

# Southern Planning Committee

## Agenda

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<b>Date:</b>	<b>Wednesday, 29th May, 2019</b>
<b>Time:</b>	<b>10.00 am</b>
<b>Venue:</b>	<b>Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ</b>

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

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

It should be noted that Part 1 items of Cheshire East Council decision making meetings are audio recorded and the recordings are 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 3 April 2019.

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Please contact Julie Zientek on 01270 686466

E-Mail: [julie.zientek@cheshireeast.gov.uk](mailto:julie.zientek@cheshireeast.gov.uk) with any apologies or requests for further information  
[Speakingatplanning@cheshireeast.gov.uk](mailto: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. **Terms of Reference** (Pages 11 - 12)

For Members' information, the Committee's terms of reference, as set out in the Constitution, are attached.

6. **18/2111N Webb House, Victoria Avenue, Crewe, Cheshire CW2 7SQ: Proposed Change of Use and alterations of Webb House to form 18 Class 'C2' extra care apartments, proposed erection of a new three storey block to the rear comprising 36 Class 'C2' apartments, together with associated demolitions and extensions to provide a 'Wellbeing' Hub linking the two developments, new pavilion/garden store, two bin/mobility stores together with associated landscaping and car parking. (Total 54 units) for Arcam Development Management 1 Ltd** (Pages 13 - 32)

To consider the above planning application.

7. **18/2112N Webb House, Victoria Avenue, Crewe, Cheshire CW2 7SQ: Listed building consent for proposed Change of Use and alterations of Webb House to form 18 Class 'C2' extra care apartments, proposed erection of a new three storey block to the rear comprising 36 Class 'C2' apartments, together with associated demolitions and extensions to provide a 'Wellbeing' Hub linking the two developments (Total 54 units) for Arcam Development Management 1 Ltd** (Pages 33 - 44)

To consider the above planning application.

8. **18/2481N Land off Browning Street, Crewe: Proposed 8 houses and associated infrastructure, plus remodel of car park for Mr M Thompson, Engine of the North** (Pages 45 - 56)

To consider the above planning application.

9. **18/2413C Land Adjoining Meadowview Park, Dragons Lane, Moston: Change of use of land from agricultural land for stationing of caravans for residential purposes by 1 gypsy-traveller family including utility building, hard standing, septic tank, fencing & gates, and shed/dog kennel, part retrospective for Ms D S Smith (Pages 57 - 80)**

To consider the above planning application.

**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, 3rd April, 2019 at Council Chamber, Municipal Buildings,  
Earle Street, Crewe CW1 2BJ

**PRESENT**

Councillor J Wray (Chairman)  
Councillor A Kolker (Vice-Chairman)

Councillors Rhoda Bailey, D Bebbington, P Butterill, J Bratherton, J Clowes,  
S Davies, S Pochin, J Rhodes and B Walmsley

**OFFICERS PRESENT**

Daniel Evans (Principal Planning Officer)  
Christopher Glover (Development Officer, Strategic Housing)  
Andrew Goligher (Principal Development Control Officer - Highways)  
David Hallam (Principal Conservation and Design Officer)  
Susan Orrell (Principal Planning Officer)  
James Thomas (Senior Lawyer)  
Julie Zientek (Democratic Services Officer)

**Apologies**

Councillor M Deakin

**67 DECLARATIONS OF INTEREST/PRE DETERMINATION**

The following declarations were made in the interests of openness:

With regard to application number 17/6233C, Councillor R Bailey declared that she had received a telephone message from a Middlewich resident. She had not spoken to the person concerned and was not conflicted in any way.

With regard to application number 17/6233C, Councillor S Pochin declared that she had also been contacted by a Middlewich resident. She had not discussed the application with him and had suggested that he attended the Planning Committee meeting.

With regard to application number 17/6233C, Councillor J Clowes declared that she had received a telephone message from a Middlewich resident. She had not spoken to the person concerned and had not responded. Councillor Clowes had also received email correspondence, which she had forwarded to the Chairman and the Head of Development Management.

With regard to application number 17/6233C, Councillor B Walmsley declared that she was a member of Middlewich Town Council but that she had not taken part when the application was discussed. There had been a lot of interest in Middlewich and she had been approached by members of the public, including one of the speakers at the previous meeting, but she had not discussed the application with them. Some time ago, she had been approached by the developer as part of the Neighbourhood Plan Steering Group. The plans had changed dramatically since then and there had been no recent contact, so she had not discussed her views. Councillor Walmsley stated that she retained an open mind and would assess the application on its planning merits. Councillor Walmsley also declared that she had received email correspondence with respect to the application.

With regard to application number 17/6233C, Councillor J Rhodes declared that she had received a telephone message from a Middlewich resident but that she had not spoken to the person concerned.

With regard to application number 17/6233C, Councillor D Bebbington declared that he had received a telephone message from a Middlewich resident but that he had not spoken to the person concerned.

### 68 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 6 March 2019 be approved as a correct record and signed by the Chairman.

### 69 **18/3026N LAND OFF CREWE ROAD, HASLINGTON: RESERVED MATTERS FOR APPROVED APPLICATION 13/5248N FOR APPEARANCE LANDSCAPING LAYOUT AND SCALE FOR MR & MRS NIGEL HARTLEY**

Note: Malcolm Riley (objector) and Ian Pleasant (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED

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

1. Accordance with the conditions on the outline permission
2. Time limit
3. Approved plans
4. Details of materials to be submitted
5. Compliance with the landscape planting proposals
6. Replacement tree planting

7. Compliance with the Drainage Strategy
8. Compliance with the Construction Method Statement
9. Compliance with the Badger and Bat Tree Survey and Great Crested Newt Mitigation Plan
10. Incorporation of features suitable for House Sparrow and roosting bats
11. Removal of PD Rights (Extensions and Outbuildings) on Plots 1-3
12. Condition 4 from outline consent re-attached as a pre-commencement condition

- (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, before issue of the decision notice.

**70 17/6233C LAND OFF WHEELOCK STREET, MIDDLEWICH, CHESHIRE: FULL PLANNING APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF 35NO. DWELLINGS, A RETIREMENT LIVING FACILITY CONTAINING 50NO. APARTMENTS AND 3NO. RETAIL UNITS FOR C/O AGENT, HENDERSON HOMES (UK) LTD AND MCCARTHY AND STONE**

Note: Chris Butt 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.

- (a) That, for the reasons set out in the report and the written update, the application be APPROVED subject to the completion of a S106 Agreement to secure:

<b>S106</b>	<b>Amount</b>	<b>Triggers</b>
<b>50% discount for sale units</b>	2 x 1 bed flat 2 x 2 bed house (both in Henderson part of site) Discount for Sale percentage TBC.  In event of no agreement to the above, £223,591 commuted sum in lieu	50% upon 1 <sup>st</sup> occupation of the 20 <sup>th</sup> unit. 50% at occupation of the 30 <sup>th</sup> unit
<b>Health</b>	£60,696	50% Prior to first occupation of any part of the development 50% at occupation of the 43 <sup>rd</sup> unit

<b>Education</b>	£81,713	50% Prior to first occupation of any house within the Henderson scheme 50% at occupation of the 18th dwelling.
<b>Retention of retail units to Wheelock St for retail uses (A1 to A5)</b>		Upon 1 <sup>st</sup> occupation of any part of the McCarthy and Stone development
<b>Private Management scheme for all POS/incidental open space on site.</b>		Occupation of 17 <sup>th</sup> house within the Henderson scheme or 1 <sup>st</sup> occupation of McCarthy element whichever comes 1st
<b>TRO for loading bay on Wheelock St</b>	£10,000	Commencement of the McCarthy development

and the following conditions:

1. Standard Time
2. Plans
3. Tree Protection
4. Tree Pruning/Felling Specification
5. Service/Drainage Layout to be submitted
6. Pedestrian link through site from Southway to Darlington Street to be un-gated and re-routed through McCarthy & Stone car park
7. Prior to the use of any facing or roofing materials details/ samples shall be submitted and approved
8. Notwithstanding the approved plans boundary treatment details shall be submitted and approved prior to commencement
9. Submission, approval and implementation of a Construction/Environment Management Plan (to include construction vehicle route) - prior to commencement
10. Arboricultural Management Scheme – prior to commencement
11. Site specific Engineer designed specifications for any foundation or area of hard surfacing within the root protection area of retained trees have been submitted to and approved- prior to commencement
12. Existing/proposed and Finished Floor Levels to be submitted and approved prior to commencement
13. Provision of Electric Vehicle infrastructure
14. Contaminated land – submission of a phase 2 report - prior to commencement
15. Contaminated land – submission of a verification report
16. Contaminated land – works to stop if any unexpected contamination is discovered on site
17. Contaminated land imported garden soil



17. Breeding birds – mitigation measures
18. Breeding Birds – timing of works
19. Submission of external lighting details
20. In respect of the dwellings - Removal of permitted development rights for all extensions/outbuildings Class(es) A-E of Part 1 and fence/ any means of enclosure forward of any building line Class B of Part 2 Schedule 2 of the Order
21. Piling
22. Notwithstanding submitted plans details of the hard and soft landscaping and car parking layouts to be submitted and approved
23. Implementation of the landscaping scheme
24. The car-parking layout approved as part of condition 22 shall be implemented prior to first occupation
25. Development to be undertaken in accordance with *submitted Bat Mitigation Strategy prepared by SLR dated January 2019 unless varied by a subsequent Natural England license*
26. Residents' Sustainable Travel Information Pack
27. Programme of archaeological work
28. Detailed design and associated management and maintenance plan of surface water drainage (SUDS)
29. Windows on side elevation overlooking 2 Darlington St to be obscured/not opening
30. Notwithstanding submitted plans a landscaping, including replacement tree planting scheme to be submitted/implemented
31. Retail uses scheme of services
32. Retirement living occupation age restriction
33. Dropped kerb and closure to Wheelock Street

(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, before issue of the decision notice.

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

<b>S106</b>	<b>Amount</b>	<b>Triggers</b>
<b>50% discount for sale units</b>	2 x 1 bed flat 2 x 2 bed house (both in Henderson part of site) Discount for Sale percentage TBC.  In event of no agreement to the above, £223,591 commuted sum in lieu	50% upon 1 <sup>st</sup> occupation of the 20 <sup>th</sup> unit. 50% at occupation of the 30 <sup>th</sup> unit
<b>Health</b>	£60,696	50% Prior to first occupation of any part of

		the development 50% at occupation of the 43rd unit
<b>Education</b>	£81,713	50% Prior to first occupation of any house within the Henderson scheme 50% at occupation of the 18th dwelling.
<b>Retention of retail units to Wheelock St for retail uses (A1 to A5)</b>		Upon 1 <sup>st</sup> occupation of any part of the McCarthy and Stone development
<b>Private Management scheme for all POS/incidental open space on site.</b>		Occupation of 17 <sup>th</sup> house within the Henderson scheme or 1 <sup>st</sup> occupation of McCarthy element whichever comes 1st
<b>TRO for loading bay on Wheelock St</b>	£10,000	Commencement of the McCarthy development

The meeting commenced at 10.00 am and concluded at 11.45 am

Councillor J Wray (Chairman)

## Northern and Southern Planning Committees

### Terms of Reference

- 28 To exercise the Council's functions relating to town and country planning and development control, the protection of important hedgerows, the preservation of trees and the regulation of high hedges. Some applications have been reserved to the Strategic Planning Board: others are delegated on to the Director of Planning and Sustainable Development: the following are retained for the Planning Committees:
  - 28.1 Applications for Small Scale Major Development for:
    - 28.1.1 residential developments of 20 to 199 dwellings or between 1 and 4ha
    - 28.1.2 retail or commercial/industrial or other floor space of between 5,000 and 9,999 square metres or 2-4ha.
- 29 This does not include re-applications for extant schemes or detailed applications where outline consent has been given or removal/variation of conditions.
- 30 Where the application is to vary or remove a condition that was imposed by the Planning Committee it will not be delegated.
- 31 However, there will be a presumption that a Referral request by a local ward Member will be agreed where applications are for the renewal (or extension of time) of extant, unimplemented permissions.
- 32 To determine any other planning and development control matters:
  - 32.1 advertised as a departure from policy, which the Director of Planning and Sustainable Development is minded to approve
  - 32.2 submitted by a Councillor, senior Council officer (Grade 12 or above) or a member of staff employed within the Development Management and Policy service area; or by an immediate family member or partner of these where representations objecting to the application have been received. Where objections have been received, applications recommended for refusal can be dealt with by officers under delegated powers
  - 32.3 significant applications by the Council either as applicant or land owner. This category will not normally include minor developments which accord with planning policy and to which no objection has been made
  - 32.4 referred up to them by a Councillor in accordance with the Committees' Referral procedure. However:

- 32.4.1 any request must be received within 15 working days of the issue of the electronic notification of the application, and set out the material planning consideration(s) which warrant the application going before committee
  - 32.4.2 applications for householder development, listed building consents to alter/extend and conservation area consents will normally be dealt with under delegated powers
  - 32.4.3 applications for advertisements, tree work, prior approvals, Certificates of Lawfulness and notifications will not be eligible for call in and will be dealt with under delegated powers
  - 32.4.4 there will be a presumption that a call in request by a local ward Member will be agreed where applications are for the renewal (or extension of time) of extant, unimplemented permissions.
  - 32.5 any other matters referred up to them at the discretion of the Director of Planning and Sustainable Development.
- 33 The Committees will refer up to the Strategic Planning Board matters involving a significant departure from policy which they are minded to approve contrary to recommendation by the Director of Planning and Sustainable Development.

Application No: 18/2111N

Location: WEBB HOUSE, VICTORIA AVENUE, CREWE, CREWE, CHESHIRE, CW2 7SQ

Proposal: Proposed Change of Use and alterations of Webb House to form 18 Class 'C2' extra care apartments, proposed erection of a new three storey block to the rear comprising 36 Class 'C2' apartments, together with associated demolitions and extensions to provide a 'Wellbeing' Hub linking the two developments, new pavilion/garden store, two bin/mobility stores together with associated landscaping and car parking. (Total 54 units).

Applicant: Arcam Development Management 1 Ltd

Expiry Date: 12-Sep-2018

**SUMMARY RECOMMENDATION:**

The proposals relate to the development of an 'extra care complex' (Use Class C2) at Webb House (Grade 2) consisting of a total of 54 one and two bedroom apartments. Webb House will accommodate 18 apartments, a "Wellbeing Hub" is proposed within the existing services buildings adjoining the rear of Webb House to provide resident facilities, and this will link to a new three storey building accommodating a further 36 apartments.

The residential re-use of Webb House would retain its historic character and significant features, notwithstanding that further design refinement is necessary to the proposed rear extensions. Furthermore, the new apartment building as amended represents a good design solution and preserves the setting and special historic interest of the listed buildings.

It is considered that when viewed as a whole, and taking into account the proposed alterations to Webb House and limited elements of demolition, the development would result in "less than substantial harm" to the significance of the listed building. However, in accordance with the objectives of the NPPF (para 196) this would be clearly outweighed by the public benefits of securing a suitable and viable reuse to ensure the long term retention of this historic building.

The proposal, subject to conditions, would not have an adverse impact upon trees, ecology, flood risk and contaminated land. The development would not have a harmful impact upon the local highway network and parking on site provision would be acceptable.

The development will also importantly meet the need for specialised accommodation for older people, and provide a contribution to mitigate the full impact of the proposal upon health.

For these reasons, the proposals are considered to represent a sustainable form of development in accordance with the relevant requirements of the Development Plan and national planning policy.

**Recommendation**

**Delegate to the Head of Development Management in consultation with the Chair of Southern Planning Committee to resolve outstanding matters relating to the refinement in the design of new extensions to Webb House to APPROVE subject to conditions and the completion of a S106 Agreement**

## DESCRIPTION OF SITE AND CONTEXT

Webb House is a grade II listed building set within extensive grounds and well set back from its the road frontage with Victoria Avenue.

Webb House was originally designed as an orphanage, but was later converted into a British Rail training centre and then becoming a specialist mental health hospital facility for the NHS. The building has been disused since 2008.

The main building and the two associated listed lodges at the property (South Lodge & West Cottage) were constructed in the early 1900s. The building is constructed from red facing brickwork to the main walls, with stone sills and features throughout, under a natural slate roof. A clock and bell tower is located centrally over the main entrance to the building.

The large grounds to the front of the Webb House are mainly lawned and designated as informal open space under saved policy RT 1 of the Replacement Crewe and Nantwich local Plan. The grounds contain protected trees on its frontage with Victoria Avenue, alongside the central driveway leading to Webb House and adjacent to the western boundary.

