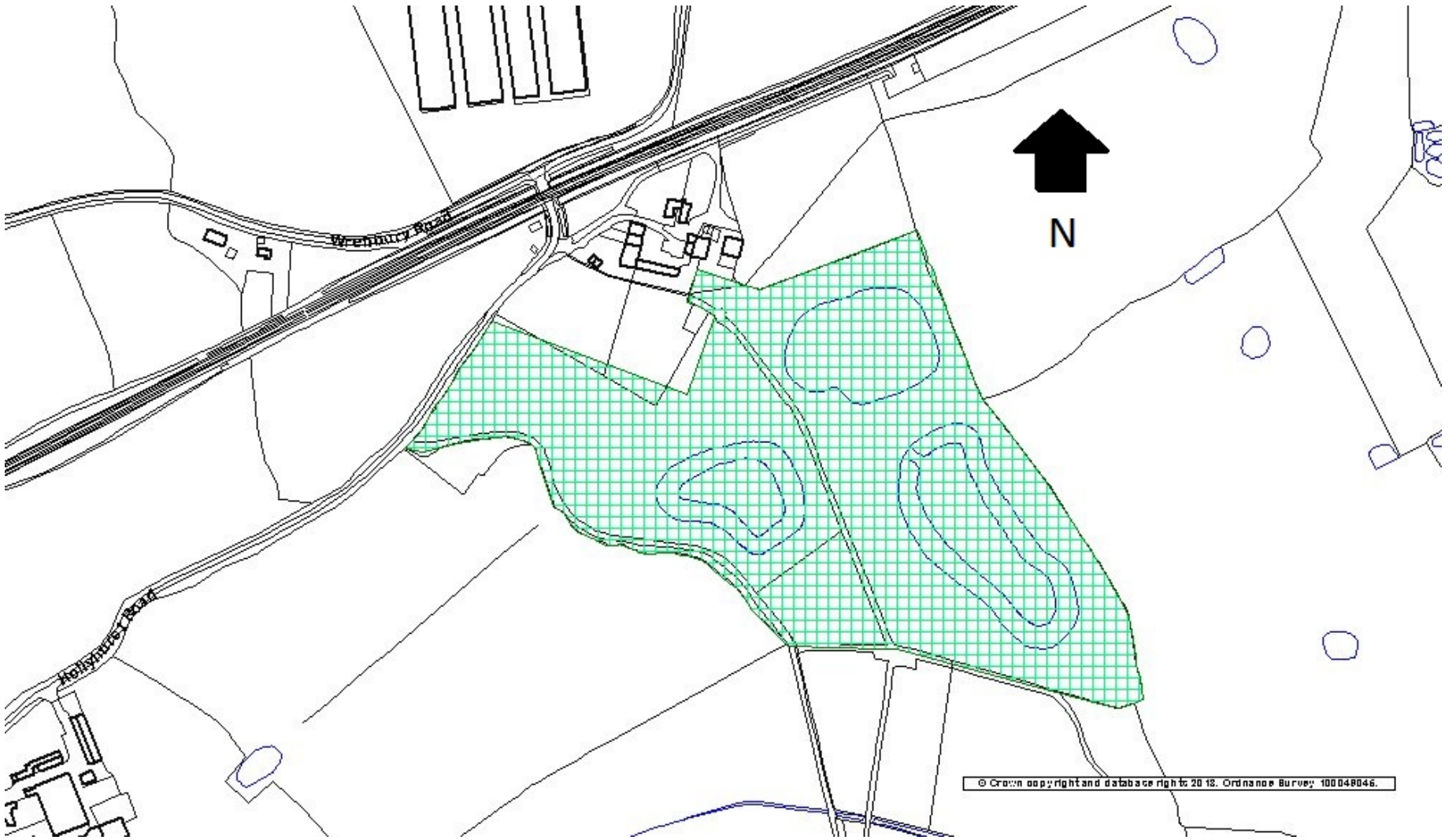
RECOMMENDATION:

APPROVE SUBJECT TO CONDITIONS:

- 1) Commencement
- 2) Approved Plans
- 3) No development until plans/details of wardens office and samples of materials of external finishes of all buildings has been provided
- 4) Levels of site
- 5) Level of each caravan and car park
- 6) External lighting details
- 7) Landscaping scheme including the retention and enhancement of the boundary hedgerows. Shall also include details of the access road layout and location of the new agreed wildlife pond
- 8) No tree or hedgerow works, nor any site works, shall take place during the bird nesting season
- 9) Bat boxes
- 10) Parking areas provided before occupation of caravans
- 11) Passing places
- 12) Travel plan
- 13) Cycle storage available before occupation of caravans
- 14) Foul and surface water drainage
- 15) Waste storage and recycling facilities
- 16) Occupied as holiday accommodation only
- 17) Log of users
- 18) Hard and soft landscaping for each plot
- 19) Details of hardstanding for each unit
- 20) Details of service and drainage routes
- 21) Ecology and landscape management plan
- 22) Construction management including soil disposal
- 23) Tree protection
- 24) Method statement

- 25) Tree shown as T9 in the submitted Preliminary Ecological Assessment (UES, 28/06/2017) shall be retained
- 26) Development in accordance the recommendation made by the submitted Great Crested Newt Method Statement (UES, 29/06/2017)
- 27) The creation of the pond in accordance with drawing number 1300-D05
- 28) works to proceed under the reasonable avoidance measures outlined in the submitted Preliminary Ecological Assessment
- 29) Ecological Development Strategy and Landscape and Ecology Management Plan
- 30) Nesting birds survey
- 31) Breeding birds survey
- 32) PROW
- 33) Contamination 1
- 34) Contamination 2
- 35) Contamination 3

In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chair (or in her absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.



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Application No: 17/4995N

Location: Shavington Green farm, CREWE ROAD, SHAVINGTON, CW2 5JB

Proposal: 5 no. new build houses within domestic curtilage of Shavington Green Farm.

Applicant: Cherry Robinson

Expiry Date: 12-Jan-2018

SUMMARY

The application seeks outline planning permission with access to be approved, and scale, layout, landscape and appearance reserved for future approval, for 5no dwellings within the garden of Shavington Green Farm, on Crewe Road, Shavington.

The application site lies entirely within the Open Countryside, and Policy PG 6 states that, within such locations, there is a presumption against development, unless the development falls into one of a number of categories as detailed by Local Plan. The application site does not fall within the categories, and therefore is a departure from the development plan.

The Council is now in the position of having a 5 year housing land supply, and therefore development should be considered in accordance with the up to date development plan unless material considerations indicate otherwise.

The site lies adjacent to the edge of a sustainable village, Shavington, and is in a sustainable location in its self, with good links to the wider towns and services in the area. The site is surrounded by other residential development (or will be in the near future) except a small area to the west, and therefore the impact of the development on the open countryside is considered to be negligible.

