

Southern Planning Committee

Agenda

Date:	Wednesday, 4th March, 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 5 February 2020.

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. **20/0289C 104, Lawton Road, Alsager, Stoke On Trent, Cheshire ST7 2DB: Residential development of 4No 3 Bedroom detached bungalows together with a new access road and associated site works for Mr M Bailey, Alcock & Bailey Ltd (Pages 9 - 22)**

To consider the above planning application.

6. **19/5261N Baddington Park, Baddington Lane, Baddington CW5 8AF: Extension to existing Gypsy and Traveller site to provide 6 No. additional Gypsy Traveller pitches comprising 6 no. mobile homes, 6 no. touring caravans, 6 No. semi-detached utility blocks and associated works including allocation for parking and hardstanding for J Florence (Pages 23 - 38)**

To consider the above planning application.

THERE ARE NO PART 2 ITEMS

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

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 5th February, 2020 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, K Flavell, A Gage,
A Kolker, D Murphy and J Rhodes

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors J Clowes and S Edgar

OFFICERS PRESENT

Daniel Evans (Principal Planning Officer)
Andrew Goligher (Principal Development Control Officer - Highways)
Gareth Taylerson (Principal Planning Officer)
James Thomas (Senior Lawyer)
Julie Zientek (Democratic Services Officer)

Apologies

Councillor A Critchley

47 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interests of openness, Councillor M Benson declared that he had made up his mind with regard to application number 19/5010C, which was in his ward. He would exercise his separate speaking rights as a Ward Councillor and not take part in the debate or vote.

48 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 8 January 2020 be approved as a correct record and signed by the Chairman.

49 19/1360N FORMER GREENKEEPER'S SHED AND SURROUNDING SERVICE AREA, FORMER GORSTYHILL GOLF CLUB, ABBEY PARK WAY, CREWE, WESTON: CHANGE OF USE OF GREENKEEPER'S SHED TO B8 (STORAGE AND DISTRIBUTION) WITH ASSOCIATED LANDSCAPING AND HARDSTANDING, PROVISION OF ACCESS FROM THE A531 AND CLOSURE OF VEHICULAR ACCESS FROM ABBEY PARK WAY FOR HADDON PROPERTY DEVELOPMENTS LTD

Note: Councillor J Clowes (Ward Councillor), Councillor S Edgar (Neighbouring Ward Councillor), Parish Councillor J Cornell (on behalf of Weston and Basford Parish Council) and Mr A Bailey (objector) attended the meeting and addressed the Committee on this matter.

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

RESOLVED

- (a) That, contrary to the planning officer's recommendation for approval subject to referral to the Secretary of State, the application be **REFUSED** for the following reason:

The proposed development and associated use would cause harm to the character and appearance of the area and open countryside. The proposed development would be contrary to Policies SD2, PG2 and EG2 of the CELPS and Policies E1, E3 and LC3 of the Weston & Basford Neighbourhood Plan.

- (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 Acting Head of Planning, following 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.

50 19/5010C THE CROFT, HIGH STREET, SANDBACH CW11 1AL: FULL PLANNING APPLICATION FOR THE RELEVANT DEMOLITION OF EXISTING DWELLING IN A CONSERVATION AREA AND ERECTION OF CLASS A1, A2, A3 AND A5 UNITS AND 14 RESIDENTIAL UNITS, ASSOCIATED ACCESS, CAR PARKING AND LANDSCAPING FOR MULLER PROPERTY GROUP

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

Note: Councillor M Benson exercised his separate speaking rights as a Ward Councillor then withdrew from the meeting for the duration of the Committee's consideration of this item.

The Committee considered a report regarding the above planning application, 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, the application be REFUSED for the following reason:

The proposed development would be at the higher end of less than substantial harm and fails to conserve or enhance the Conservation Area or surrounding Listed Buildings. The benefits of this scheme would not outweigh the identified harm. The proposed development fails to take the opportunities available for improving the character and quality of the area and is contrary to Policies SD1, SD2, SE1, SE2 and SE7 of the CELPS, Policies BH4 and BH9 of the Congleton Borough Local Plan, Policies H2 and HC1 of the SNP and guidance contained within the NPPF.

- (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 Acting Head of Planning, following 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 the application be subject to an appeal, approval be given to enter into a S106 Agreement with the following Heads of Terms;

S106	Amount	Triggers
Education	Secondary education contribution: £32,685.	Full amount prior to first occupation of any of the residential units.

51 19/3533N 127, CREWE ROAD, SANDBACH CW11 4PA: PROPOSED NEW DWELLING WITHIN GARDEN OF THE CUILLINS, 127 CREWE ROAD, WITH DEMOLITION OF OUTBUILDING AND CONCRETE PANEL GARAGE FOR MR STEPHEN HARRISON

Note: Mr S Harrison (applicant) attended the meeting and addressed the Committee on this matter.

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

RESOLVED

- (a) That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:
1. Commencement of development (3 years)
 2. Development in accord with approved plans
 3. Submission and approval of materials
 4. Electric vehicle infrastructure to be submitted and approved
 5. Remove PD rights
 6. Drainage details to be submitted and approved
 7. Landscape to be submitted and approved
 8. Landscape implementation
 9. Tree Protection measures to be submitted and approved
 10. Breeding birds measures to be submitted and approved
 11. Obscure glazing side windows
 12. Roof of flat roofed rear extension not to be used as balcony or roof terrace
- (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 Acting Head of Planning, following 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.

52 19/5613M 12, WELTON DRIVE, WILMSLOW SK9 6HF: PROPOSED TWO-STOREY SIDE AND REAR EXTENSION TO EXISTING RESIDENTIAL PROPERTY FOR DAVID JEFFERAY

Note: Councillor J Bratherton left the meeting during consideration of this application.

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. Commencement of development (3 years)
 2. Development in accord with approved plans
 3. Materials as application
 4. NPPF informative
- (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 Acting Head of Planning, following 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 12.35 pm

Councillor J Wray (Chairman)

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Application No: 20/0289C

Location: 104, LAWTON ROAD, ALSAGER, STOKE ON TRENT, CHESHIRE, ST7 2DB

Proposal: Residential development of 4No 3 Bedroom detached bungalows together with a new access road and associated site works.

Applicant: Mr M Bailey, Alcock & Bailey Ltd

Expiry Date: 18-Mar-2020

SUMMARY

The site lies within the settlement boundary for Alsager and the principle of residential development on the site is acceptable. The developments accords with Policies PG2 and SE2 of the CELPS and Policy H1 of the ANP.

The site is sustainably located and is in easy walking distance of Alsager Town Centre, public transport and services and facilities within the town. The development complies with Policies SD1 and SD2 of the CELPS and TTS1 of the ANP.

The development is considered to be acceptable in terms of its impact upon the residential amenities of the dwellings surrounding the site. There is no conflict with Policies GR6 and GR7 of the CBLP, the SPG or Policy H6 of the ANP.