A recent single storey building including the former “Psychodrama” and Clinical Offices is located within the north western corner of the site adjacent to the northern boundary with the Crewe – Chester railway line.

Extensive car parking areas are located to the rear and on the eastern side of the site, and also to the front of the former Clinical Office building to the west.

Modern properties of Fairburn Avenue back onto the western site boundary. A public right of way (pedestrian/Cycleway) linking West Street with Victoria Avenue passes alongside the eastern boundary, beyond which are dwellings of White Avenue.

## DETAILS OF PROPOSAL

The application proposes the development of an ‘extra care complex’ (Use Class C2) at Webb house consisting of a total of 54 one and two bedroom apartments. The development will accommodate persons aged 65 and over who will have access to a minimum Care Package of 1.5 hours a week.

The development involves the conversion and rear extension of Webb House to provide 18 apartments. Former service buildings adjoining the rear of Webb House will accommodate a “Well Being Hub” and this will link to a new three-storey building to the north accommodating a further 36 apartments.

The proposal includes resident facilities, parking, landscaping and associated works. In particular, facilities are incorporated to provide 24 hour care and staffing. The “Well Being Hub” will provide treatment rooms, exercise studio, activity room, office, therapy pool and changing facilities, in addition to a communal lounge and library. Facilities would be for the sole use of the residents of the complex and not be available to the general public.

In addition to alterations to the listed building to facilitate its residential re-use, the proposals include the demolition of more recent additions within the site, including the Psychodrama and Clinical Office (education block) to the north west of the site and flat roofed toilet block additions adjoining the rear of Webb House. Further single storey structures to the rear of the former sports hall behind Webb House will be removed to facilitate the development.

Significant amendments have been made to the design and components of the proposals during the course of the application. Original proposals to extend West Cottage to provide four units and South Lodge to create a further unit, along with five new bungalows fronting Victoria Avenue have been omitted from the revised scheme.

Listed Building Consent application 18/2112N accompanies this application reported separately on this Agenda

### **RELEVANT HISTORY**

P91/0322 - Single storey extension glazed units and new amenities building. Approved

P92/0037 - Listed building consent for new amenities building, alterations and extensions to existing outbuildings including partial demolition – Approved  
16th April 1992

P99/0426 - Certificate of proposed lawful use for a therapeutics mental health community.  
Certificate issued 24th June 1999

P00/0003 - Listed building consent for internal alterations, external link corridor disabled ramp, waste compound, alterations to openings and creation of paved area. Approved 2<sup>nd</sup> March 2000

P09/0209 - Listed Building Consent for upgrade to existing hospital accommodation.  
Approved 9th June 2009.

09/0754N - Upgrading of Existing Hospital Accommodation. Approved 3rd September 2009

### **POLICIES**

#### **Cheshire East Local Plan Strategy**

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement Hierarchy

PG7 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

SE1 Design

SE2 Efficient use of land

SE 3 Biodiversity and Geodiversity

SE 4 The Landscape

SE 5 Trees, Hedgerows and Woodland

SE 6 Green Infrastructure

SE 7 The Historic Environment

SE 13 Flood Risk and Water Management

CO 1 Sustainable Travel and Transport

CO 4 Travel Plans and Transport Assessments



SC 1 Leisure and Recreation  
SC 3 Health and Well Being  
SC 4 Residential Mix  
SC 5 Affordable Homes  
IN 1 Infrastructure  
IN 2 Developer Contributions

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

NE.5 (Nature Conservation and Habitats)  
NE.9 (Protected Species)  
NE.20 (Flood Prevention)  
BE.1 (Amenity)  
BE.3 (Access and Parking)  
BE.4 (Drainage, Utilities and Resources)  
BE.9 (Listed Buildings: Alterations and Extension)  
BE.10 (Change of use for listed buildings)  
RT.3 (Provision of Recreational Open Space and Children's Playspace in New Housing Developments)  
TRAN.3 (Pedestrians)  
TRAN.5 (Cycling)

### **Other Material Considerations**

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

National Planning Practice Guidance (NPPG)

### **CONSULTATIONS**

**United Utilities** : No objections subject to conditions relating to foul and surface water drainage.

**Flood Risk** : No objection subject to a condition requiring details of surface water drainage scheme.

**Environmental Protection** : No objections subject to conditions relating to:  
Electrical Vehicle Infrastructure, dust control measures, piling, contaminated land, noise mitigation and provision of Ultra Low Emission Boilers.

**Highways** : No objections

**Housing** : As this is C2 development there is no requirement for affordable housing and therefore no comments are necessary from Strategic Housing.

**Public Rights of Way** : No objection

**NHS Southern Commissioning Group** : No objection subject to financial contribution of £35,856 being secured by S106 Agreement to be used to develop existing medical centres.

**Network Rail** : No comments received

### **VIEWS OF THE PARISH / TOWN COUNCIL**

**Crewe Town Council** : (comments to original proposal) Objects;

*Whilst the Town Council would welcome sympathetic development which retains Webb House and gives it a sustainable future, the current proposal does not respect the existing listed building or its setting. The proposed 3 storey block to the rear of the site is too large and over dominates the listed building. The proposed bungalows on the frontage will obscure views of the listed building from the road frontage and should be removed from the scheme. It is vital that the existing views of the building from the pavement are retained. The details of the extensions to the lodges should be sympathetic to the character of the listed building. The landscaping around the car parking areas should be of sufficient height to screen views of the cars, but no more than 2m in height when mature so as not to obscure views of the building.*

### **OTHER REPRESENTATIONS**

5 representations have been received from local residents raising the following points;

- Heritage Statement is incomplete (further addendums have been submitted)
- Although the New Build to the rear of the existing Main Building blends in without being a pastiche, the West Cottage proposal is much less successful as the new build and existing structure are immediately adjacent to one another and, being of similar size but different detailing, do not gel as well.
- Proposals should retain trees on Victoria Avenue side of Webb House
- bungalows detrimental to setting of Webb House
- Increase in traffic, leading to further deterioration in road surface of Victoria Avenue
- There is no public transport to and from the Town Centre

3 letters of support have also been received:

- Scheme will bring this building back into use and maintain it going forward having been vacant for over 10 years
- Secure building at risk

### **OFFICER APPRAISAL**

#### **Principle of development**

The site lies within the Crewe settlement limit in a sustainable urban location and therefore the principle of residential development is acceptable. However Webb House is a notable Grade II Listed Building and any development should not harm its character, setting or historic significance in accordance with the policies of the Development Plan and the National Planning Policy Framework.

### **Heritage and Design**

Policy SE7 The Historic Environment requires that all new development conserve and enhance the historic environment and seek to avoid harm to heritage assets and make a positive contribution to Cheshire East's historic and built environment. In terms of designated heritage assets proposed development will be supported that do not cause harm to, or which better reveal the significance of the heritage asset.

In addition Saved Policy BE.9 (Listed Buildings: Alterations and Extensions) states that development proposals for the alteration or extension of a listed building, or any feature of special or architectural or historic interest which contributes to the reasons for its listing must respect its scale, materials, colour, detailing and other significant features and must not detract from the character or setting of the building concerned. Similarly, Saved Policy BE.10 (Changes of Use to Listed Buildings) also requires that proposals should ensure that the special architectural or historic interest of listed buildings would be preserved

The importance of securing high quality design is specified within the NPPF and paragraph 124 states that:

*'The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this'*

This is supported by Policy SE1 of the CELPS, which emphasises the need *to ensures sensitivity of design in proximity to designated and local heritage assets and their settings.*

It is considered that the overall design approach for the new apartment building will itself represent a good design solution, which will also preserve the special architectural and historic interest of the listed building. The residential conversion of Webb House would retain its historic character, significant original features.

### **Apartment Building**

In relation to the original proposals the Council's Conservation and Design Officers raised significant concerns regarding the impact of the new apartment building on the setting and character of Webb House given its design, scale and massing.

The new build proposal has been subject to a number of revisions including a reduction in its footprint and that it is of lower height than the listed building. The amended apartment building is also of a contemporary, modern design to ensure that it achieves a sympathetic contrast with the historic character of the adjoining listed building.

The simple rectilinear footprint of the amended apartment building would sit comfortably at the rear of the site, running parallel with the northern site boundary and the rear element of Webb House itself. The proposal footprint is almost identical to the width and depth of the existing building. The massing of the new block has been broken down into wings and deep bays, set within the proportions of which correspond with elements of Webb House.

As a result the Conservation Officer accepts that new block would not over-dominate the listed building.

However, notwithstanding this, the Conservation and Design Officers have raised further concerns in relation to aspects finer detailing and facing materials proposed for the new building. These issues particularly related to the use of brickwork cladding for the structural frame of the building and configuration of areas of glazing and grey cladding panels within the bays. To address these concerns further amendments have been made to the new building including;

- The Structural “frame” of the new block will be faced with copper cladding as opposed to brickwork cladding, ensuring a lighter-weight appearance and achieving an appropriate contrast with Webb House
- The configuration of areas of glazing and cladding of bays within the structural frame have been simplified, and the greater use of obscure glazed panels has helped to soften the overall appearance of the building
- Originally proposed balcony balustrades have been removed and replaced with clear scheme.

Conditions are recommended to secure a satisfactory quality of materials and their finishes, which is critically important for cladding, and also in respect of the specification for the framing of windows and areas of glazing.

Whilst of contemporary design, these amendments ensure that the new apartment building acts as an appropriate contrast to the listed building, ensuring that it can satisfactorily stand alongside Webb House rather than compete with it.

### Conversion and Alteration of Webb House

Careful consideration has been given to the detailing of the external alterations to the listed building itself, including the removal of the detracting toilet blocks and the proposed rear extension.

The amended proposals ensure that the proposed pair of rear infill extensions sited within recesses at either end of the rear elevation of Webb House reflect the existing window pattern of the listed building, together with a new lightweight, glazed facade to the staircase enclosure. In principle, their uncomplicated and simple design ensures that they will appear as subservient and sympathetic additions to Webb House.

Other than the glazed staircase enclosure the new extension would be constructed in red brickwork. The Design and Conservation Officer has advised that care is needed with the use of facing brickwork and also the finer detailing of the extensions should ensure that the extension be read as distinct additions to Webb house which also compliment the design of the new apartment building. It is considered that further refinement of their design is necessary including;

- The use of Copper cladding to frame the feature glazing
- Strengthening of parapet detail and potential use copper cladding
- Detailing on rear elevations to greater reflect the recessed form of the gables on the existing building

Nevertheless, these changes can easily be achieved by minor amendments to the scheme, it is therefore recommended that the Committee resolves to approve the application and delegates the decision to the Head of the Development Management and the Chair of the Southern Planning Committee to achieve the revisions.

Subject to these revisions, it is considered that the proposals would not result in significant harm to the fabric of Webb House, nor from the demolition of the minor element to the north beyond the sports hall, as this is in poor condition and of little historic or architectural significance. The removal of the unattractive modern toilet block additions to Webb House will also better reveal the historic significance of the building.

The Conservation Officer has raised no objections to internal alterations and these are addressed in the consideration of the listed building consent application. A series of conditions are recommended to secure the retention of existing features and details of proposed works including materials, new windows, doors and rainwater goods.

### Summary

Webb House has been empty for over 10 years. The proposed scheme constitutes a viable new use of Webb House and reflects the original institutional use in a manner sensitive to the significance of the listed building and its setting.

It is considered that when viewed as a whole, and taking into account the proposed alterations to Webb House and limited elements of demolition, the development would result in “less than substantial harm” to the significance of the heritage asset.

However, in accordance with the objectives of the NPPF (para 196) this ‘less than substantial harm’ would be outweighed from the public benefits of securing a suitable viable reuse to ensure the long term retention of this historic building.

### **Landscape and setting**

The proposals have been revised to safeguard the wider landscaped setting of the listed building.

The five lodges originally proposed to face Victoria Avenue have been removed from the proposals in recognition of the importance of the curtilage listed South Lodge and the overall impact on the overall setting of Webb House. In addition the proposed extensions proposed to the West Cottage and South Lodge has also been omitted from the proposals.

In recognition of the importance of the landscaped frontage of Webb House to its overall historic significance, further amendments have been made including the reduction in the size of the proposed pavilion and its relocation closer to the eastern boundary. The extent of parking has also been reduced and is located to the rear of the building and to the sides of the site in a landscaped setting which will satisfactory limit its visual impact.

The open setting of Webb House from Victoria Avenue is retained and enhanced. It will principally be used as extensive recreational space and gardens for use by residents of the development in accordance with the objectives of saved local plan policies RT1 and RT3.

### **Trees**

There are a significant number of mature trees within the site, many of which are protected by a Tree Preservation Order (TPO) and positively contribute to the setting of the listed buildings.

Amended plans have omitted the siting of proposed new lodges alongside Victoria Avenue and also the extension to South Lodge which would have adversely affected several protected trees.

The Tree Officer considers that the amendments to the proposed driveway access arrangements and footpath layout ensures that protected trees will be retained.

An overgrown area of raised ground containing several trees (Sycamore and Ash) is located to the rear of the Webb House and adjacent to the railway line. These trees are not protected by the TPO, but will need to be removed to accommodate the new apartment block. The Tree Officer has raised no objection to the removal of these trees, particularly given that those closest to the railway line will be subject to scrutiny from Network Rail for ongoing maintenance due to leaf clearance.

The Tree Officer has recommended that the proposals will not be detrimental to the health of protected trees subject to conditions being imposed including an updated tree protection scheme, an updated Arboricultural Method Statement, and details of special no-dig construction of areas of hardstanding adjacent to trees.

### **Housing**

It is considered that given the level of care proposed, the scheme would fall within Use Class C2 (Residential Institutions) and as such it does not have an affordable housing requirement.

However it is recommended that a S106 agreement relates to the age and care requirements of the occupants of the units. It will require the 'Approved Occupiers' to be over 65 years of age and a written assessment to identify their care and support needs. This will ensure that the units do not become open market properties that would have required an element of affordable housing to be provided.

The development would benefit the public interest in terms of offering more choice for residential accommodation for the elderly in the area. The Government's formally adopted National Planning Practice Guidance (NPPG) states under Housing and Economic Development Needs Assessments paragraph 21:

'Housing for older people, advises as follows:

*"The need to provide housing for older people is critical given the projected increase in the number of households aged 65 and over accounts for over half of the new households (Department for Communities and Local Government Household Projections 2013). The age profile of the population can be drawn from Census data. Projection of population and households by age group should also be used. Plan makers will need to consider the size, location and quality of dwellings needed in the future for older people in order to allow them to live independently and safely in their own home for as long as possible, or to move to more suitable accommodation if they so wish"*

The majority of older people who are looking to move home in later life are downsizing from a larger family home. Hence the need to deliver a range of choice in terms of type and tenure that will enable them to make such a move. The proposed development will contribute to the provision of such a choice and therefore falls within the spectrum of accommodation cited in the NPPG and will meet a need for specialised accommodation for older people which weights in favour of the proposal.

### **Health**

The South Cheshire Clinical Commissioning Group (CCG) have sought a S106 Contribution to provide funding to support the development Millcroft and Earnswood Medical Centres, and their future ability to meet the needs of residents of the proposed scheme and continue to provide the expected level of Primary Care services in Crewe.

The mitigation requested is £35,856 based on the following formula;

Size of Unit	Occupancy Assumptions Based on Size of Unit	Health Need/Sum Requested per unit
1 bed unit	1.4 persons	£504 per 1 bed unit
2 bed unit	2.0 persons	£720 per 2 bed unit
3 bed unit	2.8 persons	£1,008 per 3 bed unit
4 bed unit	3.5 persons	£1,260 per 4 bed unit
5 bed unit	4.8 persons	£1,728 per 5 bed unit

It is not possible to accurately predict the increase in population based on a raw number of up to 54 houses/apartments until the size and type of housing is known. Nor is it possible to assess the impact that it will ultimately have on the local health needs in terms of demands on services and the types of services needed. However, following the above formula, an estimate is as follows:

Market Housing:

1 bed unit x 14	£7,056
2 bed unit x 40	£28,800
<b>Total: 54 units</b>	<b>£35,856</b>

## Amenity

Saved Policy BE.1 of the Crewe and Nantwich Local Plan requires consideration to be given to the occupiers of both neighbouring properties and the future occupants of the site with regard to impact on privacy, loss of light, visual intrusion and pollution.

As a general indication, the Councils Backland Development SPD states that in the case of flats a separation distance of 30m should be achieved between principal elevations with windows to first floor habitable rooms.

The proposed apartment building and Webb House are set within extensive grounds. The side elevation of the Webb House is located 22m from the eastern site boundary and over 30m from windows within the rear elevations of properties of Fairburn Avenue which back onto the site.