The proposed indicative development is acceptable and the proposal would not cause amenity issues or highway safety issues. It is therefore considered that on balance the proposal is acceptable and is recommended for approval.

SUMMARY RECOMMENDATION

Approve with conditions

REASON FOR REFERRAL

The proposed application is for residential development within the Open Countryside and is therefore a departure from the development plan, if approved.

SITE DESCRIPTION

The application site is a large garden/orchard associated with Shavington Green Farm, on Crewe Road, Shavington. The application site runs along the rear boundary of No. 32 – 50 Crewe Road, Shavington.

The application site is situated within the Open Countryside on the edge (adjoining) of the Shavington village settlement boundary.

PROPOSAL

The application seeks outline planning permission with Access, included; with Layout, Scale, Appearance and Landscaping reserved for future approval.

The proposal is for the construction of 5 dwellings on the site, indicatively shown as two storey 'L' shape dwellings.

PLANNING HISTORY

Site History

7/10755 -House and garage to replace existing derelict farmhouse – approved with conditions 23rd February 1984

Relevant planning history of adjacent site – Land off Crewe Road

13/2069N - Outline planning application for the construction of up to 275 dwellings, including access, landscaping, recreation and amenity open space, associated infrastructure, the demolition of 28 Crewe Road and demolition of the single-storey extension to 56 Crewe Road. Permission is sought for means of access. Layout, scale, appearance and landscaping are reserved for subsequent approval. – allowed on appeal 25th July 2014

15/4046N - The approval of reserved matters in respect of appearance, landscaping, layout, and scale for the construction of 275 dwellings including landscaping, recreation and amenity open space on land at Crewe Road, Shavington – approved with conditions 15th December 2015

NATIONAL & LOCAL POLICY

Local Plan Policy

Cheshire East Local Plan Strategy

PG 6 Open Countryside
SD 1 Sustainable Development
SD 2 Sustainable Development principles
SC 4 Residential Mix

IN 1 Infrastructure
IN 2 Developer Contributions
SE1 Design
SE 2 Efficient use of land
SE 3 Biodiversity and Geodiversity
SE 4 The Landscape
SE 5 Trees hedgerows and woodlands
SE 6 Green Infrastructure
SE12 Pollution, Land Contamination and Land Instability
CO 2 Enabling business growth through transport infrastructure

Appendix C – Parking Standards

Saved Policies of the Crewe and Nantwich Local Plan

NE.5 Nature Conservation and Habitats
NE.9 Protected Species
NE.10 Woodland and planting
NE.20 Flood prevention
BE.1 Amenity
BE.3 Access and Parking
BE.4 Drainage, Utilities and Resources
BE.6 Development on Potentially Contaminated Land
RES.5 Housing in the Open Countryside

Other Material Considerations

National Planning Policy Framework
National Planning Policy Guidance
Cheshire East Design Guide

Shavington Neighbourhood Plan

The Shavington Neighbourhood Plan is at Regulation 7 stage and no weight can be given to the NP at this time.

CONSULTATIONS

Highways: No objection is raised.

Environmental Protection: No Objections, subject to conditions for Electric Vehicle Infrastructure, contaminated land, soil importation and unexpected contamination and informatics for construction hours and contaminated land.

United Utilities: No objections, subject to conditions for foul water, surface water drainage and Management and maintenance of sustainable drainage systems

Views of the Parish Council: None received at time of writing this report.

REPRESENTATIONS

A letter of objection has been received from a neighbouring property. The main issues raised are;

- Concerns over highway safety due to the proximity of the access of the proposed development and close by approval of 250 dwellings,
- Concerns raised regarding the pedestrian safety, including the parents and children of preschool which will share the access road

OFFICER ASSESSMENT

Principle of Development

The application site is situated within the open countryside, adjacent to the settlement boundary of Shavington Village. Policy PG6 of the CELPS stipulates that only development which is essential for agriculture will be acceptable, with the exception (for new dwellings) where there is the opportunity for infilling in villages, the infilling of a small gap within a built up frontage or rural affordable housing schemes.

Whilst the proposed development is on the edge of the Shavington Village settlement boundary it does not necessarily fall into the above categories, and therefore is a departure from the development plan.

The council is now in the position of having a 5 year housing land supply, and therefore development should be considered in accordance with the up to date development plan unless material considerations indicate otherwise.

In this instance the site is land locked by surrounding development, as the site plan shows, planning permission has been granted to the rear of the site under planning permission 13/2069N for up to 275 dwellings at outline, with the reserved matters approved in later 2015. This is therefore a material planning consideration.

Locational Sustainability

Policy SD2 outlines a checklist of key amenities which a development should be within the distances shown to be considered a sustainable location.

Shavington Village is designated as a Local Service Centre in Policy PG2 of the Cheshire East Local Plan Strategy. However as the site is on the edge of the settlement it is important to ensure that the site is sustainably located in accordance with Policy SD2 of the Cheshire East Local Plan.

Service	Required Distance	Distance met?	Actual distance
Bus Stop	500m	Yes	250m
Public Right of Way	500m	Yes	65m
Railway Station	2km (where geographically possible)	No	4.5km (Crewe Station)

Amenity Open Space	500m	Yes	400m (Wessex Close)
Children's Playground	500m	Yes	400m (Wessex Close)
Outdoor Sports	500m	No	1.2km (Shavington High School)
Public Park and Village Green	1km	No	
Convenience Store	500m	Yes	500m (Co-op)
Supermarket	1km	No	5.1km (Tesco Crewe)
Post Box	500m	Yes	240m
Post Office	1km	No	2.8km
Bank or Cash Machine	1km	yes	500m (co-op)
Pharmacy	1km	No	1.7km (Rope Lane Medical Centre)
Primary School	1km	Yes	300m (Shavington Primary School)
Secondary School	1km	No, but very close	1.2km
Medical Centre	1km	No	1.7km (Rope Lane Medical Centre)
Leisure Facilities	1km	No, but very close	1.2km (Shavington High School)
Local Meeting Place / Community Centre	1km	Yes	300m (Shavington Village Hall)
Public House	1km	Yes	600m (Shavington social Club)
Child Care Facility (nursery or crèche)	1km	Yes	0km adjacent to the site

The site meets over half the checklist distances and nearly meets the Secondary School distance which is walkable by public footpath, and there is Medical centre within the settlement, albeit outside the suggested distances. Furthermore the site is well linked by Public Transport to Crewe Town Centre, Crewe Railway Station and Nantwich, for most other services and amenities. There is also a Children's play area and open space proposed on the adjoining application scheme, which would be accessible by the development plot.

It is therefore considered that the proposal site is considered to be locationally sustainable, in line with Policy SD2 of the Cheshire East Local Plan Strategy.