Following the receipt of amended plans the development is considered to be acceptable in terms of its impact upon the highway network. The development complies with GR9 and GR14 - GR18 of the CBLP, CO2 of the CELPS, and TTS1 and TTS2 of the ANP.

There would be no significant impacts in terms of flood risk drainage or ecology. As such the development complies with SE3 and SE13 of the CELPS and TTS10 and NBE5 of the ANP.

The impact upon trees is acceptable subject to the imposition of planning conditions. The development complies with Policy SE5 of the CELPS and NBE4 of the ANP.

The design has been subject to negotiations during the course of this application and is now considered to be acceptable and complies with Policy SE1 of the CELPS and the CEC Design Guide and H6 of the ANP.

The application would comply with the relevant policies of the Development Plan and is recommended for approval.

RECOMMENDATION

APPROVE subject to the imposition of planning conditions

REASON FOR REFERRAL

This application is referred to Southern Planning Committee at the request of Cllr Williams for the following reason;

'I understand from Cllr Rod Fletcher that this application has previously been 'called in' and that as far as he was aware the call-in still stands. If, however, this is not the case and the previous call-in does not apply to the new application I am issuing a call-in request on the grounds of over-development of the site.

There is substantial concern about the scale of the development among local residents and the proposed dwellings appear out of scale for the site when there is a recognised need for bungalows and smaller dwellings within the town. I would therefore reiterate Cllr Fletcher's original call-in request and add my own concerns about the scale of the proposed development within a town-centre site of this kind'

PROPOSAL

Full planning permission is sought to erect four bungalows each with a detached garage. The proposed dwellings would be arranged around a small cul-de-sac.

SITE DESCRIPTION

The application site is a vacant plot of land which was previously occupied by a large detached dwelling which has now been demolished. The site lies within the Alsager Settlement Boundary.

The site is currently overgrown and includes a number of trees which are the subject of a Tree Preservation Order. The site is set at a higher level to Lawton Road and levels rise towards the southern boundary of the site.

The site is surrounded by residential properties to all sides.

RELEVANT HISTORY

19/4513C - Residential development of 3 detached bungalows together with a new access road and associated site works – Withdrawn 26th November 2019

16/6210C - Demolition of existing dwelling and construction of a replacement dwelling – Approved 23rd March 2017

15/5816C - Extensions and alterations including demolition and rebuilding of existing 2 storey annex to side of main house, single storey side/rear swimming pool extension, single storey rear

extension and 2 storey entrance side extension with single storey garage to side and a new roof –
Withdrawn 28th October 2016

NATIONAL & LOCAL POLICY

Cheshire East Local Plan Strategy (CELPS)

PG1 – Overall Development Strategy
PG2 – Settlement Hierarchy
PG7 – Spatial Distribution of Development
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
IN1 – Infrastructure
IN2 – Developer Contributions
SC1 – Leisure and Recreation
SC3 – Health and Well-Being
SC4 – Residential Mix
SC5 – Affordable Homes
CO1 - Sustainable Travel and Transport
CO4 – Travel Plans and Transport Assessments
SE 1 - Design
SE 2 - Efficient Use of Land
SE 3 - Biodiversity and Geodiversity
SE 4 - The Landscape
SE 5 - Trees, Hedgerows and Woodland
SE 6 – Green Infrastructure
SE 7 – The Historic Environment
SE 8 – Renewable and Low Carbon Energy
SE12 – Pollution, Land Contamination and Land Instability
SE 13 - Flood Risk and Water Management

Congleton Borough Local Plan (CBLP)

The relevant Saved Policies are:

PS4 Towns
GR6 Amenity and Health
GR7 Amenity and Health
GR9 Accessibility, servicing and provision of parking
GR14 Cycling Measures
GR15 Pedestrian Measures
GR16 Footpaths Bridleway and Cycleway Networks
GR17 Car parking
GR18 Traffic Generation
NR3 Habitats
NR5 Habitats

Neighbourhood Plan

The Alsager Neighbourhood Plan (ANP) will be the subject of a referendum on 27th February 2020 and can be afforded moderate weight. Should the ANP pass the referendum it will be made and form part of the Development Plan.

H1 – Type and Mix of New Housing

H2 – Climate Change and Housing

H3 – Infrastructure and Sustainable Housing Development

H4 – Size, Scale and Density of New Housing Developments

H6 – Housing Design

NBE4 – Woodlands, Trees and Hedgerows

NBE5 – Wildlife and Housing

NBE6 – Development affecting Heritage Assets and their Setting

CW2 – Health and Leisure Facilities

CW3 – Safe and Accessible Routes

TTS1 – Promoting Sustainable Transport

TTS2 – Congestion and Highway Safety

TTS3 – Car Parking and Electric Charging Points

TTS4 – Accessibility

TTS5 – Footpath, Bridleway and Cycleway Network

TTS6 – Infrastructure

TTS8 – Improving Air Quality

TTS9 – Drainage – Sustainable Urban Drainage Systems

TTS10 – Surface Water

National Policy

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

Of particular relevance are paragraphs:

11. Presumption in favour of sustainable development.

124 - 132 Achieving well-designed places

Other Considerations

Cheshire East Design Guide

The EC Habitats Directive 1992

Conservation of Habitats & Species Regulations 2017

CONSULTATIONS (External to Planning)

United Utilities: General comments provided.

CEC Flood Risk Manager: No objection – condition suggested.

Head of Strategic Infrastructure: No objection subject to the imposition of a planning condition and an informative.

CEC Environmental Health: The following conditions are suggested; piling works, dust management plan, electric vehicle infrastructure, low emission boilers and contaminated land. Informatives suggested in relation to contaminated land and construction hours.

VIEWS OF THE TOWN COUNCIL

Alsager Town Council: Object to this application on the following grounds;

- Overdevelopment
- Not in keeping with the street-scene
- Inadequate parking provision for the amount of properties

OTHER REPRESENTATIONS

Letters of objection have been received from 6 local households raising the following points;

- Too many developments happening simultaneously in the area
- Increased traffic congestion
- Loss of trees on the site
- Impact upon wildlife in the area/loss of habitat
- No trees should be removed as part of this application
- The site only previously had 1 dwelling and increasing to 4 will be a mistake
- Roads in the area are in a poor state of repair with potholes and flooding
- Loss of privacy for the dwellings opposite the site
- The busy road will become more dangerous
- There is a large amount of development in the area
- A development of 4 dwellings has previously been rejected
- The Alsager Neighbourhood Plan should be considered and this will go to referendum on 27th February 2020
- Older people are unlikely to want 4 bedroom bungalows
- The application does not give enough weight to ecology, green space and trees
- The application makes no reference to the retaining wall along the southern boundary of the site
- Loss of trees could affect the stability of the retaining wall and impact upon the structural stability of retaining wall and adjacent properties
- Some vegetation has been cleared from the site and this has already affected bird species on the site
- Over 30 trees are to be removed as part of the proposed development
- The proposed landscaping scheme includes conifers
- What covenants are in place to ensure that the owners of the new properties retain the TPO trees in good condition?
- Concern that the future occupiers will apply to remove trees on the site
- Loss of privacy to the dwellings to the south of the site
- Taller properties are proposed to be constructed where the land level is at its highest
- Concerns that there will be loft conversions in the future which would impact upon privacy
- Impact from noise and activity in the proposed private amenity space
- Backland development should be resisted in Alsager
- No further housing is needed in Alsager
- Increase in traffic congestion
- Existing parking problems along Lawton Road
- There are already applications for housing development at 112 and 130 Lawton Road

One letter of support has been received which raises the following points;

- The application is proportionate and will enhance the surrounding area

APPRAISAL

Principle of Development

The site is located within the settlement boundary for Alsager (a Key Service Centre). Policy PG2 states that in the key service centres *'development of a scale, location and nature that recognises and reinforces the distinctiveness of each individual town will be supported to maintain their vitality and viability'*.