The eastern wing of the new apartment block will be sited over 13m from the site boundary ensuring that a separation distance of 22m will remain between the new block and the gable end of No.66 Fairburn Avenue which does not contain any principal windows. The western wings of both Webb House and the new rear block are also located over 40m from the rear elevations of dwellings of White Avenue which lie beyond the western site boundary and the public right of way.

A separation distance of 35m will also remain between the rear elevation of the new block and rear elevations of approved dwellings of the redevelopment of the Bombardier site located on the northern side of the railway line.

These separation distances are well in excess of the minimum standard set out in the Council's Supplementary Planning Document and consequently, there are no privacy or amenity issues arising from this application.

As a result it is not considered that the proposal would cause significant harm to living conditions of neighbouring properties.



## Noise

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

The report recommends mitigation designed to ensure that occupants of the properties are not adversely affected by noise from the movement of trains. The Environmental Health Officer confirms that conclusions of the report and methodology used are acceptable.

The Environmental Health Officer recommended that conditions are imposed to ensure that the noise mitigation measures set out in the acoustic report are implemented and details are submitted of proposed glazing and ventilation which will be used.

## Nature Conservation

Evidence of bat activity in the form of two minor roosts of relatively common bat species has been recorded within two of the building on site. The usage of the building by bats is likely to be limited to single- small numbers of animals using the buildings for relatively short periods of time during the year and there is no evidence to suggest a significant maternity roost is present. The proposed development would result in the loss of one roost on site; the second roost would not be affected by the proposals.

It should be noted that since a European Protected Species (bats) 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 license under the Habitat Regulations 2010. A license 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.

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 site and listed buildings are currently disused. It is at serious risk of anti-social behaviour, which would cause harm to the amenity of neighbours and increase fear of crime. The proposal will result in appropriate re-use of the site and long term retention of the listed buildings which is of overriding public interest.

The proposed mitigation and compensation is acceptable and is likely to maintain the favourable conservation status of the species.

### No satisfactory alternative

There are no alternative proposals which would secure the long term retention of Webb House.

### Maintaining the favourable conservation status

In order to compensate for the loss of bat roosts on site the applicant is proposing the provision of a number bat boxes and features for bats be incorporated into the development. The timing and supervision of the works will also reduce the risk posed to any bats that may be present when the works are undertaken. Demolition works would be undertaken in accordance with a Natural England license.

A planning condition is necessary in this regard. This is considered adequate to maintain the favourable conservation status of the bat species on this site.

The Council's Ecologist also recommends that a condition be imposed to safeguard nesting birds.

## **Highways**

The proposal is for 54 extra care home apartment units (Use Class C2) which includes a change of use of the existing building which was previously used by the NHS Trust as a mental health hospital facility.

The Council's Highway Engineer considers that number of vehicular trips generated by the development would be small, and given the former NHS use on site the net highway impact of the proposal will be minimal.

The existing vehicle access and highway visibility onto Victoria Avenue is acceptable. The existing footway infrastructure is acceptable and there are signalised pedestrian crossings to the west at the West Street junction, and to the east outside the entrance to Queens Park.

There is an existing access onto the PROW at the western boundary of the site. Amended plans show that secure access to the PROW will be retained enabling convenient pedestrian/cycle access for residents of the scheme to local facilities of West Street to the north and Victoria Avenue to the south.

The existing on site parking provision accommodates for approximately 50 vehicles. Proposed parking provision is acceptable equating to 1 space per unit and an additional 18 for visitors, with additional informal parking available within the site.

The Highway Engineer has raised no objection subject a condition to requiring the submission of a Construction Management Plan to mitigate the highway impact of activities and vehicle movements associated with the construction of the development.

## **Flood Risk**

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps. From the conclusions of the submitted Flood Risk Assessment it is considered that the development would be sustainable in terms of flood risk

United Utilities have been consulted as part of this application and have raised no objection to the proposed development subject to conditions regarding foul and surface water and a drainage strategy. The Council's Flood Risk team do not object to the application subject to a condition being imposed requiring details of the surface water drainage scheme.

## **CIL Regulations**

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 set out above the CCG has requested an NHS contribution £35,856

The development would result in increased demand for NHS provision locally in Crewe where there is limited capacity in the 2 existing surgeries. In order to increase future capacity to support the proposed development, a contribution towards health care provision is required. This is considered to be necessary and fair and reasonable in relation to the development.

## **Planning Balance**

The development is considered to be located in a sustainable location in easy walking distance of services and facilities.

The residential re-use of Webb House would retain its historic character and significant features notwithstanding that further design refinement is necessary to the proposed rear extensions. Furthermore, the new apartment building represents a good design solution and preserves the setting and special historic interest of the listed buildings.

It is considered that when viewed as a whole, and taking into account the proposed alterations to Webb House and limited elements of demolition, the development would result in "less than substantial harm" to the significance of listed building. However, in accordance with the objectives of the NPPF (para 196) this would clearly outweighed from the public benefits of securing a suitable and viable reuse to ensure the long term retention of this historic building. This is a significant benefit which weighs in favour of the development.

The proposal, subject to conditions, would not have an adverse impact upon trees, ecology, flood risk and contaminated land. The development would not have a harmful impact upon the local highway network and parking on site provision would be acceptable.

The development will also importantly meet the need for specialised accommodation for older people, and provide a contribution to mitigate the full impact of the proposal upon health.

The proposals are therefore considered to be a sustainable form of development in accordance with the Development Plan and national policy.

## RECOMMENDATION

**Delegate to the Head of Development Management in consultation with the Chair of Southern Planning Committee to resolve outstanding matters relating to the refinement in the design of new extensions to Webb House to APPROVE subject to conditions and the completion of a S106 Agreement**

<b>S106</b>	<b>Amount</b>	<b>Triggers</b>
<b>Health</b>	£ 35,856	50% paid prior to first occupation and the further 50% paid at occupation of the 51st dwelling.
<b>Private Management scheme for all POS on site.</b>		1 <sup>st</sup> occupation of the development
<b>Occupiers' to be over 65 years of age and to complete a written assessment to identify their care and support needs.</b>		1 <sup>st</sup> occupation of the development

**And the following conditions:**

- 1. Standard Time**
- 2. Development in accordance with approved plans**
- 3. Details of materials, finishes and specification of cladding**
- 4. Sample panel of materials on site**
- 5. Method of repointing and use of lime mortar**
- 4. Surfacing materials for car parking**
- 5. Large scale constructional details of new windows, internal and external doors for existing buildings**
- 6. A schedule of doors and windows to be repaired, altered, or replaced**
- 7. Cast iron, rainwater goods painted black**
- 8. Structural Engineers report to ensure stability of historic fabric to be retained during demolition and reconstruction**

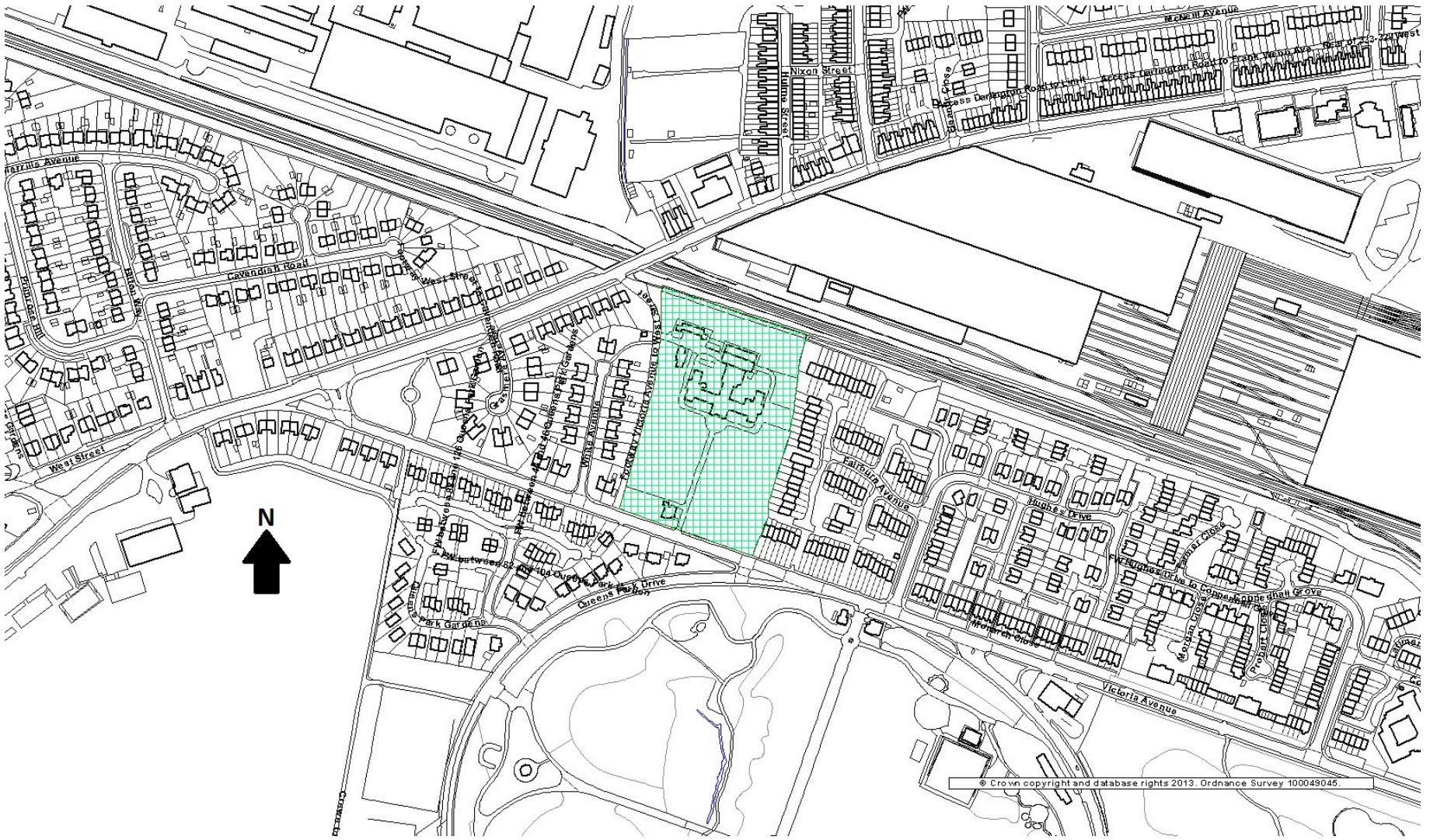
9. Method statement for connecting extensions to the existing building
10. Proposed and Finished Floor Levels
11. Tree Protection
12. Tree Pruning/Felling Specification
13. Arboricultural Method Statement
14. Engineer designed no dig hard surface construction specification for any area of hard surfacing within the root protection area of retained trees
15. Arboricultural Scheme of Supervision
16. Levels Survey
17. Prior to the use of any facing or roofing materials details/ samples shall be submitted and approved
18. Mitigation implemented in accordance with the acoustic report prepared by Peak Acoustics dated 4<sup>th</sup> February 2019 Ref LH1101181NR rev.1
19. Specification of mitigation measures for glazing and ventilation
20. Provision of Electric Vehicle infrastructure
21. Provision of Ultra Low Emission Boilers
22. Contaminated land – submission of a phase 2 report - prior to commencement
23. Contaminated land – submission of a verification report
24. Contaminated land – works to stop if any unexpected contamination is discovered on site
25. Contaminated land imported soil
26. Piling
27. Dust control
28. Notwithstanding submitted plans, details of the hard and soft landscaping and car parking layouts to be submitted and approved
29. Implementation of the landscaping scheme
30. The car-parking layout approved as part of condition 28 shall be implemented prior to first occupation
31. Development to be undertaken in accordance with *the submitted Ecological Impact Assessment prepared by Whitcher Wildlife Ltd dated 10<sup>th</sup> April 2018 unless varied by a subsequent Natural England license*
32. Breeding Birds – timing of works
33. Details of *surface water drainage scheme*
34. Submission, approval and implementation of a Construction Management Plan

In order to give proper effect to the Board`s/Committee`s intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice

Should this application be the subject of an appeal, authority is approved to enter into a S106 Agreement to secure the following:

S106	Amount	Triggers
Health	£ 35,856	50% paid prior to first occupation and the further 50% paid at occupation of

		the 51st dwelling.
<b>Private Management scheme for all POS on site.</b>		1 <sup>st</sup> occupation of the development
<b>Occupiers' to be over 65 years of age and to complete a written assessment to identify their care and support needs. Retention of extra care facilities</b>		1 <sup>st</sup> occupation of the development



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Application No: 18/2112N

Location: WEBB HOUSE, VICTORIA AVENUE, CREWE, CREWE, CHESHIRE, CW2 7SQ

Proposal: Listed building consent for proposed Change of Use and alterations of Webb House to form 18 Class 'C2' extra care apartments, proposed erection of a new three storey block to the rear comprising 36 Class 'C2' apartments, together with associated demolitions and extensions to provide a 'Wellbeing' Hub linking the two developments (Total 54 units)

Applicant: Arcam Development Management 1 Ltd

Expiry Date: 12-Sep-2018

### **SUMMARY RECOMMENDATION:**

The proposals relate to the development of an 'extra care complex' (Use Class C2) at Webb House (Grade 2) consisting of a total of 54 one and two bedroom apartments.

Webb House will accommodate 18 apartments, a "Wellbeing Hub" is proposed within the existing services buildings adjoining the rear of Webb House to provide resident facilities, and this will link to a new three storey building accommodating a further 36 apartments.

The residential re-use of Webb House would retain its historic character and significant features, notwithstanding that further design refinement is necessary to the proposed rear extensions. Furthermore, the new apartment building represents a good design solution and preserves the setting and special historic interest of the listed buildings.

It is considered that when viewed as a whole, and taking into account the proposed alterations to Webb House and limited elements of demolition, the development would result in "less than substantial harm" to the significance of listed building. However, in accordance with the objectives of the NPPF (para 196) this would clearly outweighed from the public benefits of securing a suitable a viable reuse to ensure the long term retention of this historic building.

Subject to the imposition of planning conditions and securing the amendments to the rear extensions, it is considered that the proposed works would not have a detrimental impact upon the Grade II listed building or its setting.

For these reasons, the proposals are considered to accord with the relevant requirements of local and national planning policy, and the application is therefore recommended for approval, subject to conditions.

### **Recommendation**

**Delegate to the Head of Development Management in consultation with the Chair of Southern Planning Committee to resolve outstanding matters relating to the refinement in the design of new extensions to Webb House. Members resolve to APPROVE subject to conditions and the completion of a S106 Agreement**

### **DESCRIPTION OF SITE AND CONTEXT**

Webb House is a grade II listed building set back from Victoria Avenue. The property is set within extensive grounds which contain s protected trees on its frontage with Victoria Avenue, alongside the central driveway and western boundary.

The large grounds to the front of the building are mainly lawned and designated as informal open space under saved policy RT 1 of the Replacement Crewe and Nantwich local Plan. To the rear and eastern part of the site, there is a large tarmacadam car park, with additional car parking to the front of the Psychodrama and Clinical Office building to the west.

Webb House was originally designed as an orphanage, but was later converted into a British Rail training centre before becoming a specialist mental health hospital facility for the NHS. The building has been dis-used since 2008.

The main building and the two associated listed lodges at the property (South Lodge & West Cottage) were constructed in the early 1900s. The building is constructed from red facing brickwork to the main walls, with stone sills and features throughout, under a natural slate roof. A clock and bell tower is located centrally over the main entrance to the building.

A new build computer centre was constructed at a later date at the rear of the site adjacent to the northern boundary with the Chester to Crewe railway line more recent buildings including the “Psychodrama” and Clinical Office are located within the north western corner of the site.

Modern properties of Fairburn Avenue back onto the western site boundary. A public right of way (pedestrian/cycleway) linking West Street with Victoria Avenue passes alongside the eastern boundary, beyond which are dwellings of White Avenue.

### **DETAILS OF PROPOSAL**

The proposals relate to the development of an ‘extra care complex’ (Use Class C2) at Webb House (Grade 2) consisting of a total of 54 one and two bedroom apartments.

This application for Listed Building Consent comprises the conversion alteration and rear extension of Webb House into 18 apartments. A “Wellbeing Hub” is proposed within the former services buildings at the rear of Webb House. This will link Webb house to a new three storey building to the north accommodating a further 36 apartments.

The proposed development includes resident facilities, parking, landscaping and associated works. The “Well Being Hub” will provide treatment rooms, exercise studio, activity room, office, therapy pool and changing facilities, in addition to a communal lounge and library.