Affordable Housing

Policy SC5 states that residential development which have a floor space of 1,000sq.m or more in a Local Service Centre and all other locations in the Borough will require at least 30% of all units to be affordable. The current indicative plan suggested a combined floor space of around 1,100sq.m (not including garages). The proposal will not include affordable provision and therefore to ensure the reserved matters is in line with the policy a condition will be attached to ensure the floorspace of the units is below 1,000sq.m including garages.

Impact of Design upon the Character of the Area

The application is in outline with access included at this stage. The indicative plans show 'L' shape units within reasonably sized gardens. The detached properties would reflect those on Crewe Road, however are of a lower density than those of the new build development off Newcastle Road. Amendments to the shape of the buildings have been sought to a more standard square/rectangular shape.

The proposed indicative design of the dwellings will be two storeys, with brick and render details, and large full length windows. Although the design is not necessarily in keeping with the streetscene, due to the backland position of the site it is considered to be a reasonable proposal. However, the detailed appearance, layout and scale of the buildings will be considered further at reserved matters stage. It is therefore considered that the proposal is acceptable.

Amenity

Policy BE.1 seeks to ensure that the amenities of neighbouring properties are protected from development.

Again as the development is in outline and therefore the external appearance of the buildings is indicative. However it would appear that the development would retain a suitable level of private amenity space within the site, and there would be sufficient separation distance between the proposed dwellings and the existing dwellings around the site. There will be a minimum separation distance of 26m between the existing dwelling on Crewe Road and the proposed dwellings within the site, which meets the 21m separation distance between principal windows.

There will be a relatively tight relationship between the front elevations of 2 of the proposed plots (centrally on the plan- house types A and B) and the newly approved dwellings on the site approved under 13/2069N (as shown on the site plan) to the north east of the site, of only 16m. To ensure that principle windows are not facing other principle windows, the reserved matters will need to show only secondary or obscure glazed windows on the front elevations that directly overlook each other.

The design also means that internally the side elevations facing the neighbouring properties must only have secondary or obscure glazed windows otherwise the required separation distance of 21m between principal windows will not be met. The detail of this can be considered further within the reserved matters application.

Trees

The application is supported by an Arboricultural Report by Tree Heritage (THR17-76a) dated 22nd September 2017.

The supporting detail identifies forty three trees for removal, eleven of which are un-classified (Cat U) and should be removed irrespective of development; the majority of the remaining trees are mainly ornamental specimens including a collective group of fruit trees located within the north western corner of the site, along with scattered moderate value (category B) Alders Silver Birch and suppressed Oak. None of the trees identified for removal are considered significant, prominent or worthy of formal protection under a Tree Preservation Order.

The Council's Tree Officer considered that post development the spatial and social proximity of some individual build plots to retained trees is restrictive with limited utilisable external space available; however, the absence of any high value trees within the site precludes any objection from any arboricultural perspective, but should the development proceed issues of light attenuation and nuisance are considered inevitable leading to further tree losses. As the application is in outline this matter can be considered further at reserved matters stage.

The development layout including the access road respects the Root Protection Areas of the retained trees, which can be protected in accordance with current best practice BS5837:2012. Tree protection details have been provided on the Tree Protection Plan (Ref THL-0537 Rev4)

It is therefore considered that the proposal is acceptable and in accordance with policy SE.5 of the Cheshire East Local Plan Strategy.

Highway safety

The proposal is for 5no new build homes which would be accessed from a car park which itself is accessed from Crewe Road. The access has catered for the existing car park without incident and is therefore considered acceptable for such a small development. Parking provision is now to standard, with the increase in garage size to a full double size garage. The internal carriageway width is narrow and not to adoptable standards but will assist in reducing vehicle speeds, have enough width for 2 passing cars, and the layout will remain private.

The Highways Officer therefore has no objections with the proposal.

Ecology

The application includes an ecology survey which the Council's Ecologist has considered below.

Japanese Knotweed and New Zealand Pygmyweed

The applicant should be aware that Japanese Knotweed and New Zealand Pygmyweed are present on the proposed development site. Under the terms of the Wildlife and Countryside act 1981 it is an offence to cause either species to grow in the wild. They may be spread simply by means of disturbance and new growth can arise from even the smallest fragment of the plant.

Disturbance of soil on the site may result in increased growth of Japanese Knotweed and New Zealand Pygmyweed on the site. If the applicant intends to move any soil or waste off site, under the terms of the Environmental Protection Act 1990 any part of the plants or any material contaminated

with them must be disposed of at a landfill site licensed to accept it and the operator should be made aware of the nature of the waste.

This issue is dealt with under separate legislation from Planning, however it is considered reasonable to add an informative to any permission to bring it to the applicants attention.

Hedgerow

Based on the submitted layout plan it appears feasible for the existing hedgerows can be retained as part of the development. If planning consent is granted it is recommend a landscape condition be attached that includes the retention and enhancement of the boundary hedgerows, and that the lighting scheme should avoid directing light onto the boundary hedgerows and trees.

Breeding Birds

If planning consent is granted, the Ecologist has requested a condition for breeding birds.

PLANNING BALANCE AND CONCLUSION

The application site lies entirely within the Open Countryside, and Policy PG 6 states that, within such locations, there is a presumption against development, unless the development falls into one of a number of categories as detailed by Local Plan. The application site does not fall within the categories, and therefore is a departure from the development plan.

The Council is now in the position of having a 5 year housing land supply, and therefore development should be considered in accordance with the up to date development plan unless material considerations indicate otherwise.

The site is on the edge of a sustainable village, Shavington, and is in a sustainable location in itself, with good links to the wider towns in the area. The site is surrounded by other residential development (or will be in the near future) except to the west, and therefore the impact of the development on the open countryside is negligible.