As a windfall site Policy SE2 states that development should;

- Consider the landscape and townscape character of the surrounding area when determining the character and density of development
- Build upon existing concentrations of activities and existing infrastructure
- Not require major investment in new infrastructure
- Consider the consequences of the proposal for sustainable development having regard to Policies SD1 and SD2

Paragraph 68 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out quickly. To promote the development of a good mix of sites local planning authorities should amongst other things *'support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes'*.

Policy H1 of the ANP originally stated that any additional housing 'over and above that identified in the CELPS and the Housing Advice Note will only be supported if there is a clear justification for a higher target number of houses agreed for Alsager as a Key Service Centre through the Development Plan process'.

However the examiner of the ANP has recommended that this part of the policy is deleted. The reason being that the *'the housing numbers are not a target. Therefore, this element of the policy does not generally conform with the CELPS which sets out a minimum requirement of 36,000 new homes'*. Policy H1 now states that proposals which specifically include housing such as bungalows suitable for individual living by older people to meet the needs of the growing ageing population will be supported.

The principle of residential development on this site in the settlement boundary is therefore considered to be acceptable.

Location of the site

Policy SD1 states that wherever possible development should be accessible by public transport, walking and cycling (point 6) and that development should prioritise the most accessible and sustainable locations (point 17). The justification to Policy SD2 then provides suggested distances to services and amenities.

In this case the site is very close to the town centre of Alsager (approximately 350m). As such the site is considered to be highly sustainable and services and facilities could easily be accessed by non-motorised forms of transport. The site is considered to be sustainably located and complies with Policies SD1 and SD2.

POS

As a development of this size falls below the threshold for open space provision.

Education

Falls below the threshold for education provision.

Highways Implications

The proposed development would have a single access point accessed off Lawton Road. The previous application was supported by a speed survey which indicated that the 85th percentile speed is 30mph in both directions.

The proposed access would have visibility splays of 2.4m x 43m in both directions subject to a small section of the front boundary wall being reduced in height or re-positioned. The Head of Strategic Infrastructure has confirmed that there have been no recorded accidents on this stretch of Lawton Road within the last 3 years.

Policy TTS3 of the ANP requires compliance with the CEC parking standards which is 2 spaces per dwelling. Off-road parking provision comply with CEC standards and turning areas are sufficient and the access will have an acceptable width.

Three residential properties will generate little traffic movement and will have minimal impact upon the local highway network. Refuse collection can take place from the highway where the collection point is shown. This is the same as the existing situation.

A condition can be attached to ensure that the site access and visibility splays are provided prior to the first occupation of the development as well as a condition to ensure that each unit has cycle parking provision.

Subject to the above condition, no highway objections are raised and the proposal is deemed to adhere with Policy GR9 of the CBLP and Policy SD1 of the CELPS with regards to highways matters.

Amenity

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

21.3 metres between principal elevations

13.8 metres between a non-principal and principal elevations

It should also be noted that the recently adopted Cheshire East Design Guide SPD also includes reference to separation distances and states that separation distances should be seen as a guide rather than a hard and fast rule.

Figure 11:13 of the Design Guide identifies the following separation distances;

21 metres for typical rear separation distance
18 metres for typical frontage separation distance
12 metres for reduced frontage separation distance (minimum)

To the east of the site is a large detached dwelling at 106 Lawton Road. This property is set within a large plot with the dwelling set back from Lawton Road by 31m. The proposed dwelling on plot 1 is set further forward and would have a blank side elevation facing the boundary with 106 Lawton Road. Given it's siting and single storey nature it is not considered that this plot would materially impact upon No 106.

Plot 2 is orientated with its rear elevation facing the side elevation of 106 Lawton Road. There would be a separation distance of 10.7m at its closest point. Within the side elevation of No 106 Lawton Road are a number of windows all of which are obscure glazed and secondary. Although this separation distance is below the standard set out in the SPG this relationship is considered to be acceptable.

Plot 3 is orientated with its rear elevation facing the side boundary of 106 Lawton Road. There would be a separation distance of 8m to the boundary and 13m at its closest point between the nearest points between the dwellings. This relationship is considered to be acceptable.

Plot 4 is set further back within the site and angled to No 106. Given the relationship and separation distance there would be no impact from this plot upon 106.

To the south of the site are dwellings at 9 Thomas Close and 8 Davis Close. The proposed dwelling on plot 4 would be angled and face towards the south-east corner of the site towards No 9 Thomas Close. There would be a separation distance of approximately 18m from the rear elevation of plot 4 and the blank side elevation of No 9 Thomas Close. This separation distance exceeds the separation distance requirements. Furthermore the application site is at a lower level and the proposed dwellings are single storey in nature. This relationship is therefore considered acceptable.

The garage to serve plot 4 would be 11m from the side elevation of 24 Fields Close and 13m from the boundary with 8 Davis Close. This would not cause any amenity impacts.

The front elevation of plot 2 would face towards the side elevation of the dwelling at 19 Fields Close which has a blank side elevation facing the site. This relationship meets the separation distances and is considered to be acceptable.

The side elevation of plot 1 would be 18m from the side elevation of No 100 Lawton Road. Again the relationship complies with the spacing standards and is considered to be acceptable.

To the north of the site plot 1 would face towards 91 Lawton Road. There would be a separation distance of approximately 44m between the properties and the relationship is considered to be acceptable.

With regards to private amenity space, the minimum recommended standard detailed within SPD is 65 square metres. The proposed private garden spaces are commensurate with the size of the dwellings as proposed. On this basis, the proposal complies with policy H6 of the ANP.

Air Quality

Policy SE12 of the CELPS 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.

The impact upon air quality could be mitigated with the imposition of a condition to require the provision of electric vehicle charging points and a condition relating to a dust management plan.

Contaminated Land

Residential properties are a sensitive end use and could be affected by any contamination present or brought onto the site. The application area was previously considered under 16/6210C with contaminated land conditions attached. A contaminated land assessment was submitted under 17/4854D and was satisfactorily discharged to the satisfaction of the Contaminated Land Officer. On this basis, the Contaminated Land Officer is satisfied, however, given that this is a revised scheme, submitted after the demolition of the original on site dwelling, standard precautionary soil import and unexpected contamination conditions are recommended.

