

Southern Planning Committee

Agenda

Date:	Wednesday, 8th January, 2020
Time:	10.00 am
Venue:	Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ

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

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

It should be noted that Part 1 items of Cheshire East Council decision 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 3 - 8)

To approve the minutes of the meeting held on 27 November 2019.

Please contact Julie Zientek on 01270 686466

E-Mail: julie.zientek@cheshireeast.gov.uk with any apologies or requests for further information
Speakingatplanning@cheshireeast.gov.uk to arrange to speak at the meeting

4. **Public Speaking**

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

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

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

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

5. **19/3551N Land to the North of Sydney Road, Crewe: Erection of 21 dwellings, access, car parking, landscaping, open space and associated works for Muller Property Group (Pages 9 - 24)**

To consider the above planning application.

6. **Report relating to a lodged appeal against the refusal of application 18/2413C - Land adjoining Meadowview Park, Dragons Lane, Moston - Change of use of land (Pages 25 - 28)**

To consider the above report.

7. **Planning Appeals (Pages 29 - 48)**

To consider a report regarding the outcome of Planning Appeals decided between 1 January 2019 and 30 September 2019.

THERE ARE NO PART 2 ITEMS

Membership: Councillors S Akers Smith (Vice-Chairman), M Benson, J Bratherton, P Butterill, A Critchley, S Davies, K Flavell, A Gage, A Kolker, D Murphy, J Rhodes and J Wray (Chairman)

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 27th November, 2019 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor J Wray (Chairman)
Councillor S Akers Smith (Vice-Chairman)

Councillors M Benson, J Bratherton, P Butterill, S Davies, A Gage, A Kolker,
D Murphy and J Rhodes

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors S Hogben and A Moran

OFFICERS PRESENT

Daniel Evans (Principal Planning Officer)
Nicky Folan (Planning Solicitor)
Andrew Goligher (Principal Development Control Officer - Highways)
Susan Orrell (Principal Planning Officer)
Julie Zientek (Democratic Services Officer)

Apologies

Councillors A Critchley and K Flavell

35 DECLARATIONS OF INTEREST/PRE DETERMINATION

The following declarations were made in the interests of openness:

With regard to application number 18/6313N, Councillor P Butterill declared that she had known the applicants for a long time and had made up her mind with respect to the application. She would exercise her separate speaking rights as a Ward Councillor, leave the room and not take part in the debate or vote.

With regard to application number 18/6313N, Councillor A Gage declared that he believed that the applicants owned a nearby evening entertainment establishment (the Cheshire Cat), which he had frequented on occasion. He had no personal relationship with the applicants and had not been approached by anyone about the application.

36 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 30 October 2019 be approved as a correct record and signed by the Chairman.

37 18/6313N CAR PARK, ST ANNES LANE, NANTWICH: PROPOSED MIXED DEVELOPMENT OF 31NO. APARTMENTS, HOTEL, RESTAURANTS, RETAIL UNITS AND ASSOCIATED CAR PARKING, INCLUDING THE DEMOLITION OF NO 17 WELSH ROW FOR VISION FOR NANTWICH LIMITED

Note: Councillors A Moran and P Butterill (Ward Councillors) attended the meeting and addressed the Committee on this matter.

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

RESOLVED

(a) That, for the reasons set out in the report and the written update, authority be DELEGATED to the Head of Planning to APPROVE the application, following consultation with the Chairman of Southern Planning Committee, subject to:

- the submission and consideration of a Water Vole Survey and any necessary mitigation in consultation with the Council's Ecologist.
- the satisfactory completion of a Section 111 Agreement with a Draft S106 Agreement attached to secure:

Overage provision to capture any uplift in value with any additional sums paid to the Council to invest back into education and health provision within the borough

- the following conditions:

- 1 Time limit
- 2 Approved plans
- 3 Materials
- 4 Compliance with the submitted Flood Risk Assessment, to include reference to the finished floor levels and existing and proposed levels across the site
- 5 Submission of a drainage strategy
- 6 Compliance with the noise report
- 7 Travel information pack
- 8 Low emission boilers
- 9 Electric vehicle charging points
- 10 Contaminated land X 3
- 11 Programme of archaeological work
- 12 Foul and surface water
- 13 Surface water drainage scheme
- 14 Piling
- 15 Obscure glazing to x2 living/kitchen/dining room windows on the western elevation

- 16 No removal of any vegetation or the demolition between 1st March and 31st August
- 17 Features for breeding birds
- 18 Safeguarding of nesting birds
- 19 Submission of provision of features for nesting birds
- 20 Submission of bat 'friendly' lighting scheme
- 21 Submission of measures for safeguarding of the adjacent water course from pollution during construction
- 22 Measures to minimise the risk of hedgehogs being injured during the construction phase
- 23 Method statement for the control of Himalayan Balsam
- 24 Open hours – 7 days/week
Shops 9am – 5pm
Restaurants 12.00 noon – 11pm
Café's 8am – 6pm
- 25 Detail of gabion and railings
- 26 Landscaping both hard and soft including, detailed riverbank planting proposals, details of the green wall system along with its planning design and future maintenance arrangements, shrub planting around the base of the car park walls, species, sizes and locations for proposed trees including tree pit preparation in hard and soft areas, riverside retaining walls, paving materials and colours, railing types/locations, proposed tree grilles, seating opportunities and lighting locations
- 27 Details of cycle storage areas, to include cycle parking details for residents and visitors
- 28 Specification and manufacturers details of the proposed external lighting
- 29 A revised landscape/public realm design proposals plan to clearly show the location/extent of all features and include a key
- 30 Scheme of delivery times to the approved commercial uses to be submitted and agreed
- 31 Refuse storage to be submitted and approved

Informatives

- 1 Para 38 of the NPPF
 - 2 Wyche House Bank stopping up order on the public highway
 - 3 Cadent gas informative
 - 4 Land drainage consent
 - 5 Construction hours
 - 6 Environment Agency advice
 - 7 PROW
- (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, 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.

- 38 **19/3534N LAND TO THE REAR OF & 481, CREWE ROAD, WINTERLEY CW11 4RF: PROPOSED RESIDENTIAL DEVELOPMENT OF 1 NO. REPLACEMENT DWELLING (PLOT 1) AND 46 NO. DWELLINGS, WITH ASSOCIATED HARD AND SOFT LANDSCAPING FOR L EMBRA, POLLYANNA / MAGENTA HOUSING**

The Chairman reported that this application had been withdrawn prior to the meeting.

- 39 **19/4360N LAND OFF AUDLEM ROAD, HANKELow: ENTRY-LEVEL EXCEPTION SITE FOR AFFORDABLE HOUSING FOR MR & MRS DE THELWELL**

The Chairman reported that this application had been withdrawn prior to the meeting.

- 40 **19/4513C 104, LAWTON ROAD, ALSAGER ST7 2DB: RESIDENTIAL DEVELOPMENT OF 3 DETACHED BUNGALOWS TOGETHER WITH A NEW ACCESS ROAD AND ASSOCIATED SITE WORKS FOR MR M BAILEY, ALCOCK & BAILEY LTD**

The Chairman reported that this application had been withdrawn prior to the meeting.

- 41 **19/4258N 5, EDLESTON ROAD, CREWE CW2 7HJ: CONVERSION OF EXISTING VETERINARIAN PRACTICE TO 8 OCCUPANT HMO FOR MS GOSCLIO**

Note: Councillor S Hogben (Ward Councillor) and Mr G Erskine (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

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

RESOLVED

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

- 1 Time limit
- 2 Approved plans
- 3 Provision of cycle parking
- 4 Provision of bin storage
- 5 Low emission boilers

- (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, 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.

The meeting commenced at 10.00 am and concluded at 12.23 pm

Councillor J Wray (Chairman)

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Application No: 19/3551N

Location: Land to the North of SYDNEY ROAD, CREWE

Proposal: Erection of 21 dwellings, access, car parking, landscaping, open space and associated works

Applicant: Muller Property Group

Expiry Date: 01-Nov-2019

Summary

Whilst the proposed site currently lies outside the Crewe settlement boundary, in open countryside, it will soon be surrounded on all sides by built development and is proposed to be incorporated within the settlement as part of the SADPD. As such it is not considered that there can be any objection in principle to this site being developed for housing.

There are no highways objections to the proposal, and ecological impacts can be addressed by mitigation, and an offset payment to achieve net gain.

The trees and hedgerows on the site boundary are largely to be retained, and some new planting is proposed to green the street-scene. There are no objections with regards to trees or landscaping.

Whilst there were originally concerns with the layout, amended plans have now been submitted which address these matters and as such the proposals are now in general accordance with the urban design guide and meet the required privacy distances.

Issues of noise, air quality and contaminated land can all be addressed by condition.