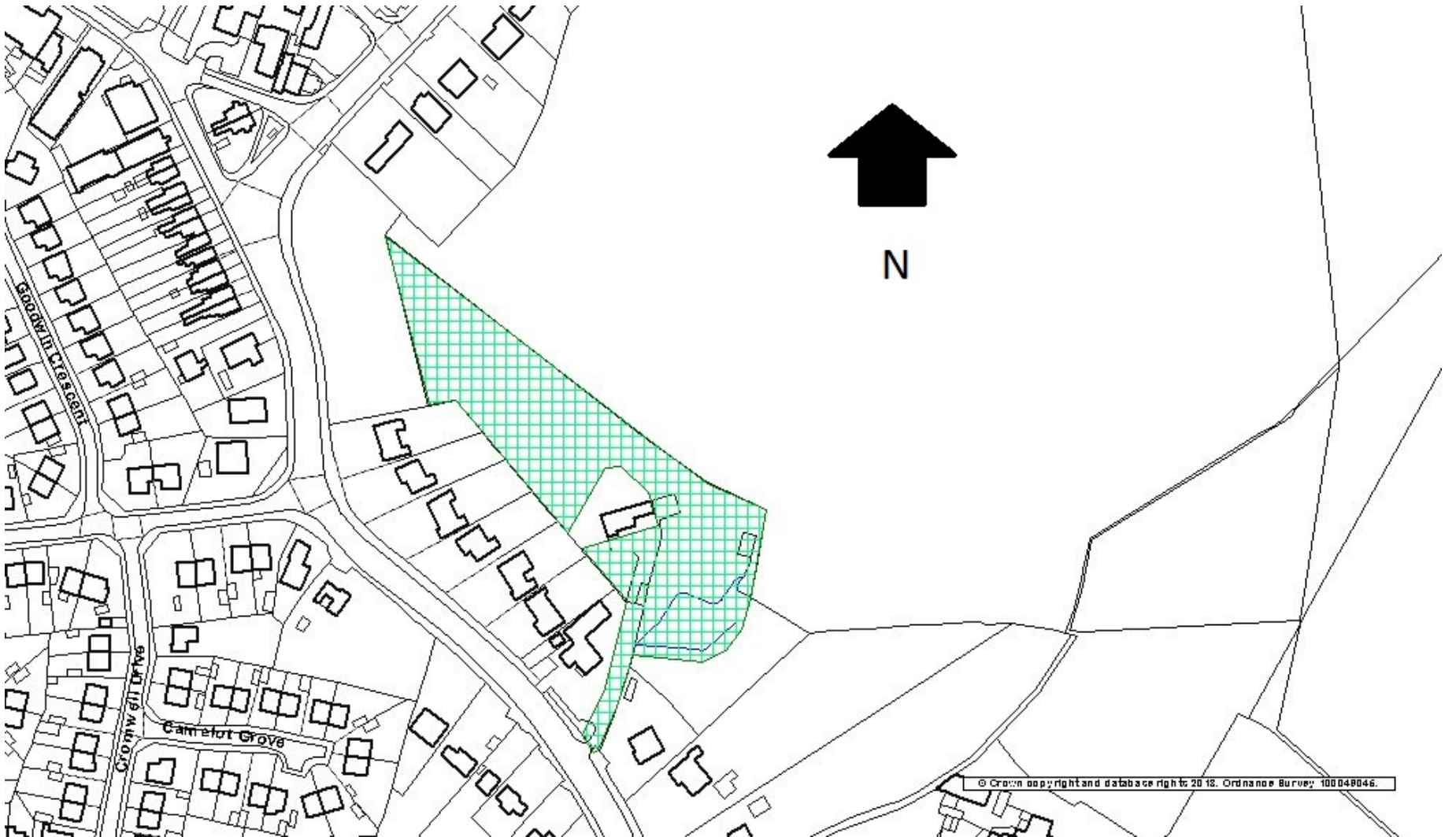
The proposed development in its indicative design and layout is acceptable and the proposal would not cause amenity issues or highway safety issues. It is therefore considered that on balance the proposal is acceptable and is therefore recommended for approval.

Recommendation: Approve subject the following conditions;

- 1. Outline 3 years**
- 2. Reserve Matters time**
- 3. Reserve Matters to include layout, scale, landscape and appearance**
- 4. Approved plans**
- 5. Lighting plan with reserved matters**
- 6. Arboricultural report implementation**
- 7. Breeding Birds survey**
- 8. Breeding birds features**

- 9. Electrical Vehicle Infrastructure
- 10. Contaminated Land – Phase 1
- 11. Contaminated Land – verification report
- 12. Soil importation
- 13. Unexpected contamination
- 14. Foul Water
- 15. Surface Water
- 16. Management and Maintenance of Sustainable Drainage systems
- 17. Levels
- 18. Boundary treatment
- 19. Floorspace below 1,000sq.m (including garages)
- 20. No more than 2 storey

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) 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.



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Application No: 17/2211N

Location: WHITTAKERS GREEN FARM, PEWIT LANE, HUNTERSON,
CHESHIRE, CW5 7PP

Proposal: Agricultural Building to Provide Grain Store (resubmission of 16/2930N)

Applicant: Mr F.H. Rushton

Expiry Date: 30-Nov-2017

Summary

The site is located in the open countryside. Agricultural buildings are permitted where they are required for and ancillary to the use of the land for agricultural purposes and essential to the agricultural operation, and maintain the economic viability of the holding. The building should also be satisfactorily sited and designed so as to have no detrimental impact on the character and appearance of the open countryside, the amenity or neighbouring properties and local highway network, protected species and conservation habitats.

The proposed development is acceptable in principle and would not have a significantly detrimental impact on the character and appearance of the open countryside. Furthermore, the siting and use would not result in an adverse impact on the amenities of neighbouring development or present any adverse impact on the local highway network. The proposal therefore complies with Policies SD1 and SD2 (Sustainable Development), SE1 (Design), BE.1 (Amenity), and PG6 (Open Countryside) of the Cheshire East Local Plan Strategy 2017; and policies BE.2 (Design Standards), and NE.14 (Agricultural Buildings Requiring Planning Permission) of the Borough of Crewe & Nantwich Replacement Local Plan 2011.

RECOMMENDATION:
Approve subject to conditions

CALL IN

The application has been called in to Committee by Cllr Clowes on behalf of Doddington and District Parish Council on the following grounds:

- 1) Both consented buildings had the same dimensions and were to store grain produced on the farm. The constructed building is 175m³ larger in volume and given it would have been on order prior to construction, this represents a deliberate intention to ignore the approved plans.
- 2) The adjacent green waste site (which is also operated by the applicant) has vehicle number restrictions (endorsed at appeal) to protect the amenity of local residents and ensure the safety and amenity of users of the PROW along the access track and through the site.
- 3) Historical concerns raised by highways officers regarding use of Pewit Lane by large green waste vehicles resulting in weight limits on vehicles and construction of passing bays. Subsequent appeals on the green waste site were dismissed due to the effects of increased vehicles on roads and villages in the area; and a subsequent dedicated access road for green waste vehicles was constructed which the vehicles are now required by condition to use. This proposal represents a new business venture immediately adjacent to the green waste site. The grain transportation will involve additional HGV traffic which will create additional detrimental impacts on surrounding lanes, residential amenity and the enjoyment of the Countryside by walkers using the Public right of way through this site. Appeal Inspectors have consistently stated that the '20 in and 20 out' vehicle movements to the site and on the access tracks must not be exceeded.
- 4) Cumulative impacts of the two neighbouring uses must be taken into account, and the current and future sustainability of the local highways network must be better understood. The Grain Store construction traffic using Pewit Lane caused congestion, damage to the verges, hedges and drainage ditches and use of the lane must be limited.
- 5) Concerns over the degradation of Bridgemere Lane, note that CEC highway engineers are conducting a highway safety assessment of the road.
- 6) Given the size of the farm holding and volume of dried grain able to be produced, the building is significantly larger than required and there is concern there will be third part grain imported which would significantly increase vehicle numbers.