Trees and Hedgerows

There are existing trees within the vicinity of the proposed development. The whole site lies within Area A4 of the Congleton Borough Council (Fields Road/ Lawton Road Alsager) TPO 1975. Only trees present at the time the Order was made can be deemed protected.

There has been a previous approval for demolition of the original dwelling and construction of a replacement dwelling (16/6210C). Historically, trees have been removed from the centre of the site and the remaining tree cover is mainly around the periphery of the site.

The current submission is supported by a document entitled *Tree survey and Impact Assessment*. The survey covers trees on the site and on adjoining land.

The Impact Assessment indicates that a number of trees would be removed to accommodate the development and that several other specimens are recommended for removal on grounds of their condition or as part of a thinning operation to benefit retained trees.

Tree losses were accepted under the previous application (16/6210C) and some of the tree cover on the site is of low quality. The proposed tree removals include the only grade A tree on the site, a Chilean Pine/Monkey Puzzle. This tree has significant growth potential and would not be suitable for retention in a development of the nature proposed. On the western boundary of the site where trees are closely spaced, it is difficult to identify individual specimens which have been proposed for removal.

It is noted that a representation has been received which references the proposed removal of an Oak T93 to the south east corner of the site. This tree has been confirmed to have decay at the base and there is no objection to its removal.

The shading diagram suggests that all the plots would in part be impacted by shading from trees. The proposed dwellings would now have an acceptable level of private amenity space and although there would be some shading the impact is considered to be acceptable.

Local Plan Policy SE 5 requires that all developments should ensure the sustainable management of trees, woodlands and hedgerows including the provision of new planting within new development to retain and improve canopy cover, enable climate adaptation resilience and support biodiversity. This planning application provides an opportunity to incorporate new planting in accordance with this policy. It is recommended that if planning permission is granted a condition should be attached which requires the submission of a landscape scheme to meet the requirements of this policy and make provision for replacement planting.

Landscape

There are no significant landscape issues. Details of boundary treatment and landscape works should be sought by condition.

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’

Policy SE1 of the CELPS advises that the proposal should achieve a high standard of design and; wherever possible, enhance the built environment. It should also respect the pattern, character and form of the surroundings. There are also further references to design within policies; SD1, SD2 and SE3 of the CELPS.

Policy H6 of the ANP states that all new development must demonstrate good quality design. This means responding to and integrating with local surroundings and landscape context as well as the built environment. The policy identifies that in Alsager amongst other things good design means;

- Complementing and enhancing where appropriate the size, height, scale, mass, rural skyline, materials, layout, access and density of existing development in the plan area including where appropriate the provision of chimneys.
- Demonstrating that the amenities of neighbouring dwellings will not be adversely affected through overlooking, loss of light or outlook, over-dominance or general disturbance.
- Responding positively to the local character of its immediate environment particularly the conservation area in the plan area by showing an understanding of the qualities which make up this character.
- The use of good quality local materials such as red Cheshire brick, as well as more innovative materials will be encouraged provided they are sympathetic to the context in which they are proposed and maintain the local vernacular and enhanced sense of place.

The proposal seeks the erection of 4 detached bungalows sited around an access drive taken off Lawton Road. The properties along Lawton Road are largely two-stories in height but there are some examples of bungalows in the vicinity of the site. The street-scene is mixed and the provision of bungalows on this site would not cause harm to the street-scene.

The provision of access driveways at off Lawton Road has been accepted previously such as opposite the site and at Vale Gardens to the east of the site.

The proposed dwelling to the frontage of the site is plot 1 which would also include a bay window feature to the side elevation as you enter into the site.

Plot 1 is set further forward than the dwelling at 106 Lawton Road but further back than the dwelling at 100 Lawton Road. It is considered that this staggered siting between the two properties at either side is acceptable.

The proposed dwellings would have hipped roofs. There is a mix of roof forms within the vicinity of the site and the roof design is considered to be acceptable.

The detailed design of the dwellings includes bay windows, brick plinth, window headers, sill details, projecting gables, eaves detailing and porch details. It is considered that the proposed dwellings are largely acceptable in terms of the detailed design.

Plot 4 is prominently located at the head of the cul-de-sac and there were originally concerns over the siting of this dwelling and the prominence of the garage and drive at the head of the cul-de-sac. However this is the best solution in terms of the relationship to the retained trees to the southern boundary and the future retention of these trees and the relationship to the proposed dwellings outweighs the limited harm to the appearance of the development.

It is considered that the design complies with Policies; SE1, SD1 and SD2 of the CELPS, the Cheshire East Design Guide SPD and the NPPF.

Ecology

In this case the Councils Ecologist has been consulted and has stated that he does not anticipate there being any significant ecological issues associated with this proposed development. In the event that planning permission is granted conditions are suggested in relation to the timing of works within the bird breeding season and the incorporation of features suitable for use by breeding birds.

Policy NBE5 of the ANP requires the developments should produce a green infrastructure plan on 'all significant proposals'. However the ANP does not identify what a 'significant proposal' is. In any event matters such as tree protection, lighting bird boxes and landscaping can be controlled via the imposition of planning conditions.

Flood Risk and Drainage

Policy SE13 of the CELPS states that all development must integrate measures for sustainable water management to reduce flood risk, avoid adverse impact on water quality and quantity within the borough.

The site currently sits within Flood Zone 1. The Councils Flood Risk Officer and United Utilities have been consulted as part of this application and have raised no objection subject to the imposition of a planning condition. Subject to this condition the development would comply with Policy SE13.

Land Levels

Finished floor levels of the proposed dwellings have been provided on the submitted site plan. These largely reflect the existing levels on the application site and are acceptable.

CONCLUSION

The site lies within the settlement boundary for Alsager and the principle of residential development on the site is acceptable. The developments accords with Policies PG2 and SE2 of the CELPS and Policy H1 of the ANP.

The site is sustainably located and is in easy walking distance of Alsager Town Centre, public transport and services and facilities within the town. The development complies with Policies SD1 and SD2 of the CELPS and TTS1 of the ANP.

The development is considered to be acceptable in terms of its impact upon the residential amenities of the dwellings surrounding the site. There is no conflict with Policies GR6 and GR7 of the CBLP, the SPG or Policy H6 of the ANP.

Following the receipt of amended plans the development is considered to be acceptable in terms of its impact upon the highway network. The development complies with GR9 and GR14 - GR18 of the CBLP, CO2 of the CELPS, and TTS1 and TTS2 of the ANP.

There would be no significant impacts in terms of flood risk drainage or ecology. As such the development complies with SE3 and SE13 of the CELPS and TTS10 and NBE5 of the ANP.

The impact upon trees is acceptable subject to the imposition of planning conditions. The development complies with Policy SE5 of the CELPS and NBE4 of the ANP.

The design has been subject to negotiations during the course of this application and is now considered to be acceptable and complies with Policy SE1 of the CELPS and the CEC Design Guide and H6 of the ANP.

The application would comply with the relevant policies of the Development Plan and is recommended for approval.