Strategic Housing originally objected to the proposals as it was unclear how the affordable housing would be provided. Following further proposals from the applicant their revised comments are awaited.

Finally Network Rail's concerns about lack of security fencing on the site boundary have now been addressed.

Recommendation

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

DESCRIPTION OF SITE AND CONTEXT

This 0.5 hectare site lies on land behind properties fronting Sydney Road to the south, adjoins the west coast main train-line to the east, and to fields to the north and west, on which development has just started on building houses for Anwyl Homes as part of the Sydney Road allocated housing site Phase 1.

The site consists of three small fields, separated by fences, and is relatively level, with the railway on a slightly higher level. There is a fenced boundary to the north to the fields beyond, and a stronger hedge-with-trees boundary to the east.

DETAILS OF PROPOSAL

This full application proposes building 21 dwellings, all 2 storey and a mix of mainly semi detached, and 3 detached properties. The properties would be arranged around a turning head/parking court area, and the access road would be a shared surface. A pedestrian/cycleway access is proposed linking the site to the adjacent approved development to the east, including a small area of open space in this area. Trees and most of the hedgerow would be retained on this boundary.

The layout has been amended from the original submission, with the introduction of a shared surface access way, and less internal space taken up with hard surfacing.

RELEVANT HISTORY

The main site (Phase 1) has recently been approved:

18/4050N Reserved matters application for appearance, landscaping, layout and scale following Outline approval 13/2055N - Outline application for up to 240 residential dwellings, open space and new access off Sydney Road - 138, SYDNEY ROAD AND LAND TO THE NORTH EAST OF SYDNEY ROAD, CREWE, CW1 5NF APPROVED November 2018

13/2055N Outline application for up to 240 residential dwellings, open space and new access off Sydney Road - 138, SYDNEY ROAD AND LAND TO THE NORTH EAST OF SYDNEY ROAD, CREWE, CW1 5NF

17/0737N Phase 1 submission for Parcels 4 and 5 (9 number dwellings) with respect to reserved matters (appearance, landscaping, layout and scale) - 138, SYDNEY ROAD AND LAND TO THE NORTH EAST OF SYDNEY ROAD, CREWE, CW1 5NF

In addition there is the outline approval for the adjacent site (Sydney Road Phase 2):

15/5184N Outline planning application for residential development of up to 250 dwellings, open space and associated works, all other matters reserved apart from access. (Resubmission of 15/0184N) - 138 SYDNEY ROAD, CREWE, CW1 5NF APPROVED ON APPEAL

15/0184N Outline planning application for up to 275 dwellings open space and associated works, with all detailed matters reserved apart from access - 138, SYDNEY ROAD, CREWE, CW1 5NF WITHDRAWN

A recent reserved matters application, 19/4337N for Phase 2 has been submitted, but remains undetermined at the time of this report.

POLICIES

Cheshire East Local Plan Strategy

MP1 Presumption in favour of sustainable development
PG1 Overall Development Strategy
PG2 Settlement Hierarchy
PG6 Open Countryside
PG7 Spatial Distribution of Development
SD1 Sustainable Development in Cheshire East
SD2 Sustainable Development Principles
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 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 2 Outdoor Sports Facilities
SC 3 Health and Well Being
SC 4 Residential Mix
SC 5 Affordable Homes
IN 1 Infrastructure
IN 2 Developer Contributions

The site is immediately adjacent to, but not part of policy LPS 7: Sydney Road Crewe, a housing allocation.

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

Crewe and Nantwich Local Plan

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)

RT.3 (Provision of Recreational Open Space and Children's Playspace in New Housing Developments)

TRAN.3 (Pedestrians)

TRAN.5 (Cycling)

The saved Local Policies are consistent with the NPPF and should be given full weight.

Neighbourhood Plan

There is no start made in Crewe.

Other Material Considerations

National Policy:

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

IEWS OF THE PARISH / TOWN COUNCIL

No comments received at the time of writing the report

CONSULTATION RESPONSES – External to Planning

Network Rail: Originally issued a holding objection, essentially due to the proposed close boarded fence on the railway boundary. A series of recommendations/advisories were also given. Whilst no formal comments have been received, it is understood the amended proposals, that sets the acoustic fence in from the boundary fence is considered acceptable.

United Utilities: No objection subject to conditions.

Archaeology: No observations to make.

Cheshire Police: Some suggestions are made with regards to improvements to defensible space, the proposed footpath and encouragement to the applicant to seek an application for Secure by Design. These matters are discussed further in the report.

CEC POS: whilst originally having concern about the lack of proposed POS on the site, following discussions, and submission of a revised layout they are now much happier with the proposals which include a better footpath link with some (although limited) open space beside it, and the offer of a financial contribution of £48,000 which will be used to enhance Lansdowne Road.

Environmental Protection: No objections subject to conditions. Their comments are set out in the main body of the report.

Strategic Housing: Commenting on the original scheme, they objected on the grounds the applicant had not provided an affordable housing scheme setting out what their proposals are for the 6 affordable dwellings. Following confirmation from the applicant of their proposals. Housing's revised comments are awaited.

CEC Flood Risk: No objection subject to conditions.

Education – No reply received

OTHER REPRESENTATIONS

One resident has expressed some concern about traffic speed on Sydney Road, and lack of a continuous footpath on the road.

OFFICER APPRAISAL

Principle of Development

The site is somewhat of an anomaly in that it is a greenfield site outside the settlement boundary, technically in the open countryside. The site is a small area now entirely surrounded by built development, or by the development of Sydney Road Phase 1 which has now commenced on the outer boundary of the site. The SADPD however which Members will be aware of, has now been consulted on and the feedback is being assessed, seeks to re-draw the Crewe settlement boundary to unsurprisingly include this site within the settlement.

As such, whilst the SADPD can only be given limited weight at this stage, and the site is in open countryside at this time, and the proposals are therefore contrary to policy to Policy PG6 as it is not included in the acceptable uses or exceptions to the policy, it is considered that there are material planning considerations that outweigh the presumption against the proposals, namely:

- The SADPD will in the near future bring the site within the settlement boundary. Page 121 of the Crewe Settlement Report (referred to as change 6a) sets this out together with the justification.
- The site is entirely land-locked with built development (either built or in the process of being built) to all boundaries and as such does not have the character of being in the open countryside.

Other material considerations are considered below, but it is considered the proposal is acceptable in principle – whilst recognising the policy conflict at this time.

Highway Safety / Parking

Whilst originally raising concern about the over formality of the design, with two footpaths, following the revised layout it is understood the scheme is acceptable to Highways, as it now incorporates a shared surface with a narrower road width. This is also supported by the Council's Urban Design Officer.

The development utilizes the access to the Sydney Road Phase 1 development, and provides adequate turning facilities and parking.

Ecology

Statutory Designated Sites

The application site falls within Natural England's SSSI impact risk zones for developments over 10 units outside existing urban area. It is therefore advised that Natural England must be consulted on this application to advise on the potential impacts of the proposed development upon statutory designated sites. They have been, and any comments received will be reported in an update report.

Great Crested Newts, Badger, Mud snail, Lesser Silver Diving Beetle

These protected/priority species are known to occur in the broader landscape, but are unlikely to be present on the application site or significantly affected by the proposed development.

Hedgehogs

Hedgehogs are a biodiversity action plan priority species and hence a material consideration. There are records of hedgehogs in the broad locality of the proposed development and so the species may occur on the site of the proposed development. It is advised that the proposed development would result in a minor localised loss of habitat for this species. If planning consent is granted it is recommended that the precautionary measures detailed in the submitted Ecological Assessment prepared by Camlad Ecology be conditioned and that hedgehog gaps be incorporated into garden fences.

Nesting Birds

If planning consent is granted a condition is required to safeguard nesting birds.

Lighting

Whilst the application site offers limited opportunities for roosting bats, bats are likely to commute and forage around the site to some extent. To avoid any adverse impacts on bats resulting from any lighting associated with the development it is recommended that if planning permission is granted a condition should be attached requiring any additional lighting to be agreed with the LPA.

Net gain for Biodiversity Ecological enhancement

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with Local Plan Policy SE 3.

It is therefore recommend that the applicant submits an ecological enhancement strategy prior to the determination of the application or if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. The Council's Ecologist has undertaken an assessment of the residual ecological impacts of the proposed development using the Defra biodiversity offsetting 'metric' methodology.

This assessment quantifies the residual impacts of the development and calculates in 'units' whether the proposed development would deliver a net gain or loss for biodiversity. The assessment, a copy of which is attached, shows that the proposed development would result in the loss of 2.83 biodiversity units.