To facilitate the development the proposals include;

- Demolition of two flat roofed toilet blocks to the rear of Webb House adjoining the original staircase enclosures to enable the construction of two infill extensions;
- Two infill extensions to the rear of Webb House behind the west and east wings to add 4no two bed apartments;
- Construction of new central staircase to Webb House. The existing building has only two staircases each located at the opposite end of the east west corridor. It is proposed to have a central staircase close to the main front entrance from where

routes radiate to the east and west wings, the central communal lounge, wellbeing hub and new build apartments beyond;

- Demolition of rear support rooms to the former Webb House Sports Facility to facilitate development of the Wellbeing Hub/apartment block

Significant amendments have been made to the proposals during the course of the application, including the design of the proposed extensions to Webb House and in respect of the adjoining apartment block.

Planning application 18/2111N accompanies this application.

### **RELEVANT HISTORY**

P91/0322 - Single storey extension glazed units and new amenities building. Approved

P92/0037 - Listed building consent for new amenities building, alterations and extensions to existing outbuildings including partial demolition – Approved

16th April 1992

P99/0426 - Certificate of proposed lawful use for a therapeutics mental health community. Certificate issued 24th June 1999

P00/0003 - Listed building consent for internal alterations, external link corridor disabled ramp, waste compound, alterations to openings and creation of paved area. Approved 2<sup>nd</sup> March 2000

P09/0209 - Listed Building Consent for upgrade to existing hospital accommodation. Approved 9th June 2009.

09/0754N - Upgrading of Existing Hospital Accommodation. Approved 3rd September 2009

### **POLICIES**

#### **Cheshire East Local Plan Strategy**

MP1 Presumption in favour of sustainable development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

SE1 Design

SE7 the Historic Environment

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

#### **Crewe and Nantwich Replacement Local Plan**

BE.9 (Listed Buildings: Alterations and Extension)

BE.10 (Change of use for listed buildings)

## National Planning Policy

National Planning Policy Framework

### CONSULTATIONS (External to Planning)

**English Heritage:** The application should be determined in accordance with national and local policy guidance and on the basis of your expert conservation advice.

### VIEWS OF THE PARISH / TOWN COUNCIL:

**Crewe Town Council (comments to original scheme):** Objects;

*“Whilst the Town Council would welcome sympathetic development which retains Webb House and gives it a sustainable future, the current proposal does not respect the existing listed building or its setting. The proposed 3 storey block to the rear of the site is too large and over dominates the listed building. The proposed bungalows on the frontage will obscure views of the listed building from the road frontage and should be removed from the scheme. It is vital that the existing views of the building from the pavement are retained. The details of the extensions to the lodges should be sympathetic to the character of the listed building. The landscaping around the car parking areas should be of sufficient height to screen views of the cars, but no more than 2m in height when mature so as not to obscure views of the building”.*

### OTHER REPRESENTATIONS:

5 representations have been received from local residents raising the following points;

- Heritage Statement is incomplete (further addendums have been submitted)
- Although the New Build to the rear of the existing Main Building blends in without being a pastiche, the West Cottage proposal is much less successful as the new build and existing structure are immediately adjacent to one another and, being of similar size but different detailing, do not gel as well.
- Proposals should retain trees on Victoria Avenue side of Webb House
- bungalows detrimental to setting of Webb House
- Increase in traffic, leading to further deterioration in road surface of Victoria Avenue
- There is no public transport to and from the Town Centre

3 letters of support have also been received:

- Scheme will bring this building back into use and maintain it going forward having been vacant for over 10 years
- Secure building at risk

## OFFICER APPRAISAL

This application seeks determination of whether works to a Listed Building would be acceptable. The principle of the proposed development is considered under the corresponding full planning application.

The property is Grade II and as such in considering whether to grant listed building consent for any works the Council shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses as per the Planning (Listed Buildings and Conservation Areas) Act 1990

### Policy

Policy SE7 of the CELPS states that, the Council will support development proposals that do not cause harm to, or which better reveal the significance of heritage assets and will seek to avoid or minimise conflict between the conservation of a heritage asset and any aspect of a development proposal by:

- i. Requiring development proposals that cause harm to, or loss of, a designated heritage asset and its significance, including its setting, to provide a clear and convincing justification as to why that harm is considered acceptable. Where that case cannot be demonstrated, proposals will not be supported.
- ii. Considering the level of harm in relation to the public benefits that may be gained by the proposal.
- iii. The use of appropriate legal agreements or planning obligations to secure the benefits arising from a development proposal where the loss, in whole or in part of a heritage asset is accepted.

Saved Policy BE.9 (Listed Buildings: Alterations and Extensions) states that development proposals for the alteration or extension of a listed building, or any feature of special or architectural or historic interest which contributes to the reasons for its listing must respect its scale, materials, colour, detailing and other significant features and must not detract from the character or setting of the building concerned. Similarly, Saved Policy BE.10 (Changes of Use to Listed Buildings) also requires that proposals should ensure that the special architectural or historic interest of listed buildings would be preserved.

NPPF paragraph 196 notes that, *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”*

### Impact upon the Grade II Listed Building and it's Setting

#### Alteration and Extensions to Webb House

The building has been well maintained and still contains many of its original features. Overall, the Conservation Officer considers that the care has been taken to ensure the proposal sympathetically works with the listed building, thereby reducing the amount of demolition of existing original structure and minimising loss of historic fabric. The Conservation officer has

therefore raised no objections to internal alterations to facilitate the Conversion scheme. The proposals would retain the historic character, significant features, and room arrangement of the original building.

Existing features including traditional floor finishes such as the parquet flooring, skirtings, picture rails and ornate architrave details, panelled walls and cornicing will be retained. The Conservation Officer has however specifically advised that a condition should be imposed to require that existing fireplaces and their surrounds are retained in that location and openings retained if no fire surround is in place.

In addition, the provision of the proposed central staircase is considered acceptable, particularly given that the original steel staircases at either end of the building are to be retained.

Careful consideration has been given to the detailing of the external alterations to the listed building itself, including the removal of the detracting toilet blocks and the proposed rear extension.

The amended proposals ensure that the proposed pair of rear infill extensions sited within recesses at either end of the rear elevation of Webb House reflects the existing window pattern of the listed building, together with a new lightweight, glazed facade to the staircase enclosure. In principle, their uncomplicated and simple design ensures that they will appear as subservient and sympathetic additions to Webb House.

Other than the glazed staircase enclosure the new extension would be constructed in red brickwork. The Design and Conservation Officer has advised that care is needed with the use of facing brickwork and also the finer detailing of the extensions should ensure that the extension be read as distinct additions to Webb house which also compliment the design of the new apartment building . It is considered that further refinement of their design is necessary including;

- The use of Copper cladding to frame the feature glazing
- Strengthening of parapet detail and potential use copper cladding
- Detailing on rear elevations to greater reflect the recessed form of the gables on the existing building

Nevertheless, these changes can easily be achieved by minor amendments to the scheme, and it is therefore recommended that the Committee resolves to approve the application subject to these amendments being secured and agreed by the Head of the Development Management and the Chair of the Southern Planning Committee.

It is considered that the proposals are of a layout and design which would not lead to any significant harm to the fabric of Webb House, nor from the demolition of the minor element to the north beyond the sports hall, as this is in poor condition and of little historic or architectural significance. The removal of the unattractive modern toilet block additions to Webb House will also better reveal the historic significance of the building.

A series of conditions are recommended to secure the retention of existing features and also details of proposed works including materials, new windows, doors and rainwater goods.

The proposed reuse, alteration and extension (although further design refinement is necessary) of Webb House would not have a detrimental impact upon the character Webb House (Grade II) or its setting.

### New Apartment Building

In relation to the original proposals the Council's Conservation and Design Officers raised significant concerns regarding the impact of the new apartment building on the setting and character of Webb House given its design, scale and massing.

The new build proposal has been subject to a number of revisions including a reduction in its footprint and that it is of lower height than the listed building. The amended apartment building is also of a contemporary, modern design to ensure that it achieves a sympathetic contrast with the historic character of the adjoining listed building.

The simple rectilinear footprint of the amended apartment building would sit comfortably at the rear of the site, running parallel with the northern site boundary and the rear element of Webb House itself. The proposal footprint is almost identical to the width and depth of the existing building. The massing of the new block has been broken down into wings and deep bays, the proportions of which correspond with elements of Webb House. As a result the Conservation Officer accepts that new block would not over-dominate the listed building.

However, notwithstanding this, the Conservation and Design Officers have raised further concerns in relation to aspects finer detailing and facing materials proposed for the new building. These issues particularly related to the use of brickwork cladding for the structural frame of the building and the configuration of areas of glazing and grey cladding panels within the bays. To address these concerns further amendments have been made to the new building including;

- The Structural "frame" of the new block will be faced with copper cladding as opposed to brickwork cladding, ensuring a lighter-weight appearance and achieving an appropriate contrast with Webb House
- The configuration of areas of glazing and cladding of bays within the structural frame have been simplified, and the greater use of obscure glazed panels has helped to soften the overall appearance of the building
- Originally proposed balcony balustrades have been removed and replaced with clear scheme.

Conditions are recommended to secure a satisfactory quality of materials and their finishes, which is critically important for cladding, and also in respect of the specification for the framing of windows and areas of glazing.



Whilst of contemporary design, these amendments ensure that the new apartment building acts as an appropriate contrast to the listed building, ensuring that it can satisfactorily stand alongside Webb House rather than compete with it.

### **Heritage Conclusion**

The residential re-use of Webb House would retain its historic character and significant features notwithstanding that further design refinement is necessary to the proposed rear extensions. Furthermore, the new apartment building represents a good design solution and preserves the setting and special historic interest of the listed buildings.

It is considered that when viewed as a whole, and taking into account the proposed alterations to Webb House and limited elements of demolition, the development would result in “less than substantial harm” to the significance of listed building. However, in accordance with the objectives of the NPPF (para 196) this would clearly outweighed from the public benefits of securing a suitable and viable reuse to ensure the long term retention of this historic building.

Subject to the imposition of planning conditions it is considered that the proposed works would not have a detrimental impact upon the Grade II listed building or its setting

For these reasons, the proposals are considered to accord with the relevant requirements of local and national planning policy, and the application is therefore recommended for approval, subject to conditions.

### **RECOMMENDATION**

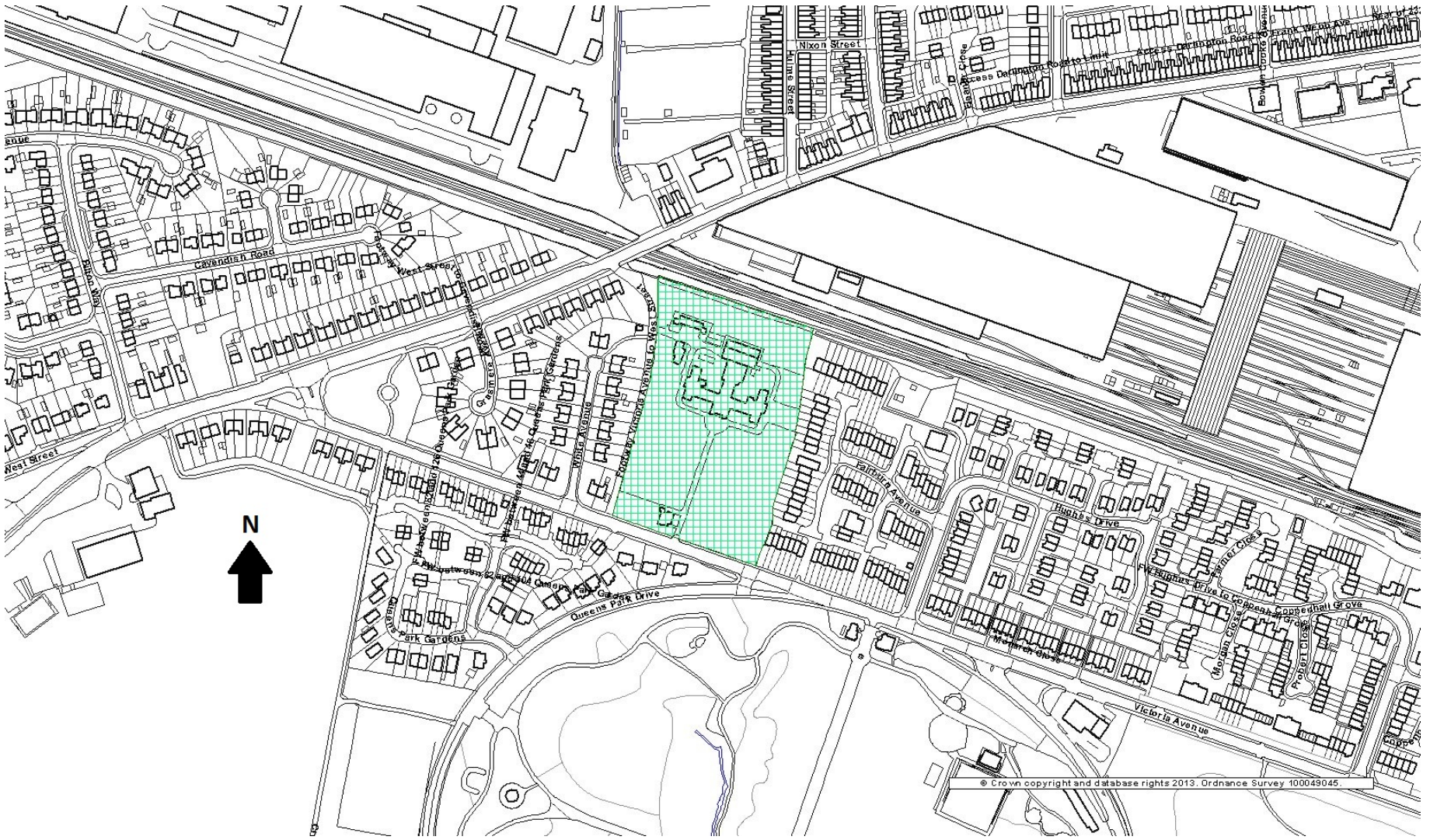
**Delegate to the Head of Development Management in consultation with the Chair of Southern Planning Committee to resolve outstanding matters relating to the refinement in the design of new extensions to Webb House. Members resolve to APPROVE subject to conditions.**

#### **APPROVE: Conditions**

- 1. Commencement within 3 years**
- 2. Development in accordance with approved plans**
- 3. Details of material, finishes and specification of cladding**
- 4. Sample panel of materials on site**
- 5. Method of repointing and use of lime mortar**
- 6. Constructional details of new windows, internal and external doors for existing buildings**
- 7. A schedule of doors and windows to be repaired, altered, or replaced**
- 8. Cast iron, painted black rainwater goods**
- 9. Structural Engineers report to ensure stability of fabric to be retained during demolition and reconstruction**
- 10. Method statement for connecting extensions to the existing building**
- 11. Large scale drawings for construction of new stairs or balustrades within the existing buildings**
- 12. Retention of fireplaces and surrounds**

- 13. Scheme for installation of sound proofing and fire prevention measures within existing building
- 14. Details of partitions to exercise studio/swimming pool and of new screen to stairs
- 15. Details for repairing panelling in communal lounge once new openings have been formed
- 16. Method statement for bricking up of openings and existing fenestration to existing buildings
- 17. Details of new ramp access to existing building

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 Strategic & Economic Planning, 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: 18/2481N

Location: Land off Browning Street, Crewe.

Proposal: Proposed 8 houses and associated infrastructure, plus remodel of car park.

Applicant: Mr M Thompson, Engine of the North

Expiry Date: 29-Mar-2019

**Summary**

The site is within the Crewe Settlement Boundary and the principle of residential development is considered to be acceptable and the development would be appropriate in this location.

The scheme will assist in bringing economic benefits to Crewe town centre from additional residential uses.

The proposal is considered to be acceptable in the impact upon local amenities, parking, highway safety, ecology, bin storage provision, and traffic generation terms. It would be of an acceptable design that would have a minimal impact upon the amenities of neighbouring properties or future residents.

The proposals are considered to be a sustainable form of development which would comply with the relevant local plan policies and would not compromise key sustainability principles as set out in national planning policy.

**RECOMMENDATION:**

**Approve subject to Conditions and the completion of a Section 111 Agreement to secure £4,000 to amend the Traffic Regulation Order On either Richard Moon Street, Gatefield Street or St Mary's Street.**

**DESCRIPTION OF SITE AND CONTEXT**

The application site comprises an existing public car park situated to the south of Browning Street, Crewe.