RECOMMENDATIONS

APPROVE with the following conditions;

- 1. Standard time**
- 2. Approved Plans**
- 3. Nesting bird boxes provision**
- 4. Breeding birds – timing of works**
- 5. Hedgehog gaps in fencing to be provided**
- 6. Tree Protection**
- 7. Tree felling/pruning to be agreed in writing with the LPA**
- 8. Submission and approval of a drainage strategy**

- 9. Land levels in accordance with the approved plans
- 10. Dust Management Plan
- 11. Electric Vehicle Charging points
- 12. Details of any soils imported onto the site
- 13. Works to stop if any unexpected contamination is discovered
- 14. Boundary Treatment to be submitted and approved
- 15. Landscaping scheme
- 16. Landscaping implementation
- 17. Materials to be submitted
- 18. Access and visibility splays to be provided prior to first occupation
- 19. Cycle parking details to be submitted and approved

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

Application No: 19/5261N

Location: Baddington Park, BADDINGTON LANE, BADDINGTON, CW5 8AF

Proposal: Extension to existing Gypsy and Traveller site to provide 6 No. additional Gypsy Traveller pitches comprising 6 no. mobile homes, 6 no. touring caravans, 6 No. semi-detached utility blocks and associated works including allocation for parking and hardstanding.

Applicant: J Florence

Expiry Date: 06-Mar-2020

SUMMARY:

The site is located within the Open Countryside on a parcel of land identified within emerging planning policy (the Publication Draft Site Allocation and Development Policies Document) for the extension of the existing gypsy and traveller site at Baddington Park.

The development is considered to be acceptable in terms of design, trees, ecology and landscape. The access and turning areas are acceptable in highway safety terms.

On this basis the application is recommended for approval.

RECOMMENDATION:

Approve subject to conditions.

REASON FOR REFERRAL

This application has been referred to Southern Planning Committee by the Acting Head of Planning due to the issues of current and emerging planning policy.

DESCRIPTION OF SITE AND CONTEXT

The application site relates to a parcel of agricultural land accessed from an existing access off Baddington Lane. The site is bounded by existing hedgerows along the eastern boundary and a timber post and rail fence along the northern and southern boundary. The eastern boundary comprises a post and rail fence and a close boarded timber fence.

The application site is generally flat and is located within the Open Countryside as defined by the Crewe and Nantwich Local Plan.

DETAILS OF PROPOSAL

This is a full planning application for the extension to the existing gypsy and traveller site to provide 6 No. additional gypsy/ traveller pitches comprising 6 no. mobile homes, 6 no. touring caravans, 6 no. semi-detached utility blocks and associated works including allocation for parking and hardstanding.

RELEVANT HISTORY

Relating to the application site:

19/3655N - Extension to existing Gypsy and Traveller site to provide 6 No. additional Gypsy Traveller pitches comprising 6 no. mobile homes, 6 no. touring caravans, 6 no. semi-detached utility blocks and associated works including allocation for parking and hardstanding – withdrawn

Relating to the neighbouring, existing gypsy and traveller site;

15/2774N – Erection of amenity block – approved 11th August 2015

14/3448N - Material Change of use of land to use as a residential caravan site including extension to existing hardstanding and erection of 3 amenity buildings (Resubmission of 13/5131N) – approved 11th September 2014

13/0708N - Material change of use of land to use as residential caravan site, including extension to existing hardstanding (4 permanent pitches) resubmission – approved 26th March 2013

POLICIES

Local Plan Policies

Cheshire East Local Plan Strategy (CELPS) (Adopted)

MP1 - Presumption in Favour of Sustainable Development

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

PG1 - Overall Development Strategy

PG6 - Open Countryside

PG7 – Spatial Distribution of Development

IN1 – Infrastructure

EG2 – Rural Economy

EG3 – Existing and allocated employment sites

SC 7 – Gypsies and Travellers and Travelling Showpeople

SE1 - Design

SE2 - Efficient Use of Land

SE3 - Biodiversity and Geodiversity

SE4 – The Landscape

SE5 - Trees, Hedgerows and Woodland

SE12 – Pollution, Land Contamination and Land Instability
SE13 – Flood Risk and Water Management

Borough of Crewe and Nantwich Replacement Local Plan (CNLP) (Saved Policies)

NE.5 - Nature Conservation and Habitats
NE.13 - Rural Diversification
NE.20 - Flood Prevention
BE.1 - Amenity
BE.3 - Access and Parking
BE.4 - Drainage, Utilities and Resources

Cheshire Gypsy and Traveller and Travelling Showpeople Accommodation Assessment (GTAA)

National Policy

National Planning Policy Framework (NPPF)
Planning Policy for Traveller Sites (PPTS)

CONSULTATIONS (Summary)

Ecology – no objection subject to conditions

Highways – no objection

United Utilities – no objection

Landscape – no objection subject to conditions

Forestry – no objection

Flood Risk and Drainage – no objection

Environmental Protection – no objection subject to conditions

VIEWS OF LOCAL PARISH COUNCIL:

Sound and District Parish Council – objects on the following basis;

1. The existing site has permission (13/0798N) for 4 plots (each plot traditionally provides for a static / residential caravan, a touring caravan and parking), and permission (14/3448N) for 3 amenity buildings which provide washing facilities for the occupants of the 4 plots. The plots were (and it is assumed) are occupied by the Applicant and members of his family.
2. The current layout of the site is inconsistent with the planning permissions referred to above and with the landscape design and

lighting conditions imposed by Cheshire East Council on the granting of those permissions, such conditions being intended to mitigate the impact of the development on the open countryside.

3. The application site lies in open countryside.
4. The current application is for an additional 6 plots. Each plot would consist of a residential caravan, touring caravan and semi-detached bathroom block and parking. It is proposed that the 6 plots should be along the northern and eastern perimeters of the site and therefore some distance away from the existing site. It is suggested that, at some future date the Applicant may intend seeking planning permission for a further 5 plots. That future application, if made, will infill the open space between the current 4 plots and the 6 plots which are the subject of the current application. Preserving the open space in the centre of the site for the proposed future application simply means that the negative effects of the current application on the open countryside are greatly enhanced rather than mitigated. The current site is visible from the junction of Coole Lane and Baddington Lane which is about 300 metres away and the site can be seen from well before that junction by anyone driving away from Nantwich. There is no hedging between the junction of Coole Lane and Baddington Lane, only Cheshire railings and such railings continue down Baddington Lane towards the site. The current application, if granted, will extend the site by a further 100 metres towards Coole Lane and will thus make it even more visible to users of Baddington Lane and users of the Coole Lane / Baddington Lane junction.
5. In 2014, consultants, Peter Brett Associates, instructed by Cheshire East Council, prepared a Gypsy, Traveller and Travelling Showpeople Site Identification Study. That Study supports our contention that the proposed application will intrude into open countryside. In Appendix 3 to that Study, the following was stated by Peter Brett in relation to the site at Baddington Park:

“this is an existing Gypsy and Traveller site which needs to be safeguarded. The site is not suitable for further pitches as it would have an unacceptable impact on landscape character. This is an existing site which is locally prominent and incongruous within a moderately open and flat landscape; the elaborate new entrance walls draw attention to the site and there are clear views of the park homes and caravans from the road and the surrounding landscape. Further subdivision of the field north of the access is evident with a post and rail and close-boarded fencing. Any further extension of the site will increase the adverse effects of the development and should be avoided.”
6. The view of Cheshire East’s own consultants set out above supports the view that the proposal to extend the existing site further into open countryside is wholly inappropriate.
7. It is surprising, therefore, that the site is included in the Publication Draft Site Allocations and Development Policies Document as having

an allocation of 8 [new] Gypsy and Traveller pitches. It is unfortunate, because it may lead to confusion in the mind of the public, that the consultation currently being carried out by Cheshire East in respect of that document refers to the site as 2 Railway Cottages rather than by its current name, Baddington Park.