It is therefore advised that in the absence of further habitat creation or retention proposals, the proposed development currently fails to comply with Local plan Policy SE (5). The applicant has however suggested an off set payment of some £11,498.50 which has been agreed as an appropriate sum to ensure ecology net gain.

Design/Layout

The proposed layout has been amended during the life of the application, to address issues of urban design, privacy and to create a central area which is less dominated by hard surfaces. The location of the dwellings has changed slightly to address some of these issues, but essentially remains the same, namely a large courtyard style arrangement around a turning space at the end of what will (including the approved adjacent development) be a long cul de sac.

The layout now allows for the introduction of more green space, with hedges and planting breaking up what could have been a very hard space dominated by frontage parking. The road widths have been reduced and pavements removed to create a shared space which is considered to be appropriate for this form of development.

The house design continues the approach adopted in the adjacent development and is considered acceptable.

Pedestrian/cycle links

A pedestrian/ cycleway is proposed on the eastern boundary linking through to the adjacent development. This pathway sits within an area of green space and is fully supported allowing a far more direct access out of the site onto Sydney Road.

Public Open Space

As outlined above, a small area of open space is proposed on the eastern boundary of the site, incorporating the pedestrian/cycle link. Whilst this does not meet the policy requirement in terms of area, the applicant has proposed a financial contribution in lieu of provision which ANSA have accepted.

Landscape

The Council's landscape officer states that while the site is located within the boundary of the area identified as Open Countryside, it is surrounded by existing development and areas that have permission for residential development. It is not considered that the proposals will result in any significant landscape or visual impacts and as such the landscape officer raises no objection.

Trees

Two low (C) category Oak trees, a group of Hawthorn/Elder and group of Cypress along the eastern boundary of the site are shown for retention and protection on the submitted Tree Protection plan, although their relationship to plots within the adjacent development is not considered sustainable in the long term. The Arboricultural Assessment suggests the removal/relocation of a semi mature low (C) Category Oak (T10) to the northern boundary within proposed Plot 4 for similar reasons.

The trees are generally unremarkable and their loss has no significant impact on the wider amenity of the area.

Scope for any replacement planting within the site in mitigation is severely limited and would be restricted to small ornamental tree/shrub planting.

Should planning consent be granted, it is recommended that a condition requiring tree protection measures to be agreed should be attached.

Residential Amenity

The site adjoins existing residential properties to the south, and approved properties to the northern and eastern boundaries. Following the layout changes, the proposals now meet the required separation distances to adjoining properties. Whilst there are some of set relationships within the site, these are across public areas to property frontages, and the relationships are considered acceptable.

Noise

In support of the application, the applicant has submitted an acoustic report by RPS Planning and Environment.

The impact of the noise from Crewe to Manchester Railway and the local road networks on the proposed development has been assessed in accordance with:

- BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings

An agreed methodology for the assessment of the noise source.

The report recommends noise mitigation measures designed to achieve BS8233: 2014 and WHO guidelines; to ensure that future occupants of the properties / occupants of nearby properties are not adversely affected by noise from railway and road network.

The reports methodology, conclusion and recommendations are accepted. The report recommendations, which include building design measures (trickle vents & double glazing) and an acoustic fence on the site boundary with the rail line, should be conditioned.

Air Quality

Policy SE12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 181 of the NPPF and the Government's Air Quality Strategy.

When assessing the impact of a development on Local Air Quality, this office has regard to (amongst other things) the Council's Air Quality Strategy, the Air Quality Action Plan, Local Monitoring Data and the EPUK Guidance "Land Use Planning & Development Control: Planning for Air Quality January 2017)

This proposal is for the erection of twenty one new residential dwellings. In support of the application the developer has submitted a qualitative screening assessment written by Redmore Environmental. The report states that a detailed assessment into the impacts of NO₂ and PM₁₀ during the operational phase is not required in accordance with EPUK and IAQM criteria based on the predicted development flows, and concludes, therefore, that the development impacts on local air quality will be not significant. The report also concludes that the potential dust impacts during construction will also be not significant subject to appropriate dust mitigation measures.

That being said, there is still a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality.

Crewe has three Air Quality Management Areas and, as such, the cumulative impact of developments in the town is likely to make the situation worse, unless managed.

Poor air quality is detrimental to the health and wellbeing of the public and also has a negative impact on the quality of life for sensitive individuals. It is therefore considered appropriate that mitigation should be sought in the form of direct measures to reduce the adverse air quality impact.

Conditions relating to Travel Planning, Electric Vehicle Infrastructure and Ultra Low Emission Boilers are recommended.

Contaminated Land

The Contaminated Land team has no objection to the above application subject to the following comments with regard to contaminated land:

The application is for a proposed use that would be particularly vulnerable to the presence of contamination. Residential developments are a sensitive end use and could be affected by any contamination present or brought onto the site.

Phase I Preliminary Risk Assessment and a Phase II ground investigation report have been submitted in support of the planning application. These reports also include the area covered by application reference 19/0216N, however only the reports for the current application site has been reviewed. It is noted that the Phase II report was written to discharge the contaminated land conditions on 19/0216N and not specifically for this planning application.

The Phase I has identified the potential contaminant linkages for the site, and recommended ground investigation works to further assess these potential linkages.

A ground investigation was done on the wider site, but only TP07 and TP08 were located within the area of this planning application. The made ground present at TP07 was found to have elevated concentrations of contaminants of concern, however the made ground at TP08 was not

analysed, despite its presence at this location too. The report has recommended remedial works, however it is unclear from the report's text whether only the made ground in the area of TP07 is proposed to be removed, or whether all made ground on the application area is to be removed. Clarification is required.

Some buildings are still present on the site. The underlying soils also require some consideration.

A remedial strategy will be required for the site once the above points are clarified.

As such, and in accordance with the NPPF, conditions, reasons and notes are recommended should planning permission be granted:

Affordable Housing

The Cheshire East Local Plan Strategy (CELPS) and the Council's Interim Planning Statement: Affordable Housing (IPS) states in developments of 15 or more dwellings (or 0.4 hectares) in the Principal Towns and Key Service Centres at least 30% of all units are to be affordable. This percentage relates to the provision of both social affordable rented and/or intermediate housing, as appropriate. Normally the Council would expect a ratio of 65/35 between social rented and intermediate housing.

This is a proposed development of 21 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 6 dwellings to be provided as affordable dwellings.

The CELPS states in Policy SC5 justification paragraph 12.44, 'The Housing Development Study shows that there is the objectively-assessed need for affordable housing for a minimum of 7,100 dwellings over the plan period, which equates to an average of 355 dwellings per year.' This is for the whole borough of Cheshire East.

The current number of those on the Cheshire Homechoice waiting list with Crewe as their first choice is 2095. This can be broken down to 972 x one bedroom, 670 x two bedroom, 279 x three bedroom, 96 x four bedroom and 78 x five bedroom dwellings. Of these applicants 108 are over 55 years of age. These 108 can be broken down to 102 x one bedroom and 6 x two bedroom dwellings.

The SHMA 2013 showed the majority of the house type demand annually up to and including 2018 in Crewe was for 50 x one bedroom, 149 x three bedroom and 37 x four bedroom dwellings for General Needs.

The SHMA also showed an annual requirement for 12 x one bedroom and 20 x two bedroom Older Person's accommodation. These can be via flats, cottage style flats, bungalows and Lifetime adaptable homes.

Of the 6 Affordable Dwellings, 4 units should be provided as Affordable/Social rent and 2 units as Intermediate tenure.

The applicant in this Full application has advised that they will be providing 6 dwellings as Affordable. These six have not been advised on what tenure (Rented/Intermediate) each is to be. As this is a Full application, an Affordable Housing Scheme is required, this has been omitted.

The proposed mix of 2 and 3 bedroom houses is not meeting the identified local need. This is particularly true with the Older Person Dwellings. A mix of 1x bedroom Cottage Style Flats for both General Needs and Older Persons on the ground floor and 2, 3 and 4 bedroom dwellings are sought.

Until these concerns are met and an Affordable Housing Scheme is provided, Housing object to this Full Application.

The applicant writes:

“In the applicant’s Supporting Planning Statement, it was confirmed that a policy compliant contribution would be made and as such, the applicant is willing to enter a legal agreement to secure the provision of affordable housing. Accordingly the applicant is proposing to provide four 2 bedroom and three 3 bedroom houses. The tenure mix of 65% social rent/35% intermediate tenure is agreed. The affordable units will be on plots 16-21. From a purely practical point of view, it would make sense for either two of the two bed or both three bed units to be provided as shared ownership or intermediate tenure as these are to be provided as semi detached units. We can also confirm that the affordable units will be tenure blind.”

Housing’s comments on this are awaited.