It is a brownfield site, approximately 0.3 hectares in size on the north-west edge of Crewe town centre and is currently used as a free car park (76 spaces), owned and managed by Cheshire East Council.

The site is within the Crewe Settlement Boundary as defined by the Borough of Crewe and Nantwich Replacement Local Plan.

### DETAILS OF PROPOSAL

This is a full planning application for the redevelopment of part of the car park, including the erection of 8 dwellings and associated infrastructure and the remodelling of the car park.

The dwellings would be two-storey terraced properties, a block of 5 facing onto Richard Moon Street and a block of 3 facing onto Browning Street.

The existing car park provides 76 spaces and with the remodelling the car park would provide 43 spaces including 2 disabled spaces.

### RELEVANT HISTORY

17/0283N Redevelopment for 8 dwellings and associated infrastructure, plus remodelling of remaining car park – Refused 28<sup>th</sup> April 2017 for the following reasons :

- 1. The Local Planning Authority considers that insufficient information has been provided in relation to; the existing yellow hatched area outside plot 6, the bin access/storage, information on the parking to be reserved for the Limelight, parking for the adjacent taxi business, access to the parking on Browning Street for spaces labelled 46-54. The development would be contrary to Policies BE.2 and TRAN.8 of the Borough of Crewe and Nantwich Replacement Local Plan.*
- 2. The proposed development would result in an overdevelopment of the site by reason of insufficient private amenity space and cycle parking/bin storage areas and would result in the displacement of vehicles onto nearby streets. The development would be contrary to Policies BE.1, BE.2 and TRAN.8 of the Borough of Crewe and Nantwich Replacement Local Plan.*

### POLICIES

#### Crewe and Nantwich Replacement Local Plan (CNRLP)

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  
NE.17 – Pollution Control  
NE.20 – Flood Prevention  
TRAN.8 – Existing Car Parks

## **Cheshire East Local Plan Strategy March 2016 (CELPS)**

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

MP1 - Presumption in favour of sustainable development  
PG1 - Overall Development Strategy  
PG7 - Spatial Distribution of Development  
SD1 - Sustainable Development in Cheshire East  
SD2 - Sustainable Development Principles  
SC4 - Residential Mix  
SC5 - Affordable Homes  
SE1 – Design  
SE2 - Efficient use of Land  
SE3 - Biodiversity and Geodiversity  
SE9 - Energy Efficient Development  
SE12 - Pollution, Land contamination and Land Instability  
SE13 - Flood Risk and Water Management

There is no neighbourhood plan in place for Crewe.

### **Other Material Considerations**

National Planning Policy Framework.

### **CONSULTATIONS (External to Planning)**

#### **United Utilities:**

None received at the time of report writing; however there were no objections to the previous application, subject to conditions.

#### **Highways:**

No objection subject to a Section 111 Agreement to secure a contribution to amend an existing Traffic Regulation Order.

#### **Environmental Health:**

No objection subject to conditions/informatives relating to noise, piling, hours of construction, contaminated land, lighting and air quality.

#### **Housing:**

No objection

#### **Flood Risk:**

No objection subject to a condition.

#### **Crewe Town Council:**

*“The Town Council objects very strongly to the revised proposal for the following reasons:*

1. The application is contrary to the “saved” Policy TRAN8 of the Borough of Crewe and Nantwich Replacement Local Plan which states that:

“Proposals for new development involving the loss of existing car parks as shown on the proposals map will not be permitted unless the developer provides:

- ☐ Improvements to public transport systems in order to serve the development; or
- ☐ As part of the scheme a direct replacement for the number of car parking spaces lost.”

The proposal is also contrary to Policy INF2 of the first consultation draft Cheshire East Local Plan Site Allocations and Development Policies Document (SADPD)

“Existing public car parks should be retained in use as such. Development proposals involving the loss of public car parking spaces will only be permitted where:

1. The spaces are adequately replaced either on the site or nearby; or
2. It is satisfactorily evidenced through a car parking survey that the spaces lost are surplus to demand; or
3. Their loss can be acceptably mitigated through improvements to public transport facilities that will serve the development and such improvements are provided, or paid for, by the developer.”

Browning Street Car Park is extremely well used by residents, employees and visitors. It is full for most of the working day. It clearly cannot be shown to be surplus to demand. This proposal could result in a 40% reduction in spaces available to the public from 76 (current) to 43. Demand for these spaces would be increased as a result of the occupation of 8 new dwellings for which no dedicated provision is made. It is not reasonable to assume that there would be no daytime parking requirements for these dwellings. Occupiers may have shift work, work part-time, or not be in work. The loss of 33 spaces is clearly significant for local residents, businesses and town centre employees as demonstrated by the objections submitted to this application. It is clearly contrary to Policy TRAN8, notwithstanding the applicant’s contrived argument that as the car park is not lost, but merely reduced in size, it is not in conflict with TRAN8. It is also clearly in conflict with the emerging SADPD Policy INF 2.

Cheshire East Council’s own Environmental Planning and Parking Services Officers have noted that this is a well-used car park and that parking shortage appears to be a significant issue in this area of the town.

2. The 23 unit Limelight development will create additional pressure on the remaining spaces. The Limelight development (ref 11/3168N) provides for 15 spaces within the Limelight site, although it is unclear whether they could be satisfactorily accessed from this revised layout of the Browning Street Car Park.

3. The Browning Street Car Park is also full at night now (note that the parking survey in the applicant’s transport study is now a couple of years out of date). There is already pressure on off-street parking in this area from recent and proposed developments including Hightown Apartments, residential conversions on Hightown, as well as the recently commenced conversion of the former Limelight Club. There is also pressure from adjoining areas of terraced housing where there is insufficient on-street parking to meet growing needs. This currently results in informal off-street parking either side of Flag Lane Bridge. It is understood that Cheshire East Council proposed to dispose of at least one of these informal sites, which will displace yet more parking demand. The private carpark to the rear of Mavour Court, which is even closer is also fully utilised. The internal courtyard to the adjacent apartments on St Marys St is also fully utilised. More off-street parking is



*required, not less. The developer proposes as mitigation the removal of a yellow line on Richard Moon Street. This is subject to statutory process, and so cannot be guaranteed, and cannot be taken in to account as part of this planning application. In any event it is outside of the applicant's control, and so could not be subject to a condition. There must have been a safety reason for the original TRO, what has changed since? Even these parking restrictions are removed, the 10 additional spaces will not compensate for the loss of 33, especially given the increased demand from the proposed new residential properties.*

*4. The application would be contrary to Policies BE 1 and 2 of the Borough of Crewe and Nantwich Replacement Local Plan. The proposal is overdevelopment providing insufficient private amenity space. Plots 2, 3 and 4 have private amenity spaces of 30 to 32 sq. m. This is significantly less than the minimum standard of 50 sq.m., and has to include bin and cycle storage. There are no suitable areas outside the curtilage for safe play or recreation. Whilst the available space may be commensurate with adjacent dwellings, those dwellings were constructed before the streets were taken over by the motor car, and it is not appropriate to use them as a yardstick.*

*5. The new scheme provides bin storage within the curtilage of the proposed dwellings, but where will bins be left on collection day, and how will refuse vehicles access them? There will be further loss of parking if bins are left on the car park, with the potential obstruction of drivers' sight lines.*

*6. There is no adequate provision for disabled access to 2 Browning Street. Notwithstanding the assertions in para 5.8 of the Planning Statement, the occupier has submitted an objection. The ramped wheelchair access to the house is at the rear, and adequate space is required for access to nearby waiting vehicles. The development would also prevent access for maintenance to the end gable of 19 Richard Moon Street.*

*7. If approved, this development would set a precedent for the redevelopment of other free car parks which are essential for people employed in the town centre, especially those on low wages, and for the increasing number of residents in apartment and HMO conversions without off- street or on-street parking provision.*

*8. There are other alternative sites in the ownership of Cheshire East Council which could be developed for affordable housing, for example the former Macon House site.*

*9. This application would not be entertained if submitted by a private developer, and would not be considered in other parts of the Borough. It is shameful that having once been refused, a subsidiary of Cheshire East Council has re-submitted the scheme, and it should once again be refused."*

### **OTHER REPRESENTATIONS**

At the time of report writing 60 representations have been received relating to this application. These can be viewed in full on the Council website and express the following concerns:

#### **Highways/Parking**

- Loss of parking for local residents, workers and businesses
- It would create unacceptable on-street parking
- The parking survey is inaccurate and done at the wrong time of day
- More parking will be required for the Limelight development
- Removing yellow lines on Richard Moon Street will cause congestion
- Everyone has at least 1 car nowadays so parking is important

- Mini-cab firms operate from here
- More pressure put on the surrounding streets
- Crewe already lost parking spaces to the Lifestyle Centre
- Congestion could affect access for emergency vehicles
- This is the only remaining free car park in town
- In conflict with Policy TRAN.8
- Lack of public transport available

### General

- It is the same as the previous application that was refused
- Damage to the local economy
- Adverse impact on the town centre
- No access for maintenance of existing property
- Blocking a disabled access
- Alternative sites are available
- Houses are too small and will stick out like a sore thumb
- No landscaping proposed
- Will make the area over crowded
- Lack of outdoor space for children to play
- Lack of investment in schools and local play areas
- Loss of daylight
- Damage to existing properties during construction
- Inadequate bin storage
- Disgraceful for a Council company to do this
- Not fair on the people of Crewe
- Impact on local house prices

In addition the local Member of Parliament has objected to the proposal on the grounds of contravention of Policy TRAN.8, loss of parking provision, impact on parking for the Limelight development and impact on on-street parking to the detriment of the town.

### Principal of Development

The site is within the settlement boundary of Crewe where there is a presumption in favour of development; therefore the principle of developing this site is considered to be acceptable in principle. This is subject to the proposals being acceptable in terms of the other issues set out below.

### Design

The importance of securing high quality design is specified within the NPPF and paragraph 124 states that:

*“The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations and how these will be tested, is essential for*

*achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.”*

The proposed dwellings would be of a traditional terraced design in keeping with the local vernacular and the materials would be traditional brick and tile, the details of which are specified in the application. These materials are considered to be appropriate and in keeping with the character and appearance of the local area.

The scheme has been developed following the guidance and principles set out in the Cheshire East Design Guide.

Subject to the proposed conditions, the development is considered to be in compliance with Policies SD2 and SE1 of the CELPS.

### **Highways Implications**

Policy TRAN.8 of the CNRLP states the following:

*Existing town centre car parks identified on the proposals map will be retained for car parking and they will be managed to give priority to short term parking and to discourage parking for commuters.*

*Proposals for new development involving the loss of existing car parks, as shown on the proposals map, will not be permitted unless the developer provides:*

- *Improvements to public transport systems in order to serve the development; or*
- *As part of the scheme, a direct replacement for the number of car parking spaces lost.*

This proposal does involve the loss of some car parking spaces within Browning Street Car Park, but does not involve the loss of the car park as a whole. In addition Browning Street is a long stay car park. As such, it is not considered to be in contravention of Policy TRAN.8.

Policy INF2 of the first consultation draft Cheshire East Local Plan Site Allocations and Development Policies Document (SADPD) is set out below; this document carries limited weight as a material planning consideration at the current time due to the relatively early stage it is at within the adoption process.

Policy INF2 states

*‘Existing public car parks should be retained in use as such. Development proposals involving the loss of public car parking spaces will only be permitted where:*

- 1. The spaces are adequately replaced either on the site or nearby; or*
- 2. It is satisfactorily evidenced through a car parking survey that the spaces lost are surplus to demand; or*
- 3. Their loss can be acceptably mitigated through improvements to public transport facilities that will serve the development and such improvements are provided, or paid for, by the developer.’*

The proposal is for 8 residential units within the Browning Street car park in the centre of Crewe, and a re-modelling of the Browning Street car park and a reduction in provision. The northern and

southern access off Browning Street and Flag Lane would remain and the parking provision would reduce from 76 spaces to 43.

The car park is well used and it is likely there will be a displacement of vehicles from the Browning Street car park to other nearby car parks. Additional on-street parking capacity could be made available by amending a Traffic Regulation Order (TRO) and removing some of the parking restrictions on Richard Moon Street, Gatefield Street or St Mary's Street. Each of these locations is within a very short walk from the site. This would create an additional day time parking capacity for approximately 10 cars on adjoining streets.

Refuse collection could take place on-street as it currently does for existing adjacent properties.

It has been stated that the proposal is contrary to policy TRAN8, but the purpose of TRAN8 is to give priority to short term car parks and discourage long term commuter car parking. The Browning St car park is a free to use, long stay car park.

Given this, and as the proposal is in a highly sustainable town centre location and there are a number of near-by car parks within a short walking distance, this proposal is considered acceptable.

No objection is therefore raised by the Head of Strategic Infrastructure subject to a condition requiring submission of a Construction Management Plan for the development phase and a contribution of £4,000 for the amendment of a TRO (as a S111 Agreement)

### **Ecology**

The Council's Nature Conservation Officer has assessed the application and is satisfied that it is acceptable in terms of its impact on ecology.

If planning consent is granted conditions are required to safeguard nesting birds and the use of features for the use of nesting birds and roosting bats.

### **Housing**

This scheme is a mix of market housing and Starter Homes. There is no planning requirement for affordable housing on this site as it will only provide 8 new residential units in total.

The scheme will provide 4 houses for sale on the open market and 4 Starter Homes. There are currently over 1500 people on the Council's waiting list for Crewe, these applicants have applied for social rented housing but this is an indicator of the level of housing need in Crewe and a variety of tenures and type of accommodation is required to meet this need.

The Council's Housing Officer therefore supports this application.

### **Education**

The proposals are for apartment for 8 dwellings which does not require a contribution towards education provision.

### **Amenity**

Having regard to the five dwellings facing onto Richard Moon Street. The existing dwelling to which they would be adjacent has no windows in the side elevation, meaning there would be no adverse impact on the privacy of or light to this dwelling. The same applies to the three dwellings facing onto Browning Street.

With regards the residential amenity of future residents, the proposals would provide a level of private amenity space commensurate with that of surrounding development. Occupiers would be able to sit out, hang washing and store bins and cycles.

Subject to conditions the proposals would not result any significant loss of residential amenity of neighbouring properties and would provide adequate amenity space for future residents, and therefore accords with Policy BE.1 (Amenity) of the Local Plan.

### **Previous Reasons for Refusal of 17/0283N**

Officers have assessed the current proposals and consider that the revised scheme addresses the concerns previously raised in respect of each reason by the following:

#### Reason for Refusal 1

The yellow hatched area outside plot 6 appears to relate to access for an ambulance to the side of 2 Browning Street. The applicant has met on site with the occupier of this building, who has confirmed (verbally) that ambulance access to the car park is not required. There is another access is available to the front. There is no easement affecting a right of access for the occupier of this property. Wheelchair access will remain unrestricted to side of 2 Browning Street.

The application site is entirely within Cheshire East Council (CEC) ownership and does not impinge access for the Limelight, subject to the remodelling of their car park.

The current space used by taxis are unaffected by the scheme and taxis do not have any rights to reserved parking within the car park itself.

The layout has now been revised, therefore there are no longer spaces labelled 46-54.

#### Reason for Refusal 2

Bin and cycle storage are shown in the rear gardens of all the eight proposed dwellings.

Whilst the gardens are not 50sqm, they are of an adequate size to sit out, hang washing and play. The garden sizes are in keeping with those in the surrounding area. In addition there is also a park a short distance from the site (Samuel Street).

It should also be noted that terraced streets in inner locations such as this would generally have a small yard.

This is consistent with the appeal decision at the 54 West Street, Congleton where 12.5sqm gardens were proposed. In this case the Inspector stated that;

*'even in new build it may not always be possible or appropriate to provide gardens of the size required by the SPG, particularly in relation to flats or developments close to town centres'....*

*...'There is nothing before me to indicate what domestic activities the Council considers could not be accommodated in their rear yards. There would be sufficient room there for clothes drying and for people to sit out from time to time. Not everyone has an interest in gardening or needs a large area in which to relax. The limited size of the rear yards would be apparent to anyone choosing to live there and for many it would not be a disadvantage. Many people choosing to live in an edge of town centre location neither need nor want a substantial garden'*

The applicant maintains that their parking survey demonstrates that there is limited demand during the day and a good supply of town centre parking.

### **Other Matters**

One of the objectors has concerns about how she will maintain her property after the development is complete and others have expressed concerns about the impact of the development on property prices. These are not material planning considerations and can not be given any weight in the determination of this application.

### **Conclusion**

The site is within the Crewe Settlement Boundary and the principle of residential development is considered to be acceptable and the development would be appropriate in this location.