8. Along the northern perimeter of the proposed site, which faces Coole Lane, there is some existing fencing which consists of tall wooden panels nearest to Baddington Lane but which soon reduces to post and rail fencing further to the east. There is no proposal in the Application to change this fencing or to provide landscaping in the form of trees or hedging so as to hide it from the views mentioned in 5 above. To replace the post and rail fencing with a continuation of the tall wooden panels would be out of keeping with the open countryside and any landscaping in the form of trees or hedgerows will take a long time to mature. It is submitted that the appearance of the proposed development, even with landscaping, will cause unacceptable harm to the character and appearance of the open countryside.
9. Access to and from the site is straight onto Baddington Lane, immediately before (as you drive away from Nantwich) the hump-back railway bridge. There is no footway or street lighting in the vicinity. The bridge is in poor condition and there are traffic lights on either side of the bridge as it is only possible for single lane traffic to go over the bridge. During peak hours, traffic waiting at the lights to cross the bridge tails back beyond the Baddington Park access. The additional volume of traffic which would be generated by the proposed application would, given the highway layout in the vicinity of the site, constitute a risk to highway users. There have already been a number of road traffic collisions in the vicinity of the bridge in the last 5 years and at least 2 of those have been serious accidents.
10. Policy H of the national Planning Policy for Traveller Sites stipulates that traveller sites should respect the scale of, and not dominate, the nearest settled community. The nearest settled community, being the houses on the other side of Baddington Lane from the site, will be dominated by the site if permission is granted for a further 6 plots.
11. It is submitted that there is a potential for protected species to be present on the site and therefore a habitats survey ought to be obtained by the Applicant before the Application proceeds further.
12. The application is factually incorrect as the existing site had a change of use to a residential caravan site on 11th September 2014 (14/3448N). This new application is for an extension to existing gypsy and traveller site. Which it is not, it is a residential caravan site. Therefore the application is invalid. Further the existing residents and expected new residents do not qualify as gypsy travellers as they do not lead a nomadic lifestyle according to the definition contained in Cheshire East, Cheshire West and Chester, Halton and Warrington

Gypsy, traveller and travelling show people Accommodation Assessment. Final report (amended) August 2018. Further it is inappropriate to have a gypsy traveller site bordering a residential caravan site and dwarfing it.

13. The present and proposed entrance is on an accident black spot, too close to the blind spot formed by the crest of the bridge. There is the potential for many commercial vehicles, cars and towed caravans entering and exiting at this point. A visibility splay will not help as the blind spot on the bridge is too close. When the residential barns opposite were converted it was a precondition that the existing farm entrance, that was opposite where the Baddington Park entrance now is, had to be removed. This has I believe set a precedence which cannot be ignored.
14. Sustainability. No bus route stops here other than the school bus which is provided only because the road is deemed too dangerous to walk on. There is no footpath in either direction or indeed room for one. Extra school buses would be required for such an increase in population. Every journey made by the existing and new residents would require a motor vehicle. Cycling is not an option, as there has already been at least one death of a cyclist at this location. Therefore sustainability is unproven and environmental impact huge.
15. Nantwich is a town which relies on it's attractive appearance to host various events and businesses. There will be a significant economic impact on these events and businesses by placing a gypsy/travellers site in this location and drastically changing the appearance of one of the main roads into Nantwich. The existing site has never been adequately screened and there can be no expectation they will with this one. Whatever screening is provided it will always be visible from the bridge. Thus it contravenes the councils intention to maintain the character of the countryside whilst supporting the livelihoods of those who live and work there. (Draft Site Allocations and Development Policies Document East Cheshire
16. Great crested newts are present in the pond opposite their present development adjacent to a culvert/ditch which passes under the road and exists in the vicinity of Baddington Park. It is highly likely they exist in the pond adjacent to the proposed site. There are also grass snakes present in the area and seen on both sides of the road. Therefore on environmental grounds there is a net loss of habitat that is avoidable. (Draft Site Allocation and Development Policies Document East Cheshire)
17. Drainage has been an increasing issue since the present units arrived exasperated by the runoff from the existing structures. I soak away is inadequate and would pollute surrounding land and adjacent pond. Mains drainage and sewage is required for such a large development. Overloading of present utilities should be considered. Part of the

present electrical supply comes from the empty cottage owned by the applicant for which we can find no wayleaves.

18. The Site Allocation Development Plan requires local authorities to use their own sites before considering private sites for Gypsies and Travellers. The East Cheshire Gypsy and Traveller Study Report lists numerous Council owned potential development sites
19. DRMB sightlines for road with a 60mph speed limit are recommended to be 215 metres, and 160 metres for an HGV to stop safely (excluding the 2 second reaction time). The access point to the site fails these sightline tests.

OTHER REPRESENTATIONS:

Ten letters of representation have been received and are summarised below;

- Contrary to planning policy
- Impact on landscape and character of the area
- Unsuitable location and unsympathetic to the area
- Lack of proposed landscaping including trees and hedges
- Boundary treatment is out of character
- Unsustainable location
- Impact on highway safety
- Drainage issues
- Impact on protected species and biodiversity
- Impact on amenity and light pollution
- Inaccurate submission documents
- Ongoing enforcement issues at the neighbouring existing site

SUPPORTING INFORMATION

Planning Statement
Ecology Surveys
Landscape Design Statement
Various Planning Appeal decisions

OFFICER APPRAISAL

Principle of Development

Policy PG 6 (Open Countryside) of the CELPS allows only for development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area and that particular attention should be paid to design and landscape character so the appearance and distinctiveness of the Cheshire East countryside is preserved and enhanced.

Policy SC7 (Gypsies and Travellers and Travelling Showpeople) of the CELPS sets out the Council's approach to Gypsies and Travellers and Travelling Showpeople. Point 1 of Policy SC7 notes that sites will be allocated or approved to meet the needs set out in the most recent GTAA. Point 2 sets out various considerations that should be taken into account in determining the acceptability of new sites. Point 3 of the policy puts in place a presumption against the loss of existing permanent consented Gypsy and Traveller or Travelling Showperson sites where this would result in, or exacerbate, a shortfall unless equivalent provision is made.