DESCRIPTION OF SITE AND CONTEXT

The application site forms an agricultural field located within the Open Countryside as defined by the Borough of Crewe and Nantwich Replacement Local Plan 2011. The farming enterprise is an arable operation and comprises a large area of fields. The application site itself is located off an existing track which accesses a Green Waste composting site which is immediately adjacent to the proposed building and is also operated by the applicant. A landscape bund is sited between the site and the green waste operation. A strip of landscaping is also located adjacent to the track to the east of the site.

DETAILS OF PROPOSAL

Permission was granted in November 2016 for an agricultural building for the storage and drying of grain (Ref: 16/2930N) and this was subsequently implemented. The building that has been constructed has different dimensions and design to that shown on the approved plans, being lower in height but larger in length and area. This application therefore seeks to regularise these amendments.

The building that has been constructed measures 36.5m in length and 20.4m in width. Two lean-to additions have been constructed on the southern and western elevation (the overall width with the 'lean-to' is 23m). The building has a height of 6.1m to the eaves and 8.8m to the ridge. The elevations are constructed from composite cladding and plastic coated single skin,

with the roof constructed from fibre cement roof sheets. The building incorporates four roller shutter doors at 5m by 5.2m and four personnel doors as well as vented roof and side vents, and roof lights. An external area of hardstanding adjoining the eastern elevation has also been constructed.

The building includes an internal boiler to dry the grain to be stored and an external flue of 10m height and 300mm diameter which would be situated to the south west of the building in one of the lean to structures. There is no change to the specification of the boiler from that approved under permission 16/2930N.

No change is proposed to the intended use of the building approved under 16/2930N, and the applicant advises that the new design/layout provides a more purpose built and efficient building for grain storage.

RELEVANT HISTORY

- 16/2930N – Agricultural building to provide grain store. Approved November 2016.
- 11/4249N – Agricultural building to provide grain store. Approved January 2012.

There is planning history on the agricultural holding itself with conversion of traditional buildings to dwellings, to fill in hollows/depressions in fields, also a long planning history relating to green waste composting site adjacent to application site.

POLICIES

Cheshire East Local Plan Strategy

SD 1	Sustainable Development in Cheshire East
SD 2	Sustainable Development Principles
SE 1	Design
EG1	Economic Prosperity
PG6	Open Countryside

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

Crewe and Nantwich Borough Local Plan (CNLP)

- BE.1 (Amenity)
- BE.2 (Design Standards)
- BE.3 (Parking and Access)
- NE.14 (Agricultural Buildings Requiring Planning Permission)

National Planning Policy

National Planning Policy Framework
National Planning Practice Guide

CONSULTATIONS (External to Planning)

Highways: No objection

Environmental Health: No objection subject to conditions/informatives relating to hours of construction, contaminated land, air quality and permitting requirements.

Public Right of Way: No objections subject to informatives concerning the safe use of, condition and protection of footpath No. 22 Hunterston.

Doddington and District Parish Council: Object to the application. In addition to the matters raised in the call-in request, the Parish council would like the application refused on the following grounds (this is a summary; the full content of the objection can be viewed on the Council website).

- Building is larger than previous and includes a large amount of ancillary equipment which could have been accommodated easily within the original size building.
- Unsuitable location (evidence by long planning history on adjacent green waste site) and unsustainable location due to unsuitable highway network, highway safety and residential amenity.
- Potential for increased and larger vehicles. Cumulative effects of vehicles from green waste site and this proposal should be assessed in terms of impact on highway network and residential amenity.
- Pewit Lane is unsuitable for HGVs in terms of junction layout, visibility, carriageway width, and results in hazards for vulnerable road users due to poor visibility/carriageway width. Concerns over drainage and structural integrity of the bridge. Previous CEC highway engineer concerns and associated appeal decisions over green waste HGV traffic and subsequent requirement for the use of the dedicated access track for green waste vehicles is highlighted.
- Planning appeal decisions on the green waste site recognise the harm to residential amenity from the green waste vehicles.
- Importation of grain from outside the farm holding should be restricted.
- Plans are inaccurate and do not include access onto Pewit Lane or the link to the building. Changes to approved development were pre-planned and are significant.
- If approved, request conditions restricting grain importation, requiring use of dedicated green waste access track for vehicle movements, a cap number of vehicle movements on access track to current permitted limit (cumulative with green waste site movements), hours of vehicle movements and use of grain store to mirror those on green waste site and no vehicle movements on bank holidays, control spread of external lighting, replication of conditions from permission 16/2930N.

Hatherton and Walgherton Parish Council: Object to the application as it is considered to impact on the parish, particularly in regard to HGV movements along the narrow lanes to this site, which already cause considerable damage and danger to other road users. The Parish Council endorse the material planning grounds set out in detail in call in submission by the local ward councillor.

In addition to the proposed building appearing too large for storage/drying of grain produced solely within the farm, it was noted that the building seems structurally unsuitable for grain storage/drying.

OTHER REPRESENTATIONS

A summary of the representations received is outlined below. The full copy of all representations is available to view on our website.

Local ward member

- Strategic Highways views should be obtained; they are already considering how best to maintain Bridgemere Lane which is severely damaged by HGV traffic to the Green Waste Site and other vehicle movements.(Although little other HGV traffic is able to use this Lane beyond the Green Waste site due to a 7.5t weight restriction past Bridgemere Primary School.)
- Additional traffic generated by the Green Waste site along Pewit Lane was a significant reason for refusal in earlier applications - hence the need for dedicated access road and restrictions on vehicle movements.
- Given the existing insurmountable traffic issues in this highly rural location on fragile road infrastructure, the existing restrictions on green waste vehicle movements (verified by previous Appeal Inspectors) must apply to traffic from the grain store to ensure cumulatively the movements do not exceed the existing permitted levels on the green waste permission.
- Reference is made to the matters raised in the reasons for the Call-In request of this application.
- Concern over site layout. Clear land ownership plans are needed. The access point and gateway to the grain building on a spur from the access track should be shown on the plans.

Full copies of all representations can be viewed on the website.

OFFICER APPRAISAL

Principle

The principle of an agricultural building for the storage and drying of grain of similar design and dimensions and in the same location to this proposal has already been established by virtue of permission 16/2930N.

The circumstances relating to permission 16/2930N remains the same in that the application site is an existing farming enterprise relating to Whittakers Green Farm and the adjacent Foxes Bank site which forms part of the applicant's agricultural holding. The applicant states that there are no existing buildings on the holding that can provide for the drying and storage of grain. This proposal would provide this facility which is required to support an established agricultural operation and prevent the need to export the grain to an alternative facility to be dried. The provision of a grain store on the site would allow the farm to be more responsible to weather conditions to optimise the harvest, would provide financial benefits and reduce the carbon footprint in transporting the crop to be dried before being sold to the customer.