Network Rail

The proposals have been amended to address Network Rail’s concerns about the lack of security fencing on the site boundary to the West Coast Mainline. The proposals now retain the security fence, and proposes a boundary/acoustic fence set behind it. This is the approach adopted on the adjacent development to the north and is considered acceptable.

Education

No reply has been received at the time of writing the report so it is unclear if there is any requirement. Any comments received will be reported in an update report.

CONCLUSIONS

Whilst the proposed site currently lies outside the Crewe settlement boundary, in open countryside, it will soon be surrounded on all sides by built development and is proposed to incorporated within the settlement in the SADPD. As such it is not considered that there can be any objection in principle to this site being developed for housing.

There are no highways objections to the proposals, and ecological impacts can be addressed by mitigation, and an offset payment to achieve net gain.

The trees and hedgerows on the site boundary are largely to be retained, and some new planting is proposed to green the street-scene. There are no objections with regards to trees or landscaping.

Whilst there were originally concerns with the layout, amended plans have now been submitted with address these matters and as such the proposals are now in general accordance with the urban design guide and meet the required privacy distances.

Issues of noise, air quality and contaminated land can all be addressed by condition.

Strategic Housing originally objected to the proposals as it was unclear how the affordable housing would be provided. Following firmer proposals from the applicant their revised comments are awaited.

Finally Network Rail's concerns about lack of security fencing on the site boundary have now been addressed.

Accordingly the application is recommended for approval, subject to the signing of a Section 106 Agreement.

SECTION 106

In accordance with the policy requirements the application should seek 106 contributions for the following:

- 30% Affordable Housing
- Off site contribution of £48,000 which will be used to enhance Lansdowne Road POS
- An Ecological off set payment of some £11,498.50

CIL REGULATIONS

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010, it is necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following: a) Necessary to make the development acceptable in planning terms; a) Directly related to the development; and b) Fair and reasonably related in scale and kind to the development. It is considered that the contributions required as part of the application are justified meet the Council's requirement for policy compliance. All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development. The non-financial requirements ensure that the development will be delivered in full. On this basis the scheme is compliant with the CIL Regulations 2010.

RECOMMENDATION

Approve subject to a Section 106 Agreement to secure the following;

S106	Amount	Triggers
Affordable Housing	30% (65% Affordable Rent / 35% Intermediate)	No more than 80% open market occupied prior to affordable provision in each phase.

Ecology	Off set payment of £11,498.50	Upon commencement of development
Public Open Space	Off site contribution of £48,000 which will be used to enhance Lansdowne Road POS space	Upon commencement of development

And subject to the following conditions;

- 1. Standard 3 year time period**
- 2. Approved plans**
- 3. Materials**
- 4. Implementation of landscaping**
- 5. Tree protection**
- 6. Hedgehog precautionary measures and gaps in fences**
- 7. Bird nesting season**
- 8. Submission of measures to provide features for priority bird species**
- 9. Lighting**
- 10. Ecological enhancement measures**
- 11. Separate systems for drainage**
- 12. Surface water drainage scheme to be approved**
- 13. Submission of a sustainable drainage management and maintenance plan.**
- 14. Submission of a Travel Information Pack**
- 15. Required installation of Electric Vehicle Infrastructure**
- 16. Ultra Low Emission Boilers**
- 17. Phase II ground investigation and risk assessment**
- 18. Verification report**
- 19. Soils testing**
- 20. Measures to deal with unexpected contamination**
- 21. Submission of a detailed drainage strategy**

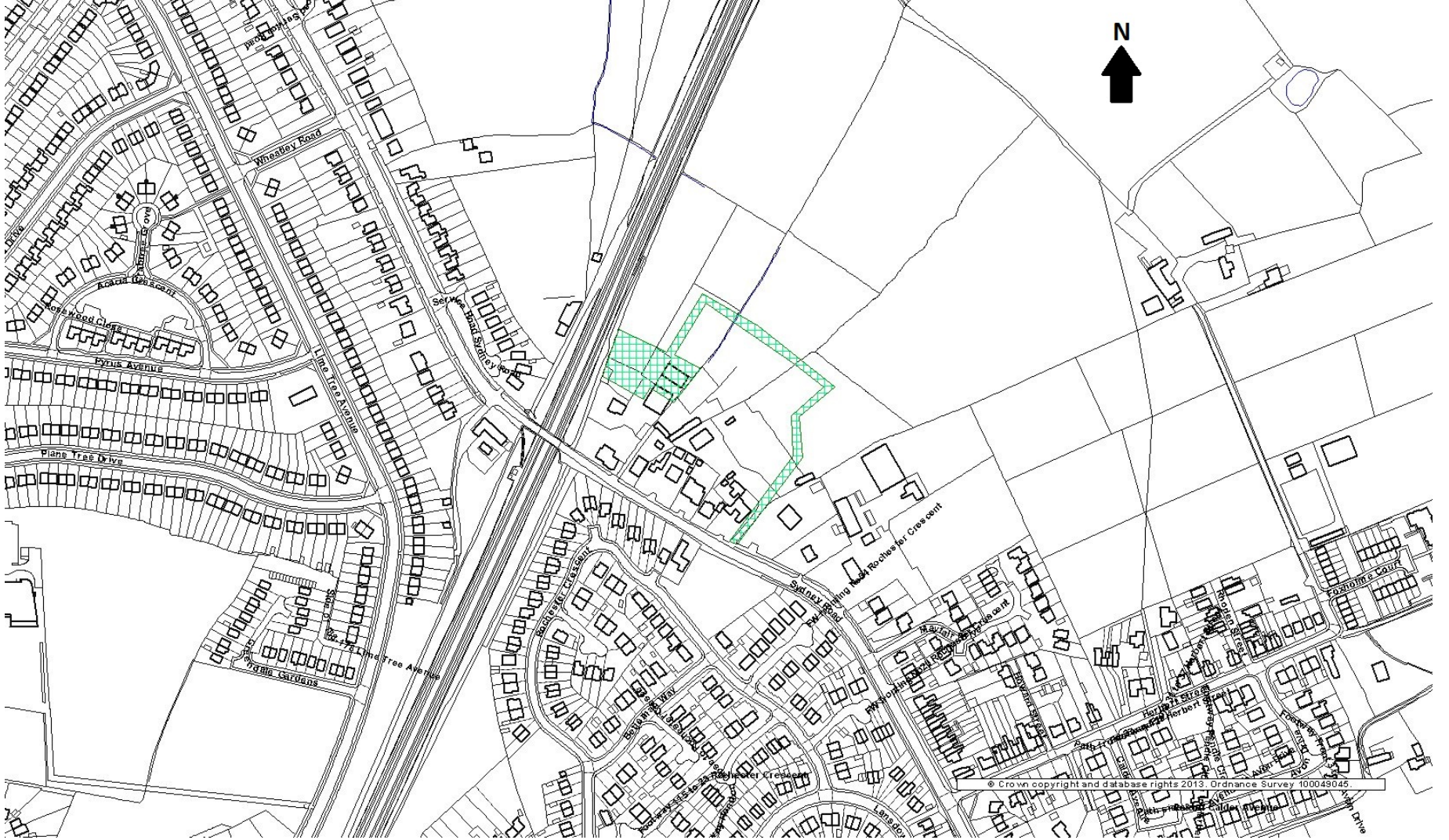
Informatives:

- NPPF**
- Construction hours of operation**
- Environmental Protection Act**
- Pile Foundations**
- Dust management plan**
- Drainage Act 1991**

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

If the application is subject to an appeal approval is given to enter into a S106 Agreement with the following Heads of Terms;

S106	Amount	Triggers
Affordable Housing	30% (65% Affordable Rent / 35% Intermediate)	No more than 80% open market occupied prior to affordable provision in each phase.
Ecology	Off set payment of £11,498.50	Upon commencement of development
Public Open Space	Off site contribution of £48,000 which will be used to enhance Lansdowne Road POS space	Upon commencement of development



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Working for a brighter future together

Southern Planning Committee

Date of Meeting: Wednesday 8th January 2020

Report Title: 18/2413C - Committee Report – relating to an appeal

Senior Officer: Frank Jordan, Executive Director Place

1. Report Summary

- 1.1 Southern Planning Committee resolved to refuse planning application 18/2413C on 29th May 2019 for the following reasons:

The proposed development site is 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.

- 1.2 Following the determination of the application the Statutory Consultee - National Grid have formally withdrawn their objection to the application. The purpose of this report is to consider this additional information in advance of the submission a hearing statement for a lodged appeal against the refusal of application 18/2413C. The hearing statement is due on the 15th January 2020.

2. Decision required

- 2.1 To consider the additional information which has been submitted in relation to the reason for refusal; in advance of the submission of appeal documents to the Planning Inspector and the subsequent scheduled informal hearing.

3. Recommendations

- 3.1. Not to contest the reason for refusal at the appeal.