Point 1 of SC7 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 second part of the Local Plan; the Site Allocations and Development Policies document ("SADPD") 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. It has formed part of the evidence base to the SADPD and will be tested formally at a future public examination. 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
Gypsy and Traveller residential pitches	32
Transit site pitch provision	5-10
Travelling Showperson Plots	5

The CELPS in paragraph 12.67 confirms that the SADPD will allocate sites to meet needs set out in the GTAA. It is the Council's position that it cannot currently demonstrate a five year supply of deliverable Gypsy and Traveller sites. It should also be noted that planning permission at a site at Three Oakes, Booth Lane, Sandbach for 24 pitches, lapsed on the 18 June 2018. There is an ongoing requirement therefore to provide for pitches over the Plan period in line with the requirements of the GTAA and to secure a five year supply of sites.

Publication Draft Site Allocation and Development Policies Document (PUBSADPD)

The Gypsy, Traveller and Travelling Showpeople Site Selection Report included in the PUBSADPD document library and consulted upon alongside the PUBSADPD sets out the steps that have been taken towards looking for and establishing a list of sites assessed in terms of their suitability and availability. This follows 3 separate formal 'call for sites stages' in 2013/14, 2017 and 2018.

Following a re-assessment of all the site options, the PUBSADPD includes the application site (Site G&T 1) for 8 permanent Gypsy and Traveller pitches as a proposed allocation. The proposed allocation of the site in the SADPD is intended to make a positive contribution to the needs identified by the GTAA.

The red line boundary of the planning application extends to cover the same area identified in the proposed allocation in the PUBSADPD, to include the proposed drainage swale. The application also proposes 6 pitches whereas the PUBSADPD proposes 8 pitches on the site.

The proposed allocation in the PUBSADPD (Site G&T 1) also includes a number of proposed policy requirements, including ensuring that hedgerows are retained and incorporated into a comprehensive landscaping scheme, using permeable materials as hardstanding, providing for a drainage strategy and demonstrating an appropriate visibility splay and access arrangements from Baddington Lane. The supporting information to the proposed allocation also requests a habitats survey for any planning application.

The draft SADPD shows a clear direction of travel and confirms an intention to make plan-led allocations to address Gypsy and Traveller accommodation needs, including providing for a 5 year supply of sites. However, given the stage that the SADPD has reached and that outstanding objections remain on the Plan, only limited weight can currently be given to the allocation proposed in the SADPD.

The revised site plan recently received by the applicant provides a focus of the proposed 6 pitches on the eastern site boundary corresponding with the boundary with the existing adjacent permanent residential Gypsy and Traveller site of 4 pitches. As a consequence there is a significant area of land shown within the site boundary shown on the site plan as a proposed wildflower area and including the drainage swale. It is considered that should the application be approved, appropriate planning conditions can be imposed to ensure that only the permitted number of pitches are delivered and the extent of any approved pitches clearly identified on the site plan.

The principle of development in this location is considered acceptable subject to compliance with the other relevant policies as detailed within this report.

Design

Policy SE1 (Design) of the CELPS sets out the design criteria for new development and states that development proposals should make a positive contribution to their surroundings.

Layout

The surrounding area is characterised by sparse, rural development including some limited residential development opposite and the existing Baddington Park gypsy/traveller site to the south.

Following on from planning officer comments the layout has been revised so that the proposed new units are sited close to the shared boundary with Baddington Park. The remaining field would be laid to grass with a wildflower area and a drainage swale. An internal access road is proposed that continues from the existing access off Baddington lane and into the site and parking areas/touring caravan storage is proposed next to the proposed access with paved and gravel areas. Two of the units would have their own shower/utility blocks that would be positioned close to the mobile home locations. Where the shower blocks are to be shared they would be positioned between the mobile homes. Large areas of proposed native tree planting and buffer planting are proposed that will help minimise any additional impact on the landscape character of the area over and above the existing scenario and it is considered that the layout is acceptable on balance.

Design of the units and proposed structures

The double utility/shower blocks will be single storey with a maximum height of 4.2 m, a length of 6.7 m and a width of 5.1 m.

The single utility/shower blocks would have a maximum height of 4.1 m, a length of 3.5 m and a width 5.0 m.

The buildings would have a simple, functional appearance with small openings, a dual pitched roof and small openings. The design of the utility/shower blocks is not considered to be contentious.

Design of mobile homes

No elevational detail has been provided however the agent has advised that the proposed mobile homes will be similar to the existing mobile homes at Baddington Park and will be in compliance with the legal definition of a 'caravan'. The existing mobile homes are single storey and of a standard design.

It is considered that the proposal is of appropriate overall design and would cause no significant harm to the street scene, the character and appearance of the surrounding area and therefore complies with policy SE1 (Design) of the CELPS.

Impact on Amenity

Policy BE.1 (Amenity) of the Local Plan advises that new development should not be permitted if it is deemed to have a detrimental impact upon neighbouring amenity in terms of overlooking, visual intrusion or noise and disturbance.

Due to the positioning of the proposed development and its position with neighbouring properties it is not considered that the proposed development would give rise to adverse impacts on the amenity of neighbouring properties. The application site is located at least 70 m away from the nearest residential property to the north east (Shrewbridge Walk). As such, it is not considered that the proposed development would cause any levels of visual intrusion, overshadowing or loss of privacy. Furthermore, it is not considered that the proposed development would cause any significant additional air, noise pollution or traffic generation over and above the existing traffic along Baddington Lane.

Environmental Protection have advised that there are no objections subject to conditions and informatives.

In light of that, it is not considered that the proposal would have a significant impact upon residential amenities and, therefore, complies with Policy BE.1 of the Crewe and Nantwich Replacement Local Plan.

Impact on Highway Safety

The proposal is for a gypsy site which would use an existing access onto Baddington Lane. The site does not provide a safe pedestrian access to any destination including to any bus stop, and given the location it is not possible to provide footway provision from the site to any destination. The development would therefore be a car dominated one but nevertheless the number of vehicle movements the proposal would generate would be minimal.

The access has sufficient width and a site visit confirmed that there was adequate visibility in both directions, which is helped by the alignment of the carriageway. The access is currently in use and there have been no recorded accidents at it over the last 3 years, and vehicle speeds in both directions are reduced by the traffic lights for the bridge which are approximately 60 m to the south of the site access.

There is sufficient parking and turning area within the site. No objection is raised by the Strategic Infrastructure Manager (Highways).

Impact on Biodiversity

Great Crested Newts

A number of ponds are located within 250m of the proposed development. The application site however offers very limited habitat for great crested newts and does not support any features likely to be utilised by newts for shelter and

protection. Whilst some access is available to the site from one of the identified ponds, the other nearest pond is partly isolated by a nearby road. Whilst a culvert under the road does provide some access to the application site for amphibians, the presence of a flowing ditch, the convoluted route between the pond and the application site and the poor quality habitat presented by the application site mean that the presence of newts associated with this pond on the application site are very low. The proposed development would not result in the fragmentation or isolation of great crested newt habitat.