The proposal is therefore considered to be relevant to agriculture and justified, as required by Policy NE.14 (Agricultural Buildings Requiring Planning Permission) of CNBLP. The proposal should therefore be considered against the other criteria of Policy NE.14 and other Local Plan Policies.

The main issues therefore are the impact that the proposals would have on the character and appearance of the open countryside, the impact on the amenity of neighbouring properties, users of the public rights of way network and the local highway network.

Character, appearance and visual impacts

Policy NE.14 of CNLP and policy SE1 of CELP require new buildings to be satisfactorily sited and adopt a design which is sympathetic to the surrounding character of the area. Equally policy BE.1 (Amenity) of the CNLP requires new development to ensure there are no unduly detrimental effects on the amenity of nearby residents from visual intrusion. This is reflected in the provisions of the NPPF.

There is no change to the location of the building as approved under permissions 16/2930N and 11/4249N. The building is located at the southern extent of the agricultural holding adjacent to the existing green waste facility which comprises of a concrete yard with concrete bays, a temporary building and open windrows of compost surrounded on the northern boundary by an earth bund. The green waste site is considered to be a brownfield site. Whilst the proposed building would be isolated from the main farmhouse, its location directly adjacent to the green waste facility means that it is situated adjacent to the source of fuel for the proposed boiler and the proposal would be largely set against the backdrop of the waste site. It has previously been accepted that the siting of an agricultural building in this location would not cause significant detrimental harm on the character and appearance of the Open Countryside and the same conclusion is drawn in the case of this application.

Should the building be located in proximity to the main farmhouse, this would introduce an agricultural development in close proximity to other dwellings adjacent to the farmhouse which are outside of the ownership of the applicant. There is potential for adverse detrimental impacts on these sensitive receptors arising from this unless mitigation is adopted which could in turn affect the ability of the applicant to use the building for agriculture.

There are limited views of the building from public vantage points around the site. From footpath FP22 on the track towards the site, the existing vegetation provides some partial screening. From the south views of the building would be largely screened by the existing waste facility and the established line of mature trees which aligns the northern boundary of the green waste facility. To the west there are no public vantage points in the immediate vicinity (the closest being over 1km) and to the north there would be long distance partial views (approximately 380m) due to the vegetated field boundaries. The proposals would not be prominent in the streetscene or wider open countryside.

Given the distance to the nearest dwellings, and in view of the factors outlined above, no adverse visual impacts on the amenity of nearby residents are anticipated. A planning condition is recommended for the provision of a scheme of landscaping which would provide partial screening, especially for any long distance views to the north and west; equally a condition is

recommended requiring the building to be removed within 6 months of cessation of its use in order to prevent a proliferation of unused agricultural buildings.

Concern has been raised by objectors over the increase in size of the building. A similar design and size for the agricultural building has been considered appropriate by virtue of permissions 11/4249N and 16/2930N. The proposed building is 6.7m longer than previously approved under 16/2930N and slightly wider by 0.4m (3m wider with the inclusion of the lean to) and would result in an increase of 151m² in floorspace. The building is however lower in height by 1.9m. The proposal is considered to represent an appropriate scale of development on a farming unit in this location and the design and materials are typical of modern agricultural buildings in a rural area, reflecting similar architectural style of other agricultural buildings in the local area. The proposals are therefore considered acceptable in respect of its design and scale.

The proposal is therefore considered to accord with policy BE.1 and NE.14 of CNLP and policy SE1 of CELP.

Amenity

Policy BE.1 (Amenity) of the CNLP requires new development to ensure no unduly detrimental effect on the amenities of nearby residential properties from loss of privacy, loss of sunlight or daylight, visual intrusion, environmental disturbance or pollution and traffic generation access and parking.

The impact of a new building for the storage and drying of grain on the amenity of sensitive receptors in this location has already been deemed acceptable by virtue of permissions 16/2930N and 11/4249N.

In respect of impacts from noise and disruption, given the distance to the nearest sensitive receptor, no adverse effects are anticipated and no objections are raised by the Environmental Protection Officer.

With respect to air quality, Policy SE12 of CELP states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 124 of the NPPF and the Government's Air Quality Strategy. The NPPF also makes it clear that local planning authorities (LPA) should focus on whether the development itself is an acceptable use of land and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under the pollution control regimes, and LPA's should assume these regimes will operate effectively. In this regard, it is noted that the operation of the biomass boiler would be regulated by a permit under the Environmental Permitting Regulations.

When assessing the impact of a development on Local Air Quality, the Council has regard to (amongst other things) the Council's Air Quality Strategy, the Air Quality Action Plan, Local Monitoring Data and the EPUK Guidance "Land Use Planning & Development Control: Planning for Air Quality May 2015).

The Environmental Protection Officer notes that there is the potential for localised pollution associated with the proposed biomass boiler, particularly nitrogen dioxide and particulates. It is therefore essential that a sufficient stack height is achieved to provide adequate dispersal of

airborne pollutants. A Biomass information form has been submitted which has allowed a screening check of the minimum boiler stack to ensure adequate dispersion and the Environmental Protection Officer considers this to be acceptable subject to securing planning conditions in respect of stack height, controlling the fuel type, fuel storage, operation and maintenance procedures to ensure that public health is protected. Subject to imposition of these conditions and given that the biomass plant would be regulated by an Environmental Permit it is considered that this suite of controls would be sufficient to ensure there are no adverse impacts on air quality.

Impacts on highway and public rights of way

Concern has been raised by objectors, the parish council and the local ward member regarding the impacts of the vehicles transporting grain on the local highway network in terms of highway safety, capacity and adequacy of the rural lanes for large vehicles; and the cumulative impacts of traffic from this proposal alongside that generated by the adjacent green waste facility.

Particular concern is raised regarding the suitability of Pewit Lane and Bridgemere Lane to accommodate HGVs, along with the impacts on vulnerable road users especially the users of the public right of way which runs partly along Pewit Lane, and impact of HGVs passing Bridgemere School. Reference is made to similar concerns raised by local people and Inspectors at planning appeals for developments at the green waste facility, and objectors note that a dedicated access track now serves the green waste site. As such they consider that all vehicles generated by this proposal should be required to use the green waste access track. They also consider that restrictions should be imposed on the number of vehicle movements so that, when combined with the green waste facility, the total vehicle movements from both sites do not exceed the vehicle movement levels set on the current green waste permission.

Planning policy does not support proposals that would generate levels of traffic that could prejudice the safe movement of traffic on surrounding roads, or have an adverse impact on neighbouring uses.