4. Reasons for Recommendations

- 4.1 For the purpose of defending the appeal based on the additional information which has been provided.

5. Other Options Considered

- 5.1. To defend the appeal and be at risk of cost being made against the Council for defending an appeal with no grounds.

6. Background

- 6.1 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, within the adjoining site. The site is situated adjacent to a Gas Governor and two High pressure gas pipe lines - Feeder 21 Elworth to Mickle Trafford and Warburton to Audley.
- 6.2 There are also three authorised traveller sites (7 pitches) within the wider triangle of land, and one other unauthorised traveller site (1 pitch).

7. Proposed Development

- 7.1 18/2413C was a full planning application for 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).

8. Officer Comment

Reason for refusal – National Grid

- 8.1 The application was determined on advice from the Statutory Consultee - National Grid that there was an impact on the high pressure gas pipe line – Feeder 21 Elworth to Mickle Trafford and Warburton to Audley, and therefore the development potentially could impact on safety of the pipeline and the surrounding population. The Southern Planning Committee therefore in line with the Officer recommendation resolved to refuse the application solely on those grounds.
- 8.2 Since the decision was made, National Grid have formally withdrawn their objection and therefore the Council can no longer defend this reason for refusal at appeal.

Health and Safety Executive

- 8.3 During the application the Health and Safety Executive were consulted on the application through the Planning Advice Web Tool. The consultation raised no objections to the development, which is based on 1no. residential unit on the application site.
- 8.4 However, in a recent appeal on the same wider site the Health and Safety Executive have raised concerns, but not an objection, on the potential cumulative impact of development within this wider piece of land. The HSE state that they would object to a development of 3 or more residential units situated within the inner zone of the consultation zone. There are currently no residential units approved within the inner zone, however there is an appeal awaiting a decision (16/0962C) and another application for an unauthorised site which is awaiting a decision (19/3706C). However, currently there is no objection on HSE grounds.
- 8.5 For clarity, if in the meantime the appeal decision for 16/0962C is allowed, there will still only be one permitted residential unit within the inner zone, and therefore there will only be *potentially* 2 authorised pitches permitted if this appeal was also allowed. Therefore, regardless of the decision on 16/0962C the HSE would still not object to this proposal as there would not be more than 2 authorised permissions.

Conclusion

- 8.6 On the basis of the above, the reason for refusal can not be defended on the National Grids former objection; and although of note, the HSE's concerns are not a formal objection. Therefore it is not advised to use these concerns as an alternative reason for refusal.

9 Implications of the Recommendations

9.1 Legal Implications

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

9.2 Finance Implications

- 9.2.1 There are no financial implications.

9.3 Policy Implications

- 9.3.1 There are no policy implications.

9.4 Equality Implications

- 9.4.1 There are no equality implications.

9.5 Human Resources Implications

9.5.1 There are no HR implications.

9.6 Risk Management Implications

9.6.1 There are no risk management implications.

9.7 Rural Communities Implications

9.7.1 There are no direct implications for rural communities.

9.8 Implications for Children & Young People/Cared for Children

9.8.1 There are no direct implications for children and young people.

9.9 Public Health Implications

9.9.1 There are no direct implications for public health.

9.10 Climate Change Implications

9.10.1 There are no climate change implications.

10 Ward Members Affected

10.1 Cllr Wray is the ward member for the area. The Ward member will be informed prior to the committee meeting.

11 Access to Information

11.1 Background Document – Application 18/2413C – Appendix 1

12 Contact Information

12.1 Any questions relating to this report should be directed to the following officer:

Name: Gemma Horton

Job Title: Senior Planning Officer

Email: gemma.horton@cheshireeast.gov.uk



Working for a brighter future together

Southern Planning Committee

Date of Meeting: 08 January 2020

Report Title: Planning Appeals Report

Portfolio Holder: Councillor Toni Fox, Portfolio Holder for Planning

Senior Officer: David Malcolm, Acting Head of Planning

1. Report Summary

- 1.1. A statistical overview of the outcome of Planning Appeals that have been decided between 1st January 2019 and 30th September 2019. The report provides information that should help monitor the Council's quality of decision making in respect of planning applications.

2. Recommendations

- 2.1. That the Report be noted.

3. Reasons for Recommendations

- 3.1. To acknowledge the appeal outcomes from the Council's decision making on planning applications.

4. Other Options Considered

- 4.1. The report is for information only and no other options are applicable

5. Background

- 5.1. All of the Council's decisions made on planning applications are subject to the right of appeal under section 78 of the Town and Country Planning Act 1990. Most appeals are determined by Planning Inspectors on behalf of the Secretary of State. However, the Secretary of State also has the power to make the decision on an appeal rather than it being made by a Planning Inspector - this is referred to as a 'recovered appeal'.

- 5.2. Appeals can be dealt with through several different procedures: written representations; informal hearing; or public inquiry. There is also a fast-track procedure for householder and small scale commercial developments.
- 5.3. All of the Appeal Decisions referred to in this report can be viewed in full online on the planning application file using the relevant planning reference number.
- 5.4. This report relates to planning appeals and does not include appeals against Enforcement Notices or Listed Building Notices.

6. Commentary on appeal statistics

- 6.1. The statistics on planning appeals for the full year of 2018/19 are set out in Appendix 1 and 2. The statistics on planning appeals for the year to date of 2019/20 are set out in Appendix 3 and 4.
- 6.2. The statistics are set into different components to enable key trends to be identified:
 - Overall performance;
 - Outcomes by type of appeal procedure;
 - Outcomes of delegated decisions;
 - Outcomes of committee decisions;
 - Overall numbers of appeals lodged;
 - Benchmarking nationally.
- 6.3. The overall number of appeals lodged has remained consistent and averages out at approximately 120 planning appeals annually. At present, approximately 30% of decisions to refuse planning permission will result in a planning appeal.
- 6.4. In terms of the outcomes of the appeals decided, the performance is very close to the national average; 36% of appeals were allowed in the full year for 2018/19. For the first two quarters of this financial year 25% of appeals have been allowed. Across the whole reporting period 32% of appeals have been allowed. The national average for the same period is 30%.
- 6.5. It should be noted that, due to the timescales of the appeals process, these figures will generally reflect planning application decisions made by the Council prior to 1st April 2019.

7. Implications of the Recommendations

7.1. Legal Implications

7.1.1. As no decision is required there are no legal implications.

7.2. Finance Implications

7.2.1. There are no financial implications.

7.3. Policy Implications

7.3.1. There are no policy implications.

7.4. Equality Implications

7.4.1. There are no Equality implications

7.5. Human Resources Implications

7.5.1. There are no HR implications

7.6. Risk Management Implications

7.6.1. There are no risk management implications

7.7. Rural Communities Implications

7.7.1. There are no direct implications for rural communities.

7.8. Implications for Children & Young People/Cared for Children

7.8.1. There are no direct implications for children and young people.

7.9. Public Health Implications

7.9.1. There are no direct implications for public health.

7.10. Climate Change Implications

7.10.1. There are no climate change implications

8. Ward Members Affected

8.1. The Report relates to all Wards. The report is for noting only.

9. Consultation & Engagement

9.1. Not applicable.

10. Access to Information

- 10.1. Planning Appeal statistics for 2018/19 (Appendix 1 and 2)
- 10.2. Planning Appeal statistics for 01-Apr-2019 to 30-Sept-2019 (Appendix 2 and 3)

11. Contact Information

- 11.1. Any questions relating to this report should be directed to the following officer:

Name: Peter Hooley

Job Title: Planning and Enforcement Manager

Email: peter.hooley@cheshireeast.gov.uk

Quarterly Planning Appeals Report

Appendix 1. Planning Appeal Statistics 2018/19

All Planning Appeals decided					
Q1 (1st Apr 2018 to 30th Jun 2018)					
Q2 (1st Jul 2018 to 30th Sept 2018)					
Q3 (1st Oct 2018 to 31st Dec 2018)					
Q4 (1st Jan 2019 to 31st Mar 2019)					
	Q1	Q2	Q3	Q4	Full Year
Number of Planning Appeals determined	30	21	30	31	112
Total Allowed	11	5	11	13	40
Total Dismissed (%)	19	16	19	18	72
Percentage allowed	36.7%	23.8%	36.7%	42%	36%
<i>Note: appeals that were withdrawn, deemed invalid or part allowed/part dismissed are excluded from the figures provided.</i>					

Public Inquiries	Q1	Q2	Q3	Q4	Full Year
Number of appeals determined	0	0	0	0	0
Total Allowed	0	0	0	0	0
Total Dismissed	0	0	0	0	0
Percentage allowed	n/a	n/a	n/a	n/a	n/a