The scheme will assist in the local building business and bring economic benefits to Crewe town centre from additional residential uses.

The proposal is considered to be acceptable in the impact upon local amenities, parking, highway safety, ecology, bin storage provision, and traffic generation terms. It would be of an acceptable design that would have a minimal impact upon the amenities of neighbouring properties or future residents.

The proposals are considered to be a sustainable form of development which would comply with the relevant local plan policies and would not compromise key sustainability principles as set out in national planning policy.

Therefore there is a presumption in favour of the development and accordingly it is recommended for approval.

### **RECOMMENDATIONS**

**APPROVE** subject to the completion of a Section 111 Agreement to secure £4,000 to amend the Traffic Regulation Order On either Richard Moon Street, Gatefield Street of St Mary's Street and the following conditions:

- 1. Standard time 3 years**
- 2. Approved Plans**

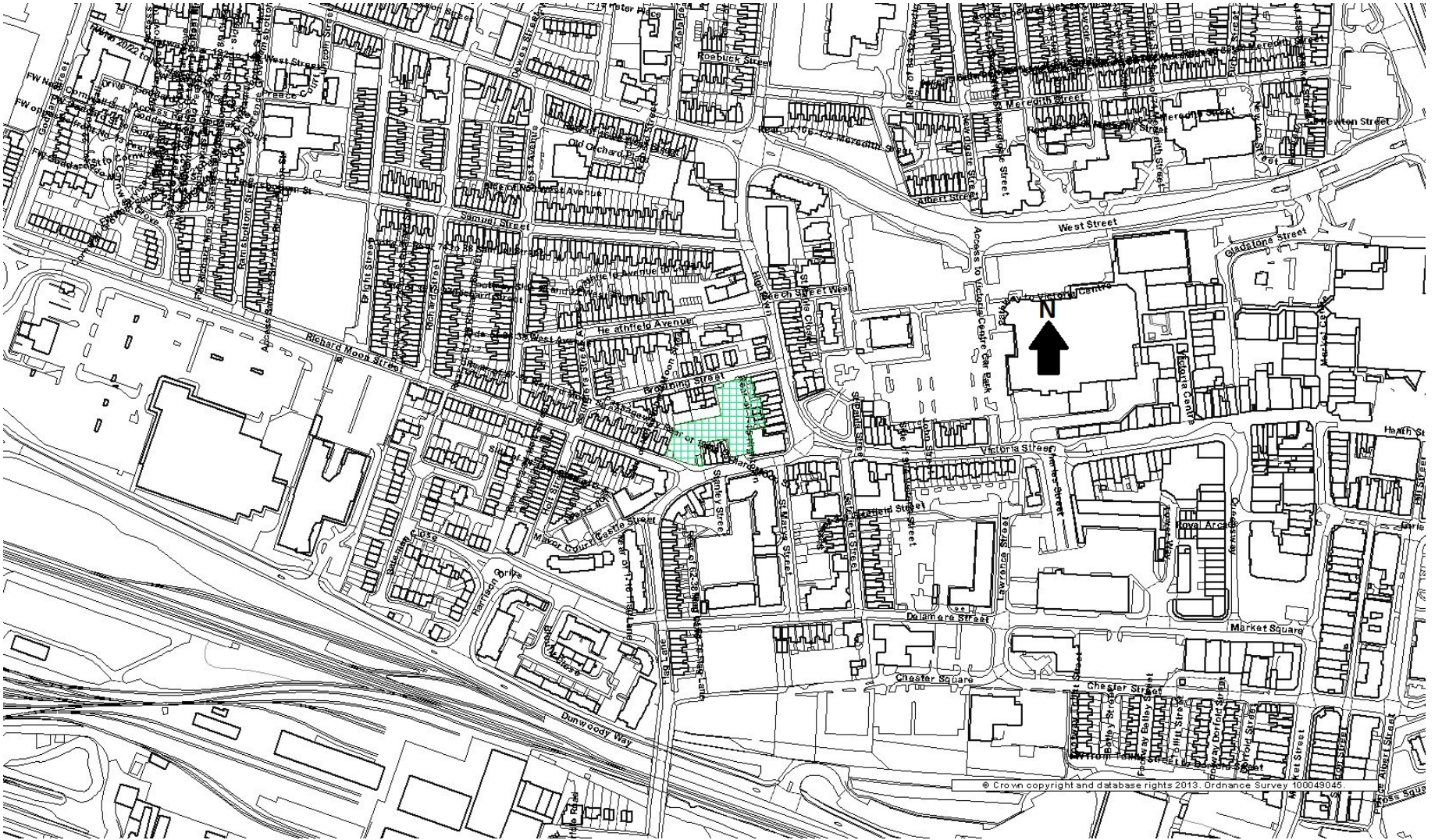
3. Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays
4. External materials in accordance with the submitted details
5. Landscaping details including boundary treatments
6. Implementation of landscaping
7. Submission of Phase II ground investigation and risk assessment and if necessary a remediation strategy (contaminated land)
8. Testing and verification for any soil or soil forming materials for use in garden areas
9. If, during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority. Prior to first occupation/use of the development, confirmation should be provided to the LPA that no such contamination was found, and if so what remedial measures were agreed and implemented.
10. Construction Management Plan
11. Submission and approval of details of foul and surface water drainage
12. Submission and approval of existing and proposed levels
13. Provision of electric vehicle charging points to the dwellings
14. Protection of breeding birds
15. Provision of features suitable for breeding birds and roosting bats
16. Implementation of the recommendations in the submitted acoustic report
17. Submission of details of any external lighting

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Development Management, 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.

Should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S111 Agreement:

1. A contribution of £4,000 to amend the Traffic Regulation Order On either Richard Moon Street, Gatefield Street or St Mary's Street







Application No: 18/2413C

Location: Land Adjoining Meadowview Park, DRAGONS LANE, MOSTON

Proposal: Change of use of land from agricultural land for stationing of caravans for residential purposes by 1 gypsy-traveller family including utility building, hard standing, septic tank, fencing & gates, and shed/dog kennel, part retrospective.

Applicant: Ms D S Smith

Expiry Date: 16-Aug-2018

### **SUMMARY**

The proposal seeks permission for the change of use of land from agricultural to the stationing of caravans for residential purposes for 1 gypsy-traveller family (1 pitch).

Having regard to the rural location of the site, the distance from facilities, and the absence of public transport the site is still not considered to be in an accessibly sustainable location. This weighs against granting planning permission for this development.

Recognising these shortcomings, the Council's site identification study (August 2018) recommended that the site was not allocated for Gypsy and Traveller pitch provision in the First Draft of the Site Allocations and Development Policies document ("SADPD") at that time.

Balanced against this is the identified need for accommodation for Gypsies and Travellers in the Borough. For the five year period of 2017/18 – 2021/22 there is a requirement for 12 Gypsy and Traveller Pitches and 2 Travelling Showperson Plots.

The draft SADPD includes 3 allocated sites, which amount to 13 permanent pitches and 3 travelling showperson plots. This is sufficient for 5 years site provision from the base date of the GTAA which is May 2017. However, given the very early stage of the SADPD, very limited weight can be given to this provision.

The provision of needed Gypsy and Traveller accommodation is a clear social benefit of the proposal. However, whilst the requirement for sites and the current lack of alternatives weigh in favour of the proposal, they are not considered to outweigh the identified harm.

This site is currently occupied, and the applicant has submitted personal circumstances which indicate, a need for permanent accommodation, and a desire to live in the local area to access public services, such as health care and education. They also have

family links with a number of Gypsy and Traveller families in the area.

In this instance there is a holding objection raised by National Grid. Due to the increasing size of the development around the pipeline growing to an unacceptable size; the application is considered to be contrary to the saved Local Plan policy GR7 and SD1 of the Cheshire East Local Plan Strategy and therefore the application is recommended for refusal on the grounds that the proposal could have a potential risk to people in the vicinity of the hazardous installation.

**SUMMARY RECOMMENDATION:**

**REFUSE**

**REASON FOR DEFERRAL**

This application was discussed at the 6<sup>th</sup> February 2019 Southern Planning Committee, and was deferred for clarification on the following points.

1. Consultation response required from National Grid regarding impacts to human health to be obtained.
2. For further information regarding the surrounding appeal sites including what the results were and when they were heard.
3. Further information on the Planning Policy for Traveller sites (PPTS) to consider if the scale of the development dominates the nearest settlement.
4. Further information on the impact of the intensification of the site on the local infrastructure such as school places given the number of children who would occupy the site.

These issues are addressed further below.

**REASON FOR REFERRAL**

This level of application would normally be a delegated application, however in this instance the application has been called into Southern Planning committee by Cllr Wray for the following reason.

*'Significant local public concerns relating the effects on the character and amenity of the open countryside...dominance of G&T sites in the Moston area ...adjacent to HI PRESSURE GAS PIPELINE...the site is part of a larger parcel of land which is being sub divided into smaller plots and sold to travellers with no connection to the area, so there is therefore no cogent reason to grant planning permission for any alleged unmet need or requirements'*

**PROPOSAL**

The proposal seeks part retrospective permission for the change of use of land for stationing of caravans for residential purposes by 1 gypsy-traveller family with facilitation development (utility building, hard standing, septic tank, fencing and gates, shed and Dog Kennel).

**SITE DESCRIPTION**

The application site was originally an open greenfield site located within the Open Countryside as identified by the Congleton Borough Local Plan First Review. However the site is now surfaced with hardstanding and houses a Static Caravan and two tourers (at the time of the planning officer's site visit), and utilises the access off Dragons Lane, with the adjoining site.

### **RELEVANT HISTORY**

No relevant planning history on this site. However it should be noted that there have been a number of applications on neighbouring sites within the same field for gypsy and traveller sites. [Full history attached as appendix]

### **NATIONAL & LOCAL POLICY**

#### **National Policy**

The National Planning Policy Framework (the Framework) establishes a presumption in favour of sustainable development. The Framework sets out that there are three dimensions to sustainable development: economic, social and environmental. These roles should not be undertaken in isolation, because they are mutually dependent.

Planning Policy for Traveller Sites (PPTS) 2015 sets out the Government's planning policy for traveller sites. It should be read in conjunction with the Framework. The overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.

#### **Cheshire East Local Plan Strategy (CELPS)**

SD1 Sustainable Development in Cheshire East  
SD2 Sustainable Development Principles  
SE1 Design  
SE2 Efficient Use of Land  
SE4 The Landscape  
SC7 Gypsies and Travellers and Travelling Showpeople  
CO1 Sustainable Travel and Transport  
CO4 Travel Plans and Transport Assessments  
PG6 Open Countryside  
IN 1 Infrastructure

#### **Saved policies of the Congleton Borough Local Plan First Review 2005**

GR6 (Amenity and Health)  
GR7 (Amenity and Health)  
GR9 (Accessibility, Servicing and Parking Provision)  
GR17 (Car Parking)  
GR20 (Public Utilities)  
PS8 (Open Countryside)  
H7 (Residential Caravans and Mobile Homes)

**Moston Neighbourhood Plan – made on the 14<sup>th</sup> February 2019**

HOU1 – Location of New Homes

HOU2 – Housing mix and type

LCD1 – Design and Landscape setting

LCD2 – Dark Skies

INF3 – Surface water management

ENV1 – Wildlife Habitats, Wildlife Corridors and Biodiversity

ENV2 – Trees, Hedgerows and Watercourses

**Other relevant documents**

Cheshire Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (March 2014)

Cheshire East Council Gypsy, Traveller and Travelling Showpeople Site Identification Study (April 2014)

Cheshire East Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (August 2018)

Cheshire East Local Plan – Site Allocation and Development Policies Document – Gypsy, Traveller and Travelling Showpeople Site Selection Report – (August 2018)

First Draft Site Allocation and Development Policies Document (published September 2018)

**CONSULTATIONS:**

**Natural England** – No objections

**Strategic Infrastructure Manager** – No Objections.

**Cheshire Brine** – No objections, subject to a condition if foundations are required.

**HSE** – Do not advice against, however National Grid should be consulted

**National Grid** – Holding Objection – crosses a High Pressure Gas Pipeline – Feeder. The Pipelines Officer at National Grid has confirmed that the holding objection remains in place due to the proximity of the site to the pipeline, and the increasing size of the development around the pipeline growing to an unacceptable size.

**Education** - The Service determines that particular development will only be assessed for impact on education that consists of 11 x 2 bed dwellings or more.

**Environmental Protection** – No comments to make

**Moston Parish Council** – Object to the proposal (full version available to view on the website)

- There are in principle policy objections to this site,
- The site is within the open countryside and unsustainable location,
- No permanent permission can be granted on this site, inline with many previous applications on the surrounding sites,
- The accumulations of sites is creating an urbanisation of the location,

- Peter Brett Associates were appointed by the Cheshire East Council to undertake a 'Gypsy, Traveller and Travelling Showpeople: Site Identification Study' – site discounted as suitable for permanent or any additional development,
- There is no policy support for a permanent or temporary pitch in this locality,
- Site does not accord with SC7 of the Cheshire East Local Plan Strategy,
- Drainage issues on the site,
- Concerns raised over proximity of the site to a High Pressure Gas Governor and development would further increase risk of explosion – this is shown by the holding objection from Cadent Gas,
- Impact on highway safety,
- Application states there will be 2 parking spaces but there is at least 4 cars parked on site,
- Lack of contaminated land report
- Lack of ecology report and impact on protected species
- The development has caused discernible harm to the character and appearance of the countryside undermining the general effectiveness of countryside protection policies,
- The development is in direct conflict with Local Plan Strategy PG6 and saved policies H8, GR1, and GR2 of the Congleton Borough Local Plan and the Planning Policy for Traveller Sites,

### REPRESENTATIONS

Approximately 90 letters of representation from neighbouring households have been received, including a letter from Fiona Bruce MP, objecting to the proposal on the following grounds:

- Impact on health of occupants due to location near to proximity an animal incinerator and grave yard,
- The proposal crosses the National Grids High Pressure Gas Pipe – potential for extreme danger to the applicant and other people in the vicinity
- Site not allocated in the Peter Brett report as suitable – document which the Council spent a lot of money commissioning
- Adjacent site recently refused
- Impact on open countryside and result in visual harm to this open rural area,
- Cumulative affect of numerous applications on this area of land is unacceptable
- Cumulative affect is having an urbanising impact on the site,
- Unacceptable development of a greenfield site
- Severe impact on light and noise pollution from temporary pitches,
- Site appears to be slowly eroded to a large residential development, turning the land into brownfield,
- Question if the applicants are Gypsies as defined within the PPTS 2015,
- Lack of detailed information relating to the personal circumstances of the applicants
- Site is contrast to Policy H8 (Gypsy Caravan Sites),
- Site remains an unsustainable location
- Concerns the site will become akin to Dale Farm
- Contrary to Policy H of the Planning Policy Traveller Sites
- Impact on listed buildings
- Site is unsuitable for a septic tank
- Support concerns raised by Moston Parish council
- Lack of enforcement action on the site has encouraged further applications
- Impact on ecology/wildlife

- Adjacent sites only permitted temporary due to need for 5 land supply, not considered suitable for permanent siting
- Noise and Light pollution
- Ownership certificate not complete – Who is the applicant?
- This is another attempt to override the planning system by simply developing, moving in and claiming gypsy traveller status, which is not good enough and has caused resentment within the local settled community,
- Concerns over contaminated water entering the local water course,
- Planning Policy for Traveller Sites, CLG March 2012 states that “local planning authorities should ensure that the scale of ... sites does not dominate the nearest settled community” (para 12). Although the number of traveller dwellings may currently be small, the constant applications, breaches of planning, noise and pollution does dominate this small rural community
- The applicants do not have a Need to live in Moston, simply a desire
- Lack of contaminated land report – known site for fly tipping in the recent past
- If permission was granted would only set a precedent for further applications which would escalate into a large residential development
- Other plots have been refused, and only permitted on temporary basis
- Article 4 direction should be imposed on the site
- Moston has 7 licenced gypsy sites, most are permanent, the 2 in this field only temporary, over 13% of the parish housing stock is made up of non permanent structures,
- Former Leader of the Council, Micheal Jones, stated that other permanent sites will be allocated for gypsies and travellers
- Impact on highway safety
- Significantly more vehicles have been using Dragons Lane and the canal bridge which has the 3 tonne weight limit,
- The naïve view of the Planning Inspector in 2012 allowing a temporary permission for one single pitch, *‘I give little weight to fears that a grant of planning permission in this case would set a precedent for the provision of further gyps/traveller pitches in the locality’* has amounted to 12/15 applications on this field
- The area is not suitable for permanent residential development as set out by various planning officers, Committee Members and Planning Inspectors.