Unlike the green waste facility, this is not a commercial business and as such there are no restrictions on the number or type of vehicle movements generated by the farm at present. The proposals are unlikely to generate any increase in vehicle movements as the applicant does not propose to import grain or fuel from outside the farm holding. The number of movements could reduce as result of this proposal as HGVs would transport the dried grain which have greater capacity than the tractor/trailers currently used. The ability to dry grain would also allow the transportation of grain to be spread throughout the year, instead of intensive concentration of movements currently experienced during harvesting. The highways officer considers that there would be no highways impact as a result of the proposal; equally the public rights of way officer notes that the proposals would not affect the public right of way; however highlights that due care and consideration must be given to pedestrians by vehicular traffic when the building is in use.

The views of the objectors are noted, however it is considered that any restriction on the number of HGVs or routing of vehicles would be unreasonable and would not meet the 'tests' in the NPPF given that this is a grain store to serve an agricultural activity as opposed to a commercial operation, and for the reasons highlighted above. Equally with respect to vehicle routing, the existing vehicles transporting grain can use Pewit Lane without any restrictions on numbers or

vehicle size; and given that all green waste vehicles are required by planning condition to use the access track, there should be no opportunity for conflict on Pewit Lane with those transporting grain.

With respect to the suggestion of imposing a cumulative restriction on vehicle movements for both the green waste site and this proposal, this is not considered reasonable and is not considered to meet the 'tests' identified in the NPPF for the reasons outlined above; and given that there is no link between the two land uses aside from the use of wood to fuel the biomass boiler, and this is not a commercial business but an agricultural grain store serving a farm holding. It is also noted that the two previous permissions for the same type of development on this site were both granted without such a restriction imposed, and similarly other agricultural buildings in the authority have not had any such restriction imposed.

It is therefore considered that given the matters identified above, there would be no adverse highway impacts arising from this proposal and no new highway impacts over and above that generated by the farm holding at present. As such, the development would accord with the approach of planning policy.

Other matters

Concerns are raised that the capacity of the grain store is above that required for the output of the farm holding and could be used for third party grain imports which would significantly increase the number of vehicle movements to the farm holding. The applicant is not proposing to import grain from third parties. Whilst the proposed building is longer in length than was previously permitted, the height of the building is reduced and thus the overall volume of the building is also lower than previously permitted. The applicant also notes that the building would not be filled to capacity in order to provide sufficient air and circulation space required to dry the grain. The scale of the development is considered acceptable for an agricultural building of this nature and in this location.

With respect to impacts on nature conservation whilst the development is on open agricultural land, the Nature Conservation Officer advises that there are no significant ecological impacts and as such no mitigation is identified as necessary to address any impacts from this proposal.

Response to Observations

The representations of the members of the public have been given careful consideration in the assessment of this application and the issues raised are addressed within the individual sections of the report including the impact on the open countryside, highway safety and amenity. These issues have all been weighed in the planning balance.

A number of matters raised by objectors and the parish council concern planning appeal decisions and alleged breaches of planning control regarding the adjacent green waste facility operated by the applicant and not directly related to this planning application. As these are not related to the planning application under consideration they are not considered material planning considerations that should be given any weight in the determination of this application.

PLANNING BALANCE

Conclusion – The Planning Balance

The principle of an agricultural building for the storage and drying of grain in the open countryside is considered to be acceptable. The proposal is considered to be relevant to agriculture and justified, as required by CNBLP Policy NE.14 (Agricultural Buildings Requiring Planning Permission).

It has previously been accepted that the siting of an agricultural building in this location would not cause significant detrimental harm on the character and appearance of the Open Countryside and the same conclusion is drawn in the case of this application. The proposal is considered to represent an appropriate scale of development on a farming unit in this location and the design and materials are typical of modern agricultural buildings in a rural area, reflecting similar architectural style of other agricultural buildings in the local area.

In terms of economic sustainability the proposal would assist with the modernisation of an existing farm holding, providing some economic benefits. From an environmental and social perspective, given the distance to sensitive receptors, no adverse impacts are anticipated with respect to noise and disruption; and subject to conditions concerning the design and operation of the biomass boiler, adverse air quality impacts are not anticipated.

Whilst concerns about the impacts of HGVs transporting grain on the rural highway network, increased amenity issues with HGVs and impacts of HGVs on users of the public rights of way are noted, the proposal is for an agricultural building to store grain generated by the applicant's farm holding, with no commercial importation of grain proposed. There are no restrictions on the number or size of vehicles that can transport grain from the farm at present, and the ability to dry grain enables its transportation to be spread throughout the year, rather than at harvest time; thus the impacts on the highway network could be reduced. The suggestion by objectors of restricting vehicle numbers and routing, or tie vehicle numbers in with the restrictions on the adjacent green waste site planning permission are not considered to meet the test in the NPPF for the reasons identified above. Overall therefore no adverse impacts on the highway network and users of the public rights of way are anticipated to arise from the development of an agricultural building for the storage and drying of grain.

Overall as the impacts of the development are not considered to be significant and can be mitigated against with the use of planning conditions, the application is therefore considered to constitute a sustainable form of development and is recommended for approval.