Hearings	Q1	Q2	Q3	Q4	Full Year
Number of appeals determined	2	6	2	3	13
Total Allowed	1	1	2	1	5
Total Dismissed	1	5	0	2	8
Percentage allowed	50%	16.7%	100%	0%	38%

Written representations	Q1	Q2	Q3	Q4	Full Year
Number of appeals determined	19	10	24	23	76
Total Allowed	5	3	8	9	25
Total Dismissed	14	7	16	14	51
Percentage allowed	26%	30%	33.3%	39%	33%

Quarterly Planning Appeals Report

Householder Appeal Service	Q1	Q2	Q3	Q4	Full Year
Number of appeals determined	9	5	4	5	23
Total Allowed	5	1	1	3	10
Total Dismissed	4	4	3	2	13
Percentage allowed	56%	20%	25%	60%	43%

Appeals against Delegated Decisions

	Q1	Q2	Q3	Q4	Full Year
Number of appeals determined	26	17	25	30	98
Total Allowed	8	3	9	13	33
Total Dismissed	18	14	16	17	65
Percentage allowed	31%	17.6%	36%	43%	34%

Appeals against Planning Committee Decisions

	Q1	Q2	Q3	Q4	Full Year
Number of appeals determined	4	4	4	1	13
Total Allowed	3	2	2	0	7
Total Dismissed	1	2	2	1	6
Percentage allowed	75%	50%	50%	0%	54%

Appeals Lodged this year

	Q1	Q2	Q3	Q4	Full Year
Public Inquiries	0	0	0	1	1
Hearing	6	3	3	3	15
Written Rep	22	21	20	17	80
Household fast-track	3	9	4	11	27
Total	31	30	22	32	123

**Figures are subject to future revision due to delay between date appeals lodged and start date confirmed by PINS.*

Benchmarking**Latest national figures for s78 Planning Appeals**

2018/19				
	Public Inquiry	Hearings	Written Representations	All
Number of appeals determined	202	488	9,486	10,176
Percentage allowed	48%	42%	29%	30%

Quarterly Planning Appeals Report

National figures for Householder Appeal Service

2018/19	
	Householder
Number of appeals determined	4,462
Percentage allowed	38%

Source: Planning Inspectorate Statistics 09/12/2019.

Appendix 2. Appeals determined 1st Jan 2019 – 31st March 2019

LPA ref.	Site Address	Development Description (short description)	Decision Level	Procedure	Appeal Outcome	Committee Overturn Y/N
18/0356C	CHERRY LANE FARM, CHERRY LANE, RODE HEATH, ST7 3QX	Demolition of existing commercial buildings and construction of 14 no. residential	Southern Planning	Written Representations	Dismissed	Yes
15/5637M	Land off SCHOOL LANE, MARTON	Erection of up to 23No. Dwellings	Northern Planning	Public Inquiry	Withdrawn	No
17/4545M	Holly Tree Farm, Plumley Moor Road, Plumley, WA16 9RU	Application for single storey groom's accommodation. (In retrospect)	Delegation	Informal Hearing	Dismissed	N/A
16/2585M	BRYANCLIFFE, WILMSLOW PARK SOUTH, WILMSLOW, SK9 2AY	Erection of four houses (two detached and two semi-detached).	Delegation	Written Representations	Dismissed	N/A
18/2014N	NESS COTTAGE, WRENBURY ROAD, ASTON, CW5 8DQ	Two storey extension to rear of dwelling (Re-submission of application 18/0389N)	Delegation	Householder Appeal Service	Allowed	N/A
17/6472C	Land adjacent to 23, Sandbach Road, Church Lawton, ST7 3DW	Residential dwelling	Delegation	Written Representations	Allowed	N/A
18/1441M	HOPE LANE COTTAGE, HOPE LANE, ADLINGTON, SK10 4NX	Removal of existing single storey conservatory to side and construction	Delegation	Informal Hearing	Allowed	N/A
18/3136M	Grove End Farm, Blossoms Lane, WOODFORD, SK7 1RF	Prior approval for change of use of agricultural building	Delegation	Written Representations	Dismissed	N/A
18/2619N	Bridge House Farm, Bridgehouse Lane, WINTERLEY, CW11 4RU	Certificate of Lawful Existing Use for The use of buildings	Delegation	Written Representations	Dismissed	N/A
17/2206M	Land at Congleton Road, MACCLESFIELD	Creation of a roundabout junction and new access road at Congleton Road	Delegation	Written Representations	Dismissed	N/A
18/2962M	Hillcrest Farm, HOLMES CHAPEL ROAD, OVER PEOVER, WA16 9RB	Prior approval for change of use of agricultural building into a residential dwelling	Delegation	Written Representations	Dismissed	N/A
18/2620M	NYWEN, PICKMERE LANE,	The proposal is for part demolition,	Delegation	Householder	Dismissed	N/A

Quarterly Planning Appeals Report

	PICKMERE, WA16 0JP	extensions and alterations		Appeal Service		
18/2976M	FODENS FARM, WOODHOUSE END ROAD, GAWSWORTH, SK11 9QT	Demolition of an existing two-storey detached dwelling, outbuildings and barns	Delegation	Written Representations	Allowed	N/A
18/1595N	Larden Green Farm, Spring Lane, Baddiley, CW5 8JN	Change of use of existing oak framed outbuilding and extension	Delegation	Written Representations	Dismissed	N/A
18/3074N	BARNS AT HAUGHTON BARN, BADCOCKS LANE, SPURSTOW, CW6 9RR	Prior approval for a proposed change of use of barns to two dwellings	Delegation	Written Representations	Allowed	N/A
18/2012M	Land at Locoshed, BOLLINGTON LANE, NETHER ALDERLEY, SK10 4TB	Demolition of existing building and removal of external storage	Delegation	Written Representations	Dismissed	N/A
18/4634M	44, Buxton Road, Disley, SK12 2EY	Proposed One No Pitched Roof Front Dormer.	Delegation	Householder Appeal Service	Dismissed	N/A
17/5078M	Land to the west of FROG LANE, PICKMERE	Outline application with some matters reserved for an infill residential development	Delegation	Written Representations	Allowed	N/A
18/3893M	WILLOWS WOOD, NEWTON HALL LANE, MOBBERLEY, WA16 7LB	Alterations and extensions to an existing dwelling	Delegation	Householder Appeal Service	Allowed	N/A
17/5671M	WHITE LODGE, CHESTER ROAD, TABLEY, WA16 0HF	Amendments to previously approved extensions ref: 16/2815M	Delegation	Written Representations	Allowed	N/A
17/5672M	WHITE LODGE, CHESTER ROAD, TABLEY, WA16 0HF	Listed building consent for amendments to previously approved extensions	Delegation	Written Representations	Allowed	N/A
18/1014C	Sandy Lane Farm, GIANTSWOOD LANE, HULME WALFIELD, CW12 2JJ	Conversion of agricultural building into dwelling	Delegation	Written Representations	Allowed	N/A
18/3434M	49D, KNUTSFORD ROAD, WILMSLOW, SK9 6JD	Alterations to existing private driveway including new vehicle and pedestrian access	Delegation	Householder Appeal Service	Allowed	N/A
18/1897M	Beech Tree Lodge, Hocker Lane, Over Alderley, SK10 4SE	Variation of Condition 3 on approved Planning Applications 17/4551M and 17/4552M	Delegation	Written Representations	Allowed	N/A
18/2956M	Beech Tree Lodge, Hocker Lane, Over Alderley, SK10 4SE	Variation of Condition 3 on approved Planning Application 17/4552M (LBC)	Delegation	Written Representations	Allowed	N/A

Quarterly Planning Appeals Report

18/2921M	OAK BANK FARM, MOSS LANE, MOBBERLEY, WA16 7BU	Rear single storey extension with alterations to the listed building and outbuilding	Delegation	Written Representations	Dismissed	N/A
18/2702M	OAK BANK FARM, MOSS LANE, MOBBERLEY, WA16 7BU	Listed building consent for rear single storey extension with alterations to the	Delegation	Written Representations	Dismissed	N/A
18/1225M	17, NORTHWICH ROAD, KNUTSFORD, WA16 0AB	Proposed demolition of existing dwelling and erection of 3 new dwellings	Delegation	Written Representations	Dismissed	N/A
17/5322N	FROG MANOR, OVER ROAD, CHURCH MINSHULL, CW5 6EA	Proposed detached dwelling and associated parking & access (re-submission of app	Delegation	Written Representations	Dismissed	N/A
18/2523N	Bookmakers House, 100, WELSH ROW, NANTWICH, CW5 5ET	Proposed detached dwelling	Delegation	Written Representations	Dismissed	N/A
18/0108N	Ivy Cottage, FERRET OAK LANE, HAUGHTON, CW6 9RQ	New infill dwelling house	Delegation	Written Representations	Dismissed	N/A
17/5297M	Maintenance Shed, The Coach House, PEOVER LANE, CHELFORD, SK11 9AN	Conversion of existing maintenance shed outbuilding	Delegation	Informal Hearing	Dismissed	N/A