The potential impacts of the proposed development are limited to the low risk of any newts that venture onto the site being killed or injured during the construction process. In order to address this risk the applicant's ecological consultant has recommended the implementation of safeguarding measures, usually referred to as 'reasonable avoidance measures' during the construction phase.

I advise that provided Great Crested Newt 'Reasonable Avoidance Measures' are implemented the proposed development would be highly unlikely to result in a breach of the Habitat Regulations. Consequently, it is not necessary for the Council to have regard to the Habitat Regulations during the determination of this application.

If planning consent is granted the Council's Ecologist recommends that a condition be attached which requires the submission of a Method Statement of Great Crested Newt Reasonable Avoidance measures prior to the commencement of development.

Grass snake and badgers

No evidence of badgers was recorded during the submitted survey. Grass snakes are known to occur in this broad locality, however the Council's Ecologist advises that the habitats on site are not particularly suitable for these species and these species are not reasonable likely to be affected the proposed development.

Biodiversity net gain

Local Plan Policy SE 5 (5) required all applications to seek to make a positive contribution to the conservation of biodiversity. The Council's Ecologist advises that grassland habitats affected by the proposed development habitats are of limited botanical value and the submitted layout plan includes proposals for native species planting and wildflower seeding within the vicinity of the drainage swale. The Council's Ecologist advises that these proposals if implemented correctly, and assuming great crested newts are not affected by the proposals, would be sufficient to meet the objectives of this local plan policy.

The Council's Ecologist has advised that no objections are raised subject to conditions relating to a landscaping and habitat creation strategy.

Flood Risk and Drainage

The Council's Flood Risk Engineer has advised that there are no objections to the scheme and that it is recognised that the site does contain a small area of medium / high surface water flood risk. Whilst it is noted that the developer is planning to mitigate this risk via a drainage swale, it is worth noting that the applicants should plan accordingly.

Forestry

The Council's Forestry Officer has advised that There do not appear to be any significant forestry issues associated with this application.

Landscape

The submission is supported by a landscape design statement and landscape proposals together with a schedule of proposed conditions. The Council's Landscape Officer has advised that should the principle of development be accepted, it would be important to secure appropriate landscaping of the site. Conditions would be appropriate to include a fully specified hard/soft landscape scheme and landscape implementation and a boundary treatment scheme. The Landscape Officer has also recommended that conditions should be imposed on any planning approval restricting commercial activities and permitted development rights at the application site.

Conclusion

The site is located within the Open Countryside on a parcel of land identified within emerging planning policy (the Publication Draft Site Allocation and Development Policies Document) for the extension of the existing gypsy and traveller site at Baddington Park. The development is considered to be acceptable in terms of design, trees, ecology and landscape. The access and turning areas are acceptable in highway safety terms.

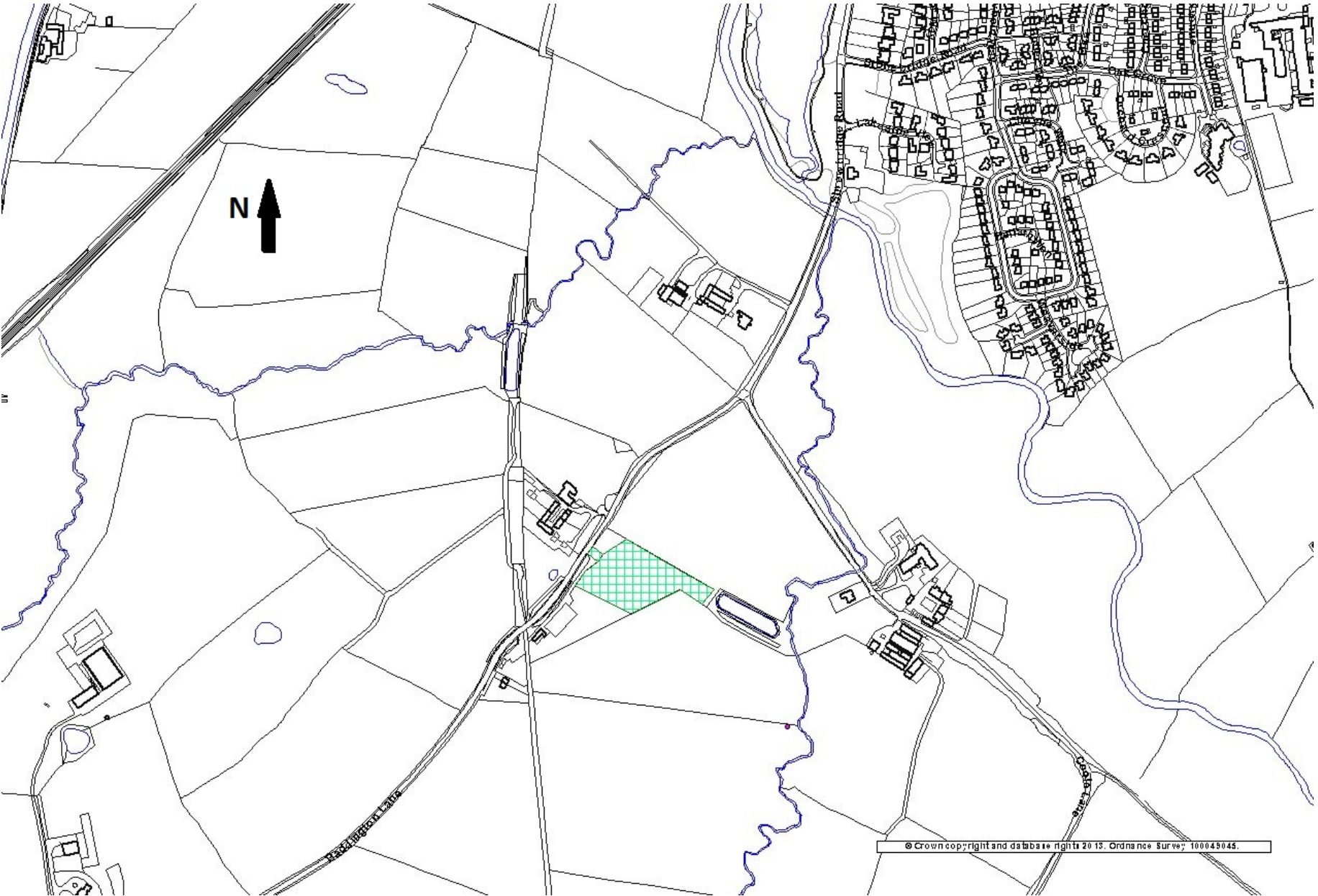
RECOMMENDATION:

Approve subject to the following conditions:

1. Time (3 years)
2. Plans
3. Materials for utility blocks
4. Boundary treatment
5. Landscaping (hard/soft) scheme (including habitat creation)
6. Landscaping implementation
7. Great Crested Newts reasonable avoidance measures
8. No commercial activities
9. Remove PD rights for boundary treatment
10. Land contamination
11. Verification report
12. Importation of soil

13. Unidentified land contamination

In order to give proper effect to the Southern Planning 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.



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