## **OFFICER APPRAISAL**

### **Principle of Development**

Policies within the development plan, in conjunction with national planning guidance and advice in Planning Policy for Traveller Sites, accept that outside Green Belt areas, in rural settings, where the application proposal is located, (Open Countryside) are acceptable in principle for gypsy and traveller sites.

Whilst the need for gypsy and traveller accommodation is a material planning consideration, other development plan policies and Government guidance require, in addition, the consideration of the impact on surrounding area, neighbouring amenity, highway safety, the need to respect the scale of the nearest settled community and also the availability of alternatives to the car in accessed local services. This is addressed further below.

This specific site has not previously been assessed, however the adjoining sites (5 other sites in total) has been assessed on a previous occasions as not suitable for permanent permission. Two of the adjacent sites on the same area of land, fronting Dragons Lane, have been assessed and have been granted temporary permission until 2021 due to the personal circumstances of the occupiers and the lack of a 5 year supply of alternative site.

### Need

Policy SC7 of the Cheshire East Local Plan Strategy sets out the overall need for Gypsies and Travellers and Travelling Showperson provision between 2013 - 2028 in line with the Cheshire Gypsy and Traveller and Travelling Showpeople Accommodation Assessment (GTAA) (March 2014).

In August 2015, revisions to the PPTS changed the definition of Travellers for planning purposes. The key change was the removal of *'those who have ceased to travel permanently'* meaning that they will now no longer fall under the planning definition of a 'Traveller' for the purposes of assessing accommodation need in the GTAA. This change in definition came after the completion of the 2014 GTAA.

The Council, in support of the preparation of the First Draft Site Allocations and Development Policies document ("FDSADPD") has updated its evidence base on a sub-regional basis, on the need for additional Gypsy and Traveller and Travelling Showperson accommodation. The updated GTAA reflects the change in definition set out in the revised PPTS and has a base date of May 2017.

The 2018 GTAA now provides updated evidence on need which reflects current national planning policy. The 2018 GTAA also covers the full Local Plan period compared to the 2014 GTAA which only covered the period up to 2028. The accommodation needs in the 2018 GTAA study, for Cheshire East, up to 2030, are shown below:

	Total
<b>Gypsy and Traveller residential pitches</b>	<b>32</b>
<b>Transit site pitch provision</b>	<b>5-10</b>
<b>Travelling Showperson plots</b>	<b>5</b>

Applying an annualised assumption for site delivery, from the base date of the GTAA, for the five year period of 2017/18 – 2021/22 there is a requirement for 12 Gypsy and Traveller Pitches and 2 Travelling Showperson Plots.

The Planning Policy for Traveller Sites states that,

*'If a local planning authority cannot demonstrate an up-to-date 5 year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission'. (para 27)*

Therefore the need for traveller provision in the area should be given significant weight.

### The First Draft Site Allocation and Development Policies Document (FDSADPD)

The Council consulted on the FDSADPD from the 11 September until the 22 October 2018. The FDSADPD proposes further policy guidance on Gypsy, Traveller and Travelling Showperson provision (draft policy HOU 5). Three site allocations are also proposed in the draft Plan which would address part of the accommodation needs identified in the GTAA. An exhaustive search for potential sites has been carried out.

The Gypsy, Traveller and Travelling Showpeople Site Selection Report published in the FDSADPD document library sets out the steps that have been taken towards looking for and establishing a list of sites that can be then assessed in terms of their suitability and availability.

The three proposed site allocations, included in the FDSADPD for consultation that ended on the 22 October 2018 were:

- Site G&T 1 Land east of Railway Cottages, Nantwich for six permanent residential Gypsy and Traveller pitches;-
- Site G&T 2 Land at Coppenhall Moss, Crewe for seven permanent residential Gypsy and Traveller pitches;-
- Site TS1 Lorry park, off Mobberley Road, Knutsford for three Travelling Showperson plots.

The sites proposed for allocation in the draft SADPD would provide for a total of 13 permanent pitches and 3 travelling showperson plots. This is sufficient for 5 years site provision from the base date of the GTAA which is May 2017.

The list of sites considered through the draft Gypsy, Traveller and Travelling Showpeople Site Selection Report included sites with temporary planning permission, such as the adjacent sites at Thimswarra Farm, Dragons Lane, and Meadowview, South of Dragons Lane.

The site selection report concludes, taking into account and balancing the range of factors considered that the site at Thimswarra Farm, Dragons Lane (reference GTTS 16) is **not a preferred site** and is not proposed as an allocation within the FDSADPD.

The site selection report concludes, taking into account and balancing the range of factors considered that the site at Meadowview, South of Dragons Lane (reference GTTS 18) is **not a preferred site** and is not proposed as an allocation within the FDSADPD.

Both the sites above, lie adjacent to the application site are considered to lack accessibility to services, facilities and public transport and would have a detrimental impact on the open countryside.

In general terms, the list of sites that have been collated do not perform particularly well in terms of their planning suitability. Most are located in the open countryside and services and facilities are not readily accessible to them by foot, cycle or public transport. This is also true of the site this site in Moston.



As such the Council, alongside the consultation on the FDSADPD, has made a further call for sites for Gypsy and Traveller and Travelling Showperson sites. This will assist in ensuring that every reasonable effort has been made to identify other sites that may prove to be more suitable.

Following the consultation on the FDSADPD and call for sites, further work will be undertaken to assess the suitability of sites for allocation before the Council consults on the publication version of the SADPD.

The publication version of the SADPD will be a full, final draft of the document the Council intends to submit for examination. This will be consulted on for six weeks before being submitted for public examination. The Local Development Scheme anticipates the submission of the SADPD for independent examination in the 3rd Quarter of 2019 with adoption in the 1st Quarter of 2020.

Therefore given the very early stage of the FDSADPD very limited weight can be given to the allocations proposed at this stage. Therefore although the draft SADPD shows a clear indication of the LPA's intention in relation to allocating site provision in the next 5 year years, there is still currently an outstanding need of for Gypsy and Traveller provision.

### Conclusion

It is therefore considered that although there is an outstanding need for Gypsy and Traveller provision in Borough, this site has been acknowledged as unsuitable in a number of respects in terms of a permanent permission.

The Glossary of the PPTS 2015 states that,

*'1. For the purposes of this planning policy "gypsies and travellers" means: Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*

*2. In determining whether persons are "gypsies and travellers" for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:*

- a) whether they previously led a nomadic habit of life*
- b) the reasons for ceasing their nomadic habit of life*
- c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.'*

Therefore, the change in the definition means that for the purposes of assessing the 5 year need for Traveller sites, those that do not travel any more and have no intention of living a nomadic habit of life in the future eg. retired, however this does allow for temporary ceasing of travel, for educational/health issues.

In this case the applicant states they have been living a nomadic life for the last 10 years + / since becoming a couple and now due to the health and educational needs, the family require a permanent base whilst using these services in the local area. Therefore the applicants are considered to have ceased to travel temporarily, not permanently.

This site is currently occupied, and the applicant has submitted personal circumstances which indicate a need for a permanent pitch, and a desire to live in the local area to access public services, such as health care and education. They also have family links with a number of Gypsy and Traveller families in the area. This has limited weight in the consideration of the application. However, although the site would not be suitable for permanent permission, as there is an outstanding need in the Borough, and no clear indication of alternative allocated sites (at this time), it would be reasonable to allow temporary permission until 28<sup>th</sup> February 2021 (in line with the adjoining sites), to allow the draft SADPD to be examined and adopted, and a more suitable site found/allocated.

### **Sustainability**

The PPTS (August 2015) states that travellers sites should be sustainable economically, socially and environmentally and states that Local Authority planning policies should;

- a) Promote peaceful and integrated co-existence between the site and the local community;
- b) Promote, in collaboration with commissioners of health services, access to appropriate health services;
- c) Ensure that children can attend school on a regular basis;
- d) Provide a settled base that reduces the need for long distance travelling and possible environmental damage caused by unauthorised encampment
- e) Provide proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well being of any travellers that may locate there or on others as a result of new development;
- f) Avoid placing undue pressure on local infrastructure and services;
- g) Do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans;
- h) Reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability

The PPTS has an intention, amongst other things, to create and support sustainable, respectful and inclusive communities where gypsies and travellers have fair access to suitable accommodation, education and health and welfare provision. The document clearly acknowledges that '*Local Planning Authorities should very strictly limit new traveller site development in the open countryside that is away from existing settlements or outside areas allocated within the development plan*' (paragraph 25). However, it does not state that gypsy/traveller sites cannot be located within the Open Countryside.

The document makes it clear that sustainability is important and should not only be considered in terms of transport mode and distance from services, but other factors such as economic and social considerations are important material considerations. It is considered that authorised sites assist in the promotion of peaceful and integrated co-existence between the site and the local community. A settled base ensures easier access to a GP and other health services and that any children are able to attend school on a regular basis. It is widely recognised that gypsies and travellers are believed to experience the worst health and education status of any disadvantaged group. In addition, a settled base can result in a reduction in the need for long distance travelling and the possible environmental damage caused by unauthorised encampment. Furthermore, the

application site should not be located in an area at high risk of flooding. These are all matters to be considered in the round when considering issues of sustainability.

The Inspectors who considered the appeals on the adjacent sites identified that most facilities are beyond the 1.6kms specified in the local plan (which was specified in Policy H8 of CBLP – now deleted), however, that most journeys to and from the site would be by private vehicle, but that these journeys would be relatively short and limited in number. Policy SC7 of the CELPS does not specify a distance but states that in considering applications, ‘(i) *Proximity of the site to local services and facilities*’ should be taken account of.

As such, overall it is considered that the site is in an unsustainable location.

### **Impact on the Character and Appearance of the Open Countryside**

There is a very strict limitation on new traveller site development in the open countryside that is away from existing settlements identified in Policy H of the PPTS (para 25).

Paragraph 26 of the PPTS requires local authorities to attach weight to the following matters:

- a) Effective use of previously developed (brownfield), untidy or derelict land;
- b) Sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness;
- c) Promoting opportunities for healthy lifestyles, such as ensuring adequate landscaping and play areas for children;
- d) Not enclosing with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community.

Whilst the principle of caravans in the countryside is not unduly out of keeping, the associated development including hardstanding, utility building, shed/dog kennel, fencing and gates in addition to the proposed caravans, vehicles and existing development, will result in some urbanisation and visual harm to this open rural area. However, of greater concern is the positioning of the development.

In this case there are two permitted separate existing traveller sites located adjacent to the field boundary with Dragons Lane, to the west of the application site. The application site is positioned adjacent to the Site at Meadowview, which has 4 pitches. This site extends the development to the east along Dragons Lane, by one pitch, with the Gas Governor buildings to the east. The proposal extends no further into the site than the existing development. The site is partly surrounded by vegetation, with a roadside hedge and trees, but is currently open to the south/agricultural land.

Subject to the planting of the hedge along the southern boundary to soften the edge of the site with the agricultural field, the proposal is not considered to have any further impact on the open countryside than the existing two sites which are also positioned directly off Dragons Lane.

### **Amenity**

Saved policy GR6 (Amenity and Health) of the Congleton Borough Local Plan states that development will be permitted provided that the proposal would not have an unduly detrimental

effect on amenity due to loss of privacy, loss of sunlight and daylight, visual intrusion, environmental disturbance or pollution, traffic generation, access and parking.

The siting of the caravans within a relatively central position within the application site would ensure that the development would not have a detrimental impact on neighbouring amenity. The existing Gypsy and Traveller site to the west is approximately 30m away and the closest neighbouring dwellinghouse is similarly over 100m from the site, and therefore considered unlikely to have any increased impact on neighbouring amenity than the existing situation.

With regards to environmental disturbance, the Council's Environmental Protection Officer has reviewed the proposal and advised that they have no objections in principle, and note that the site, if permitted, will require a Site Licence under the Mobile Homes Act 2013 (this site outside of planning legislation).

It is considered to ensure the amenity of the neighbours is safeguarded conditions relating to external lighting plans, shall be included.

### **Highway Safety**

The Strategic Infrastructure Manager notes that this is a full planning application for the change of use of land, to use as a residential caravan site for one family with two caravans on land located off Dragons Lane in Moston. The proposal will utilise an existing access onto Dragons Lane which has been deemed acceptable, and this proposal will result in a minor uplift in traffic generation.

There is adequate space for off-road parking. Accordingly, the Strategic Infrastructure Manager has no objection to the planning application.

As such, no objections on highway safety grounds are raised.

### **Ecology**

The nature conservation officer has considered the application and does not anticipate there would be any significant ecological issues with the proposed development, subject to consultation with Natural England in relation to the impact on the SSSI impact zone, and a condition for safeguarding breeding birds.

Natural England has raised no objections with the proposal and therefore it is not anticipated that the proposed development would have a detrimental impact on protected species.

### **Health and Safety**

The proposal is located adjacent to National Grid's High-Pressure Gas Pipeline – 21 Feeder. National Grid exercised its right to place a Holding Objection to the proposal. At its closest point the application site is 28m away from the pipeline.

Saved Policy GR7 (iii) of the Congleton Borough Local Plan states that development will not be permitted which would be likely to expose more members of the public to unacceptable risk either in areas subject to significant hazards or where it is probable that such hazards may increase.

Policy SD1 of the CELPS states that, Development wherever possible, (8) support the health, safety, social and cultural well being of the residents of Cheshire East.

*The National Planning Practice Guidance (paragraph 69 ref ID 39-069-20161209) states that Local planning authorities are well placed to judge the extent of development around major hazard establishments and major accident hazard pipelines so, when considering public safety in planning decisions and the formulation of development plan policies, they should take account of the total number of people that are present in the consultation zones around these sites, and the implications of any increase as a result of a planning decision or policy. In the case of encroachment (development getting closer to the major hazard) the risks can increase as well as the number of people.*

Major hazard sites/pipelines are subject to the requirements of the Health and Safety at Work etc. Act 1974, which specifically includes provisions for the protection of the public. However, the possibility remains that a major accident could occur at an installation and that this could have serious consequences for people in the vicinity. Although the likelihood of a major accident occurring is small, it is felt prudent for planning purposes to consider the risks to people in the vicinity of the hazardous installation.

As stated in the main officer's report, The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/pipelines. Their planning advice is that they do not advise against this form of development on safety grounds.

However, given the holding objection raised by National Grid, which after further consideration by the Pipeline Officer still remains in place, due to the increasing size of the development around the pipeline growing to an unacceptable size; the application is considered to be contrary to the saved Local Plan policy GR7 and SD1 of the Cheshire East Local Plan Strategy and therefore the application should be recommended for refusal on the grounds that the proposal could have a potential risk to people in the vicinity of the hazardous installation.

### **Further Information on Surrounding Appeal Sites**

A full planning history of the site has been appended to this report for the member's information. There are two permissions on the wider site which currently permitted temporary consent for a total of 6no pitches; 2no pitches at Thimswarra and 4no pitches at Meadowview, both permissions have conditions which are specific to the occupants of the site, eg. Personal permissions. It is therefore considered that in line with the adjacent temporary approvals on the wider site, and the exceptions for which a temporary permission has been previously granted it would be reasonable to specially condition the personal use of the site to the applicants Mr Alan Sharpe and Ms Dawn Smith and their dependants.