Quarterly Planning Appeals Report

Appendix 3. Planning Appeal Statistics 2019/20

All Planning Appeals decided					
Q1 (1st Apr 2018 to 30th Jun 2019)					
Q2 (1st Jul 2018 to 30th Sept 2019)					
Q3 (1st Oct 2018 to 31st Dec 2019)					
Q4 (1st Jan 2019 to 31st Mar 2020)					
	Q1	Q2	Q3	Q4	Year to date
Number of Planning Appeals determined	40	23			63
Total Allowed	10	6			16
Total Dismissed (%)	30	17			47
Percentage allowed	25%	26%			25%
<i>Note: appeals that were withdrawn, deemed invalid or part allowed/part dismissed are excluded from the figures provided.</i>					

Public Inquiries	Q1	Q2	Q3	Q4	YTD
Number of appeals determined	4	0			4
Total Allowed	2	0			2
Total Dismissed	2	0			2
Percentage allowed	50%	n/a			50%

Hearings	Q1	Q2	Q3	Q4	YTD
Number of appeals determined	6	1			7
Total Allowed	4	1			5
Total Dismissed	2	0			2
Percentage allowed	67%	100%			71%

Written representations	Q1	Q2	Q3	Q4	YTD
Number of appeals determined	23	11			34
Total Allowed	2	3			5
Total Dismissed	21	8			29
Percentage allowed	9%	27%			15%

Quarterly Planning Appeals Report

Householder Appeal Service	Q1	Q2	Q3	Q4	YTD
Number of appeals determined	7	11			18
Total Allowed	2	2			4
Total Dismissed	5	9			14
Percentage allowed	29%	18%			22%

Appeals against Delegated Decisions

	Q1	Q2	Q3	Q4	YTD
Number of appeals determined	30	22			52
Total Allowed	6	5			11
Total Dismissed	24	17			41
Percentage allowed	20%	23%			21%

Appeals against Planning Committee Decisions

	Q1	Q2	Q3	Q4	YTD
Number of appeals determined	10	1			11
Total Allowed	4	1			5
Total Dismissed	6	0			6
Percentage allowed	40%	100%			45%

Appeals Lodged this year

	Q1	Q2	Q3	Q4	YTD
Public Inquiries	1	0			1
Hearing	1	4			5
Written Rep	11	25			36
Household fast-track	12	13			25
Total	25	42			67*

**Figures are subject to future revision due to delay between date appeals lodged and start date confirmed by PINS.*

Benchmarking**Latest national figures for s78 Planning Appeals**

2018/19				
	Public Inquiry	Hearings	Written Representations	All
Number of appeals determined	202	488	9,486	10,176
Percentage allowed	48%	42%	29%	30%

Quarterly Planning Appeals Report

National figures for Householder Appeal Service

2018/19	
	Householder
Number of appeals determined	4,462
Percentage allowed	38%

Source: Planning Inspectorate Statistics 09/12/2019

Appendix 4. Appeals determined 1st April 2019 - 30th Sept 2019

LPA ref.	Site Address	Development Description (short description)	Decision Level	Procedure	Appeal Outcome	Committee Overturn Y/N
15/0400M	Land off Earl Road/Epsom Avenue, Handforth	Demolition of Existing Buildings and Erection of Five Units	Strategic Planning	Public Inquiry	Allowed	No
16/0802M	Land at Earl Road, Handforth	Erection of four restaurants and three drive-thru restaurant/cafe's along with a	Strategic Planning	Public Inquiry	Dismissed	No
16/3284M	LAND AT EARL ROAD, HANDFORTH	Erection of retail floorspace	Strategic Planning	Public Inquiry	Allowed	No
16/0138M	LAND AT EARL ROAD, HANDFORTH	Erection of retail floorspace, cafes, restaurants and drive thru restaurants alo	Strategic Planning	Public Inquiry	Dismissed	No
18/1250N	Land to the rear of Oakleaf Close, Shavington, Crewe, CW2 5SF	15 new dwellings comprising 11 4/5-bedroomed detached and 4 3-bedroo	Southern Planning	Written Representations	Dismissed	No
17/5016N	LAND AT MILL STREET & LOCKITT STREET, CREWE	Hybrid planning application comprising (1) Full Planning Application for the ere	Southern Planning	Written Representations	Dismissed	No
17/5170C	Land south of DRAGONS LANE, MOSTON	Variation of condition 3 on 12/0971C	Southern Planning	Informal Hearing	Allowed	Yes
17/2114C	THIMSWARRA FARM, DRAGONS LANE, MOSTON	Removal of condition 1 to make permission permanent and non personal and variati	Southern Planning	Informal Hearing	Allowed	Yes
18/3123N	LAND SOUTH EAST OF CREWE ROAD ROADABOUT, UNIVERSITY WAY, CREWE	Erection of a new foodstore (Use Class A1), access, substation and associated ca	Southern Planning	Public Inquiry	Withdrawn	No
17/2879N	12, CEMETERY ROAD, WESTON, CW2 5LQ	The use of land for the stationing of caravans for residential purposes for one	Southern Planning	Informal Hearing	Allowed	Yes
18/3205M	Land to the south of GASKELL AVENUE, KNUTSFORD	Construction of a single dwelling (Victorian garden walled dwelling)	Northern Planning	Written Representations	Dismissed	No
17/6072M	Ollerton Nursery, CHELFORD ROAD, OLLERTON, WA16 8RJ	Redevelopment of former garden centre to 17no. Dwellings, public open spaces inc	Northern Planning	Written Representations	Dismissed	No
18/1089C	Land off Macclesfield Road, Holmes Chapel, CW4 8AL	Construction of three dwellings (re-submission of 17/4519C)	Delegation	Written Representations	Dismissed	N/A

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18/0205C	THE SPINNEY, NEW PLATT LANE, CRANAGE, CW4 8HS	Erection of a Dwelling. Construct additional access.	Delegation	Written Representations	Dismissed	N/A
18/2968C	DAIRY HOUSE FARM, HALL GREEN LANE, SOMERFORD BOOTHES, CW12 2LY	Erection of key agricultural workers dwelling - resubmission of 17/2753C	Delegation	Written Representations	Dismissed	N/A
18/2623C	Key Green Farm, PEDLEY LANE, CONGLETON	Erection of a log cabin-style agricultural workers dwelling	Delegation	Informal Hearing	Dismissed	N/A
18/3178M	Land off Adlington Business Park, ADLINGTON PARK, ADLINGTON	Erection of a storage unit (Use Class B8) with associated hardstanding areas.	Delegation	Written Representations	Dismissed	N/A
18/5132C	MILL FARM, NEWCASTLE ROAD, SMALLWOOD, CW11 2UA	Demolition of existing steel portal framed building and erection of ancillary re	Delegation	Written Representations	Allowed	N/A
18/3814M	OVER SPINNEY, WHITEBARN ROAD, ALDERLEY EDGE, SK9 7AN	Demolition of existing dwelling and erection of a 2-storey replacement detached	Delegation	Written Representations	Dismissed	N/A
18/3030M	CLOVERDALE, CHELFORD ROAD, PRESTBURY, SK10 4AW	Demolition of an existing dwelling and the erection of 10no. apartments with ass	Delegation	Written Representations	Dismissed	N/A
18/0057M	Coach House, 23, HAWTHORN GROVE, WILMSLOW, SK9 5DE	Conversion of existing coachhouse with 2 x 1-bed apartments into 3 bed dwelling	Delegation	Written Representations	Allowed	N/A
18/4673M	20, HAYTON STREET, KNUTSFORD, WA16 0DR	Proposed second storey side extension and internal alterations together with two	Delegation	Householder Appeal Service	Dismissed	N/A
18/4570M	24, ELM CRESCENT, ALDERLEY EDGE, SK9 7PQ	Proposed extensions and alterations	Delegation	Householder Appeal Service	Dismissed	N/A
18/3961M	Moss Lane Farm, 79 Moss Lane, Styal, SK9 4LQ	Single storey extension to the rear	Delegation	Householder Appeal Service	Dismissed	N/A
17/3858N	Land to south east of CLAY LANE, HASLINGTON	Change of use from agricultural field to haulage yard with site office, car park	Delegation	Informal Hearing	Dismissed	N/A
18/0601M	LAND ADJOINING COPPICE ROAD, POYNTON, SK12 1SP	Proposed erection of two detached bungalows, associated access and landscaping w	Delegation	Informal Hearing	Allowed	N/A
18/5278C	7 THE STABLES, SOMERFORD HALL, HOLMES	Rear single-storey extension	Delegation	Householder Appeal Service	Dismissed	N/A