RECOMMENDATIONS

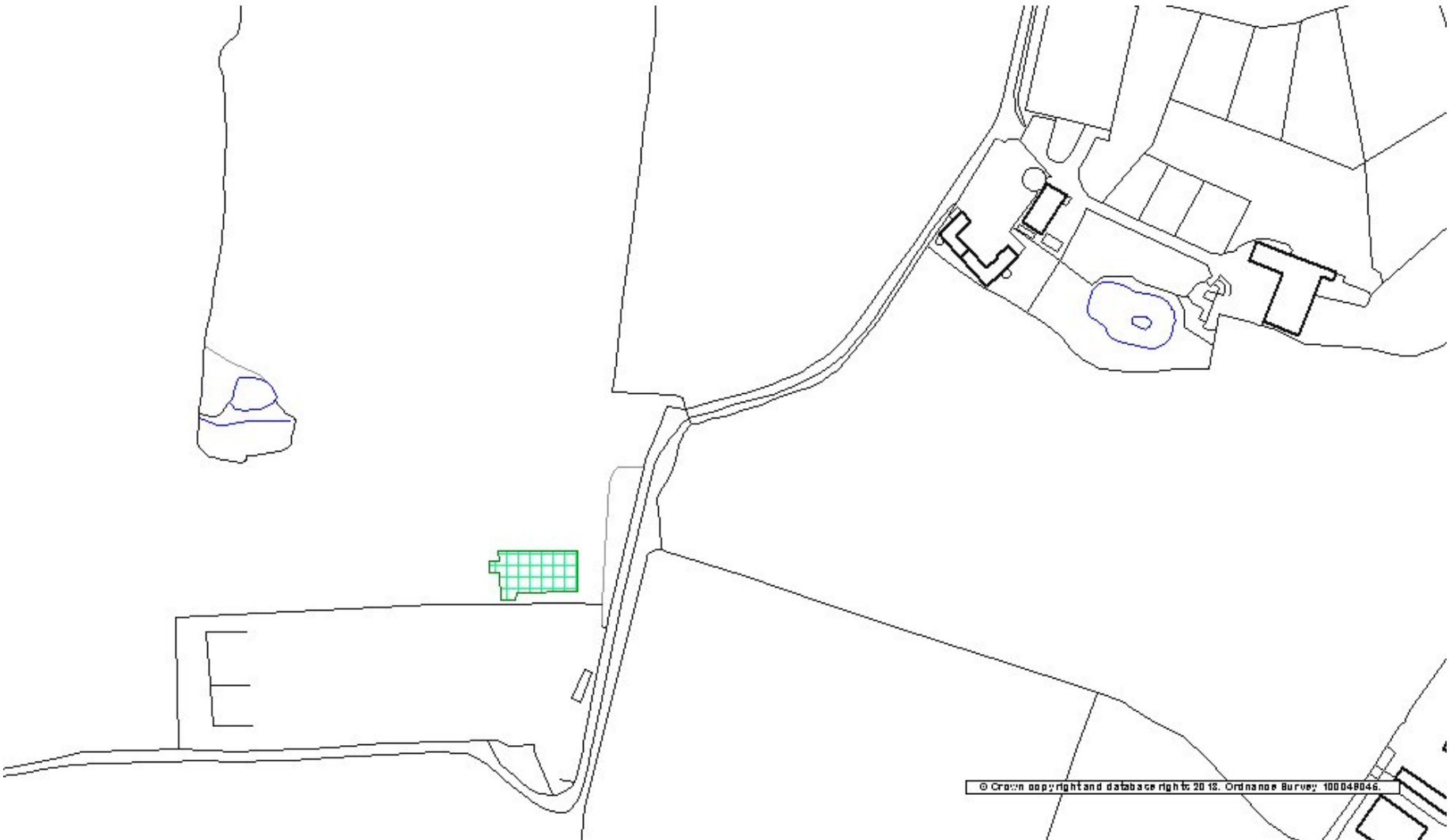
APPROVE subject to the following conditions:

And the following conditions:

- 1. Development retained as per approved plans**
- 2. Materials as per submitted plans**
- 3. Restrict building to the storage of grain only**
- 4. Landscaping scheme to be submitted and approved**
- 5. Building to be removed within 6 months of cessation of use**

6. Stack height no less than 10m above ground and positioned as per submitted drawing
7. Control over biomass boiler fuel type, fuel delivery and storage, operation and maintenance.

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.



CHESHIRE EAST COUNCIL

SOUTHERN PLANNING COMMITTEE REPORT

Date:	10 th January 2018
Report of:	Gareth Taylerson – Principal Planning Officer
Title:	Update following the resolution of minded to refuse application 17/0339N but with heads of terms if the appeal is allowed
Site:	Land to the north of Little Heath Barns, Audlem Road, Audlem

1.0 Purpose of Report

- 1.1 Planning application 17/0339N was determined by Southern Planning Committee on 9th August 2017. This report is to consider the amendment to the Heads of Terms within the resolution for this application.
- 1.2 The minutes from the meeting are as follows:

for the reasons set out in the report and the written update, the Committee be MINDED TO REFUSE the application for the following reason:

Whilst the application has been supported by a viability report, the findings conflict significantly with the independent report carried out on the Councils behalf which concludes that the scheme could provide a higher contribution towards affordable housing than that being proposed. As a result it has not been justified as part of the application process why the proposal is unable to provide the required contribution towards affordable housing. The proposal is therefore Contrary to Policies SC5, SD1 & SD2.

(b) That, should the application be the subject of an appeal, approval be given to enter into a S106 Agreement with the following Heads of Terms:

- 1. Commuted sum of £556,699 towards affordable housing in the local area*

2. Provision of a management company for the future maintenance of on site openspace/green gym

2.0 Decision Required

- 2.1 Further negotiations have now taken place with the South Cheshire Clinical Commissioning Group (acting on behalf of NHS England) regarding the sum for the health provision.

3.0 Background

- 3.1 The application site is former agricultural land, situated on the northern edge of the village of Audlem. It forms part of a wider site to the north and west which has gained planning permission for the erection of 120 dwellings and construction works have now commenced. A row of four recently constructed terraced properties at Little Heath Barns, are orientated side on to the site boundary. A combination of garden fences and mature vegetation form the boundary at the south of the site. The wider site to the north and west is now under construction.

4 Proposed Development

- 4.1 This is a full application for the erection of retirement living housing (category II type accommodation), communal facilities, landscaping and car parking. The proposal includes a cluster of buildings in an L shaped design with car parking to the west and a landscaped garden to the east.
- 4.2 Vehicular access would be taken from an existing access point Audlem Road with a pedestrian access also taken off Audlem Road to the south-eastern boundary. Existing hedging is being shown as retained on the eastern boundary.
- 4.3 The appellant has appealed against non determination so the proposal seeks to determine what the Council would have been minded to recommend.

5 Officer Comment

- 5.1 In this case the application was heard at the planning committee on 9th August 2017. During the discussions members asked whether or not the medical contribution from the CCG was backed up by a viable/deliverable scheme. However this information was not provided in the committee report as it was received too late to form part of the report or update report.
- 5.2 Having considered the contents of the response from the CCG, officers are satisfied that the requested contribution of £17,352 is CIL compliant. This is because the NHS plan is at an advanced stage and a scheme exists within the Infrastructure delivery plan of Cheshire East. The letter from the CCG also provides calculations of how the

requested contribution was derived. As a result the contribution is justified and should be added to the heads of terms should the appeal be allowed.

6 Conclusion

- 6.1 On the basis of the above, it is considered that the amendment to the committee resolution is acceptable.

7 Recommendation

- 7.1 The Heads of Terms are altered as follows:

1. Commuted sum of £556,699 towards affordable housing in the local area

2. Provision of a management company for the future maintenance of on site openspace/green gym

3. Commuted sum of £17,352 towards an extension at Audlem Medical Practice

- 7.2 The slip rule should also have been included in the original report and it is also recommended that this is attached to the resolution:

In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning/Regulation, in consultation with the Chair (or in his absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

8 Financial Implications

- 8.1 There are no financial implications.

9 Legal Implications

- 9.1 The Borough Solicitor has been consulted on the proposals and raised no objections

10 Risk Assessment

- 10.1 There are no risks associated with this decision.

11 Reasons for Recommendation

- 11.1 For the purpose of negotiating and completing a S106 Agreement for application 17/0339N and to issue the planning permission.

For further information:

Portfolio Holder: Councillor Ainsley Arnold
Officer: Gareth Taylerson – Principal Planning Officer
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Background Documents:

- *Application 17/0339N*