### **Whether the Development Dominates the Nearest Settlement**

Policy H of the PPTS states that;

*'Local planning authorities should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. Local planning authorities should ensure that sites in rural areas respect the scale of, and do*

*not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure'*

It is considered that the scale of this site does not dominate the nearest settled community, this application being for 1no. pitch and the two adjacent sites having temporary permission for 6no. pitches. Furthermore, a recent appeal decision at Horseshoe Farm, Warmingham Lane, Moston (17/2398N), was refused against officer recommendation, by Southern Planning committee 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'.*

The Planning Inspector allowed the appeal, and costs were awarded against the Council. The appeal decision noting that (para 13),

*'The PPTS does not define the 'nearest settled community'. Community, using its ordinary dictionary definition, means 'a group of people living in the same place or having a particular characteristic in common'. In the case before me, contrasting views were put to me about the extent of the nearest settled community. It is the view of the Council and MPC that the nearest settled community aligns with the MPC boundary. This extends to the southern limits of Middlewich, to the east and west of the site and a fair way to the south.*

*The 2011 census identifies 405 people living in the parish across an area of roughly 1,000 hectares. People living in the parish are scattered across the countryside in small hamlets or as individual properties. This includes four other gypsy and traveller sites within the parish with permanent and temporary planning permission. The population of the parish could be considered to be the nearest settled community, even though they are largely scattered. However, in practice everyday life is not bound by an arbitrary line and there are very limited facilities and services in the parish which allow members of the community to share common activities, and thus characteristics in common.*

*Discussion at the Hearing took place about the village of Warmingham, which offers a church, primary school, community hall and public house. Each is an asset to a community in that they all allow people to share common characteristics and interact. I recognise that the primary school may be oversubscribed, but there is no certainty either way school aged children would occupy the transit pitches. Warmingham is in any event outside of the MPC boundary, which extends some way to the south of the site.*

*The appellant's version of the nearest settled community would cover a considerable area, and include two Key Services Centres at either end. These centres, in their own right, are likely to consider themselves to be a community of their own. Potential occupants of the transit pitches would no doubt draw upon the facilities and services in the area described by the appellant, and seek work in this area. There would be a high dependency on private vehicles by occupants of the proposed transit pitches to access facilities and services as there is no local bus service, and people travelling on foot or on bicycle would be using unlit roads with a national speed limit with no*

*footways for sizable journeys. The appellant's version of the nearest settled community is therefore difficult to accept.*

*I recognise that the cumulative effect of gypsy and traveller sites could potentially result in an over-domination of the nearest settled community. If I accepted the Council's and MPC's version of the nearest settled community, the Council say that the proposal would take the total number of pitches in the parish to around 45. This is in the context of 114 permanent pitches with planning permission in the whole of Cheshire East. However, the Council did not dispute the appellant's point that the planning permission for 24 permanent pitches at the Three Oakes site on Booths Lane within the parish has now lapsed. Hence, the number of pitches in the parish would be around 21 if the appeal was allowed. While pitch numbers are unlikely to correlate with the number of residents living on each pitch, the Council has not provided any substantive evidence about the number of residents on each pitch. Thus, my assessment relates to the number of pitches.*

*Based on the evidence before me, the numeric quantity of gypsy and traveller pitches compared to the parish's population would not be of a scale that would dominate the community. The appeal site would be next to an existing gypsy site, and a fair distance away from the other sites in the parish. Thus, the appeal scheme would reflect the scattered pattern of development in Moston. In operating the site the appellant would control who could use the proposed transit pitches, and impose rules about the site's operation, such as maintaining a tidy site. There is no suggestion of any existing community cohesion issues, or undue pressure on local infrastructure. But, if the appellant's view of the nearest settled community is correct, then the effect of the proposal's scale would be far less than that asserted by the Council and MPC as it would involve the Key Service Centres of Middlewich and Sandbach. In short, the appeal scheme would not dominate either version of the nearest settled community put to me.*

The adjacent permitted sites were included in the consideration of the above appeal and therefore it can be concluded that one additional pitch will not significantly increase the population in the area and therefore it can not be considered that the cumulative impact would dominate the nearest settled community.

### **Impact upon educational provision**

The Council's Education Department have been consulted on the issue raised, and have noted that 'the Service determines that particular development will only be assessed for impact on education that consists of 11 x 2 bed dwellings or more.' This is based on a minimum threshold set out in the NPPG.

This particular application is for 1 plot (2 caravans) which in this instance does not meet the criteria for impact on education. Furthermore, The Service uses a standard average pupil yield for all 2 bed dwellings + and does not define pupils expected by type of dwelling.

### **HUMAN RIGHTS AND SAFEGUARDING CHILDREN**

Local Planning Authorities should consider the consequences of refusing or granting planning permission, or taking enforcement action, on the rights of the individuals concerned. Article 8 of the Human Rights Act 1998 states that everyone has the right to respect for his private and family life, his home and his correspondence. It adds there shall be no interference by a public authority

with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals or the protection of the rights and freedoms of others.

Local Planning Authorities also have a duty to safeguard and promote the welfare of children under section 11 of the Children's Act 2004. In addition, the judgment of the Supreme Court in ZH (Tanzania) was that all local authorities are under a duty to consider the best interests of the children.

Section 11 of the Act states that Local Authorities must have regard to the need to safeguard and promote the welfare of children.

Further, Article 14 of the Human Rights Act states that the enjoyment of the rights and freedoms set forth in that Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Furthermore, the Planning Authority is required, under section 149 of the Public Sector Equality Act 2010, in the exercise of its functions, to have due regard to the need to:

- (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

The protected characteristics include:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

The duty to have regard to the three aims listed above applies not only to general formulation of policy but to decisions made in applying policy in individual cases.

Based on the information provided, no significant issues are raised in this regard.

### **Conclusion and recommendation**

The proposal seeks permission for the change of use of land from agricultural to the stationing of caravans for residential purposes for 1 gypsy-traveller family (1 pitch).



Having regard to the rural location of the site, the distance from facilities, and the absence of public transport the site is still not considered to be in an accessibly sustainable location. This weighs against granting planning permission for this development.

Recognising these shortcomings, the Council's site identification study (August 2018) recommended that the site was not allocated for Gypsy and Traveller pitch provision in the First Draft of the Site Allocations and Development Policies document ("SADPD") at that time.

Balanced against this is the identified need for accommodation for Gypsies and Travellers in the Borough. For the five year period of 2017/18 – 2021/22 there is a requirement for 12 Gypsy and Traveller Pitches and 2 Travelling Showperson Plots.

The draft SADPD includes 3 allocated sites, which amount to 13 permanent pitches and 3 travelling showperson plots. This is sufficient for 5 years site provision from the base date of the GTAA which is May 2017. However, given the very early stage of the SADPD, very limited weight can be given to this provision.

The provision of needed Gypsy and Traveller accommodation is a clear social benefit of the proposal. However, whilst the requirement for sites and the current lack of alternatives weigh in favour of the proposal, they are not considered to outweigh the identified harm.

This site is currently occupied, and the applicant has submitted personal circumstances which indicate, a need for permanent accommodation, and a desire to live in the local area to access public services, such as health care and education. They also have family links with a number of Gypsy and Traveller families in the area.

In this instance there is a holding objection raised by National Grid. Due to the increasing size of the development around the pipeline growing to an unacceptable size; the application is considered to be contrary to the saved Local Plan policy GR7 and SD1 of the Cheshire East Local Plan Strategy and therefore the application is recommended for refusal on the grounds that the proposal could have a potential risk to people in the vicinity of the hazardous installation.

### **OFFICER RECOMMENDATION:**

#### **REFUSE**

- 1. The proposed development sites adjacent to National Grid's High-Pressure Gas Pipeline – Feeder 21 Elworth to Mickle Trafford and Warburton to Audley. A holding objection remains in place from National Grid in relation to the potential risks to people in the vicinity of the hazardous installation. The proposal is therefore contrary to policy GR7 of the Congleton Borough Local Plan First Review 2005, and SD1 of the Cheshire East Local Plan Strategy.**

**In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Development Management in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.**

## Appendix 1 – Planning History of the wider site

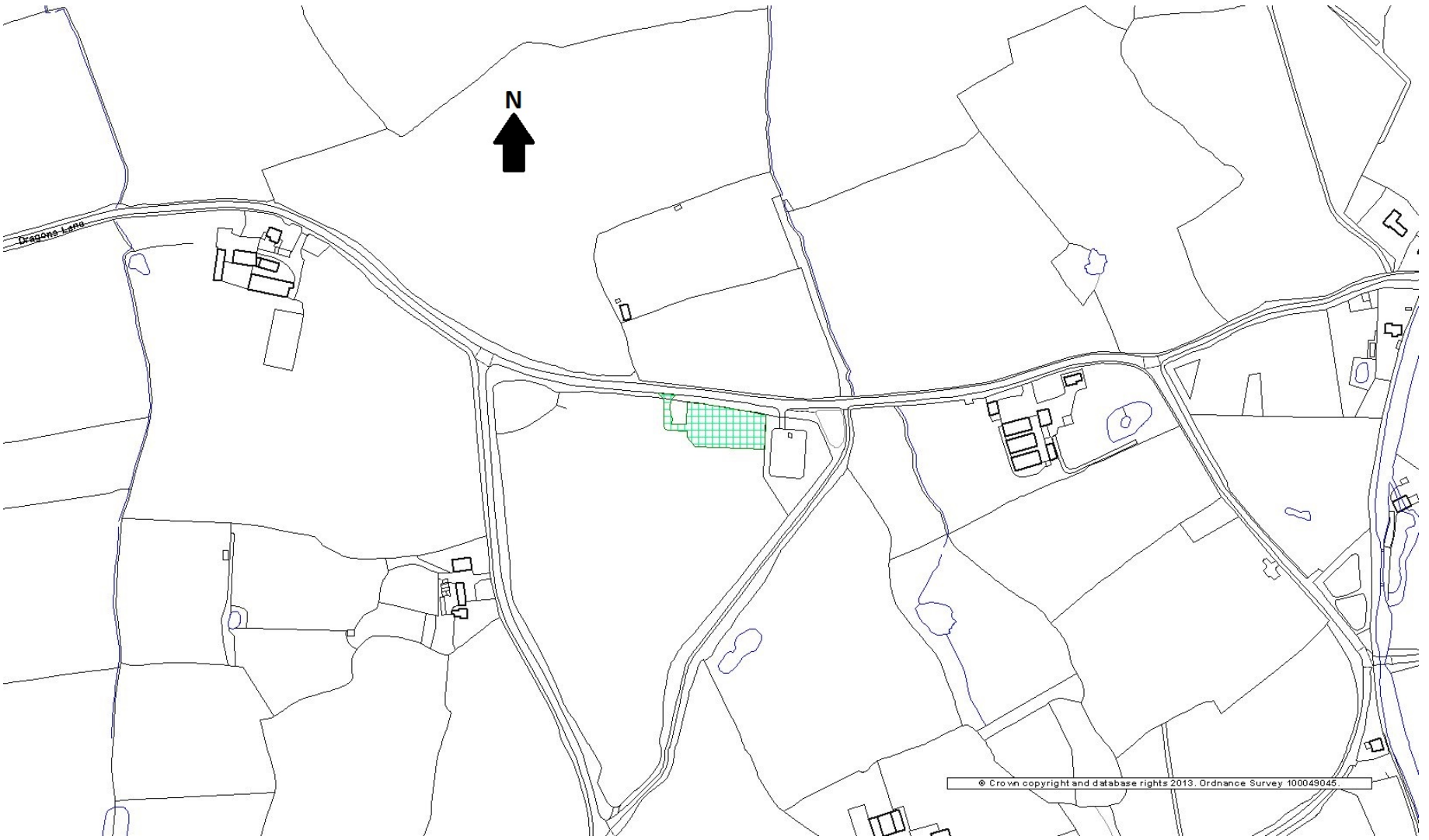
Planning Ref	Site Name	Applicant	Proposal	Decision
09/2358C	THIMSWARRA FARM, DRAGONS LANE, MOSTON, SANDBACH, CHESHIRE, CW11 3QB	Mr A D Arrowsmith	Retrospective Application for Change of Use from Agricultural Land to a Site for a Mobile Home for Occupation by an English Traveller who has Ceased to Travel Due to Ill Health and long Standing Disability	Refused - 17 <sup>th</sup> March 2011 Southern Planning Committee 16 <sup>th</sup> March 2011
11/3548C	THIMSWARRA FARM, DRAGONS LANE, MOSTON, CW11 3QB	MR DENNIS SHERIDAN	Change of use of land to use as residential caravan site for one gypsy family with two caravans, including laying of hardstanding and erection of stables.	Refused 23 <sup>rd</sup> February 2012 Southern Planning Committee 15 <sup>th</sup> February 2012 Allowed on appeal 14 <sup>th</sup> September 2012
12/0971C	Land on the south side of Dragons Lane, Dragons Lane, Moston, Sandbach, Cheshire, CW11 3QB	Martin Smith	The use of land for the stationing of caravans for residential purposes for 4 no. gypsy pitches together with the formation of additional hard standing and utility/ dayrooms ancillary to that use.	Refused 19 <sup>th</sup> June 2012 Southern Planning Committee 6 <sup>th</sup> June 2012 Allowed on appeal 13 <sup>th</sup> February 2014
12/3603C	Land on the south side of Dragons Lane, Dragons Lane, Moston, Sandbach, Cheshire, CW11 3QB	Martin Smith	The use of land for the stationing of caravans for residential purposes for 4 no. gypsy pitches together with the formation of additional hard standing and	Refused 8 <sup>th</sup> January 2013 Southern Planning Committee 12 <sup>th</sup> December 2012

			utility/ dayrooms ancillary to that use.	
12/3847C	Thimswarra farm, Dragons lane, Moston, sandbach, cheshire, CW11 3QB	Mr Lawrence Newbury	Change of use of land to use as a residential caravan site for two gypsy families, including laying of hardstanding and driveway	Refused 8 <sup>th</sup> January 2013
13/0516D	THIMSWARRA FARM, DRAGONS LANE, MOSTON, SANDBACH, CHESHIRE, CW11 3QB	Mr D Sheridan	Discharge of Conditions 5 & 9 of Application 11/3548C	Approved 28 <sup>th</sup> February 2013
14/3086C	THIMSWARRA FARM, DRAGONS LANE, MOSTON, SANDBACH, CW11 3QB	Mr D Sheridan	Removal of Condition 2 (Time Limit) on Application 11/3548C - Change of Use of Land to Use as Residential Caravan Site for One Gypsy Family with Two Caravans Including Laying of Hardstanding and Erection of Stables.	Approved with conditions 6 <sup>th</sup> October 2015
14/1853D	Land On The South Side Of, DRAGONS LANE, MOSTON	Mr M Smith	Discharge of condition 4 (cessation of occupation or expiry of planning permission), 6 (site layout) and 9 (water drainage) attached to planning application 12/0971C	Approved 18 <sup>th</sup> July 2014
14/3106C	Land off Dragon's Lane, Sandbach,	Mr Cosnett	Proposed gypsy/traveller site for 3 mobile	Refuse 27 <sup>th</sup> November 2015,

	Moston, Cheshire East, CW11 3QH		homes, 3 caravans, 3 day rooms and stables together with hardstanding and access	
15/5579C	Land on the south side of Dragons Lane, Moston, Sandbach, Cheshire, CW11 3QB	Mr Martin Smith	Removal of condition 3 on application 12/0971C to make permission permanent and remove limitation on occupancy to named persons	Refused 13 <sup>th</sup> September 2016 Southern Planning Committee 29 <sup>th</sup> June 2016
15/5650C	THIMSWARRA FARM, DRAGONS LANE, MOSTON	Mr P Cosnett	Variation or removal of Condition 5 on application 14/3086C	Approved with conditions 13 <sup>th</sup> September 2016 Southern Planning Committee 29 <sup>th</sup> June 2016
16/0941C	Land South Of Thimswarra Farm, PLANT LANE, MOSTON	Mr Lawrence Newbury	Change of use of land to use as a residential caravan site for one gypsy family with two caravans, including construction of new access, laying of hardstanding and erection of amenity building	Withdrawn 8 <sup>th</sup> November 2016
16/0962C	Land South of DRAGONS LANE, MOSTON	Mr Thomas Quinn	Change of use of land to use as a residential caravan site for one gypsy familywith two caravans, including construction of access road, laying of hardstanding and erection of	Refused 29 <sup>th</sup> November 2017 Under appeal

			amenity building	
16/2247C	Land Off Dragons Lane, Moston, Sandbach, Cheshire, CW11 3QB	Mr Simon Quinn	Change of use of land to use as a residential caravan site for one gypsy family with two caravans, including construction of access road, laying of hardstanding and erection of amenity building	Refused 10 <sup>th</sup> January 2019
17/2114C	THIMSWARRA FARM, DRAGONS LANE, MOSTON	Mr P Cosnett	Removal of condition 1 to make permission permanent and non personal and variation of condition 2 and condition 5 to increase to 3 pitches (total of 7 caravans) on 15/5650C	Approved with conditions 5 <sup>th</sup> April 2018 Southern Planning Committee 4 <sup>th</sup> April 2018 Under Appeal
17/5170C	Land south of DRAGONS LANE, MOSTON	Mr Martin Smith	Variation of condition 3 on 12/0971C - The use of land for the stationing of caravans for residential purposes for 4 gypsy pitches together with the formation of additional hardstanding and utility/dayrooms ancillary to that use.	Approved with conditions 9 <sup>th</sup> February 2018 Southern Planning Committee 7 <sup>th</sup> February 2018 Under Appeal
18/2413C	Land Adjoining Meadowview Park, DRAGONS LANE, MOSTON	Ms D S Smith	Change of use of land from agricultural land for stationing of caravans for residential	No decision to date

			puroposes by 1 gypsy-traveller family incliding utility building, hard standing, septic tank, fencing & gates, and shed/dog kennel, part retrospective.	



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