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	CHAPEL ROAD, SOMERFORD, CW12 4SL					
18/5167C	Former Paul Sheard Autos, NEWCASTLE ROAD, ASTBURY, CW12 4JX	Change of use to mixed use comprising of MOT station, car repairs and car wash w	Delegation	Written Representations	Dismissed	N/A
18/4271M	Land at MIDDLEWOOD ROAD, POYNTON	Erection of 4 no. two-storey semi- detached affordable dwellings with associated	Delegation	Written Representations	Dismissed	N/A
18/6184N	5 CHORLEY GREEN FARM BARNES, Chorley Green Farm, NANTWICH ROAD, CHORLEY, CW5 8JR	Single-storey rear extension and formation of new window opening	Delegation	Householder Appeal Service	Deemed Invalid by DoE	N/A
18/4216M	Beech Cottage, KNUTSFORD ROAD, KNOLLS GREEN, MOBBERLEY, WA16 7BW	Creation of a single space drive to the front of the property with associated la	Delegation	Householder Appeal Service	Part allowed/Part dismissed	N/A
18/2747C	4, Jay Close, Somerford, CW12 4AR	Retention of shed and decking with ecological enhancements and habitat creation	Delegation	Written Representations	Dismissed	N/A
18/2152M	Land Opposite Nixons Cottage, HOLMES CHAPEL ROAD, OVER PEOVER	Erection of stable building with associated access and hardstanding	Delegation	Written Representations	Dismissed	N/A
17/6399M	MEREVIEW FARM, PARK LANE, PICKMERE, WA16 0LG	Construction of two infill dwellings.	Delegation	Written Representations	Dismissed	N/A
18/1809M	Land off BROWNS LANE, WILMSLOW	Construction of a new field access and associated infrastructure off Browns Lane	Delegation	Written Representations	Dismissed	N/A
18/4849N	25, MAIN ROAD, SHAVINGTON, CW2 5DY	Dropped Kerb	Delegation	Householder Appeal Service	Allowed	N/A
18/5766N	SUNNYSIDE, WYBUNBURY LANE, WYBUNBURY, CW5 7HD	Erection of single dwelling, associated landscaping and vehicular access	Delegation	Written Representations	Dismissed	N/A
18/3277N	FIRBANK HOUSE, LONDON ROAD, STAPELEY, CW5 7JW	Proposed new 5-bedroom house	Delegation	Written Representations	Dismissed	N/A
17/2781N	78, BROAD LANE, STAPELEY, CW5 7QL	Single dwelling	Delegation	Written Representations	Dismissed	N/A
18/3189C	The Hay Barn, The Hayloft,	Restoration of hay barn and construction	Delegation	Written	Dismissed	N/A

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	MILL LANE, HOLMES CHAPEL, CW4 8AU	of dwelling		Representations		
18/3190C	The Hay Barn, The Hayloft, MILL LANE, HOLMES CHAPEL, CW4 8AU	Listed Building Consent for restoration of hay barn and construction of dwelling	Delegation	Written Representations	Dismissed	N/A
18/1025M	51 - 53 Handforth Road, Wilmslow, SK9 2LX	Demolition of existing 2 detached properties and erection of 83 bedroom care home	Delegation	Informal Hearing	Withdrawn	N/A
16/0962C	Land South of DRAGONS LANE, MOSTON	Change of use of land to use as a residential caravan site for one gypsy family	Delegation	Informal Hearing	Allowed	N/A
19/0451C	76, PALMER ROAD, SANDBACH, CW11 4EZ	Amended application for front two-storey extension following refusal of 18/5241C	Delegation	Householder Appeal Service	Dismissed	N/A
18/5741M	Sunnybrook Barn South, CATCHPENNY LANE, LOWER WITHINGTON, SK11 9DG	Proposed single-storey side extension and installation of additional window	Delegation	Householder Appeal Service	Allowed	N/A
18/4598M	4 Dean Drive, Wilmslow, SK9 2EP	First floor extension on existing single-storey side extension and roof conversion	Delegation	Householder Appeal Service	Dismissed	N/A
18/4315M	8, BEECHWOOD, KNUTSFORD, WA16 8AR	First floor side extension and general alterations.	Delegation	Householder Appeal Service	Dismissed	N/A
19/0572N	2, POTTER CLOSE, WILLASTON, CW5 7HQ	Extension of boundary wall to incorporate land to the side of the property	Delegation	Householder Appeal Service	Dismissed	N/A
18/2051N	Coole Acres, COOLE LANE, NEWHALL, CW5 8AY	Variation of conditions 18 & 29 on approval 09/0819N for change of use from agriculture	Delegation	Informal Hearing	Part allowed/Part dismissed	N/A
18/3918M	OVER PEOVER METHODIST CHURCH, CINDER LANE, OVER PEOVER, WA16 8UR	Conversion of church to single dwelling	Delegation	Written Representations	Dismissed	N/A
18/6283C	135, ENNERDALE DRIVE, CONGLETON, CW12 4FL	Extension of existing garage at ground floor level to form utility room and extension	Delegation	Householder Appeal Service	Dismissed	N/A
18/5179N	PLOT ADJACENT TO 4, PARK ROAD, WILLASTON, CW5 6PW	Detached dwelling (two-bed starter home)	Delegation	Written Representations	Dismissed	N/A
18/6287M	OAKFIELD MANOR FARM,	Demolition of existing two-storey side	Delegation	Householder	Dismissed	N/A

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	CHELFORD LANE, OVER PEOVER, WA16 8UQ	extension and rear conservatory		Appeal Service		
18/0869M	Land to the east of ECCUPS LANE, WILMSLOW	Demolition of existing residential garage (Use class C3), sheep shed	Delegation	Written Representations	Dismissed	N/A
18/3125N	Grove Cottage, CHESTER ROAD, ALPRAHAM, CW6 9JA	Outline application for proposed two detached dwellings on surplus paddock land	Delegation	Written Representations	Dismissed	N/A
18/1596N	West View, CHURCH ROAD, ASTON JUXTA MONDRUM, CW5 6DR	Outline application for a proposed car park for St Oswald's Worleston CE Primary	Delegation	Written Representations	Dismissed	N/A
18/5979M	THE COACH HOUSE, STAMFORD ROAD, ALDERLEY EDGE, SK9 7NS	Two first floor side extensions and single-storey side extension and replacement	Delegation	Householder Appeal Service	Dismissed	N/A
18/4687M	Land adjoining Boundary Lane, Over Peover	Agricultural access track	Delegation	Written Representations	Dismissed	N/A
19/1627M	THE COACH HOUSE, STAMFORD ROAD, ALDERLEY EDGE, CHESHIRE, SK9 7NS	Two first floor side extensions, single-storey side extension and replacement	Delegation	Householder Appeal Service	Allowed	N/A
19/0567N	Oakmoore, Wrenbury Road, Aston, CW5 8DQ	Erect a 1.4m wooden fence with 1.4m wooden gates	Delegation	Written Representations	Allowed	N/A
18/4756N	The Willows, WHITCHURCH ROAD, ASTON, CW5 8DJ	Manege 40m x 25m and lighting	Delegation	Written Representations	Allowed	N/A
18/4001C	The Long Barn, SANDBACH ROAD, WALL HILL, CW12 4TE	Outline application for proposed detached dwelling	Delegation	Written Representations	Dismissed	N/A
18/4329C	Rose Bank, TWEMLOW LANE, CRANAGE, CW4 8EX	Construction of one new detached dwelling	Delegation	Written Representations	Dismissed	N/A
18/6330M	Ivernia, Hobcroft Lane, Mobberley, WA16 7QU	To extend the previously approved 18/2208M extension by 1.55m allowing to create	Delegation	Householder Appeal Service	Allowed	N/A
18/6048M	TARKEN, HALL LANE, MOBBERLEY, WA16 7AE	Proposed single-storey outbuilding.	Delegation	Householder Appeal Service	Dismissed	N/A
19/1674M	60, WESTFIELD DRIVE, KNUTSFORD, WA16 0BN	Dropped kerb to form driveway access and single-storey side extension	Delegation	Householder Appeal Service	Dismissed	N/A
18/5299C	Acres Farm, WEATHERCOCK	Conversion of existing farm building into	Delegation	Written	Allowed	N/A

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	LANE, CONGLETON, CW12 3PS	an extension of existing residential		Representations		
19/1517N	16, BEEHCROFT AVENUE, WISTASTON, CW2 6SQ	Erection of a boundary fence to the front	Delegation	Householder Appeal Service	Dismissed	N/A

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