

Southern Planning Committee

Agenda

Date: Wednesday, 22nd September, 2021
Time: 10.00 am
Venue: The Ballroom, Sandbach Town Hall, High Street, Sandbach, CW11 1AX

PLEASE NOTE – This meeting is open to the public and anyone attending this meeting will need to wear a face covering upon entering and leaving the venue. This may only be removed when seated.

The importance of undertaking a lateral flow test in advance of attending any committee meeting. Lateral Flow Testing: Towards the end of May, test kits were sent to all Members; the purpose being to ensure that Members had a ready supply of kits to facilitate self-testing prior to formal face to face meetings. Anyone attending is asked to undertake a lateral flow test on the day of any meeting before embarking upon the journey to the venue. Please note that it can take up to 30 minutes for the true result to show on a lateral flow test. If your test shows a positive result, then you must not attend the meeting, and must follow the advice which can be found here:

https://www.cheshireeast.gov.uk/council_and_democracy/council_information/coronavirus/testing-for-covid-19.aspx

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.

Please contact Helen Davies on 01270 685705

E-Mail: helen.davies@cheshireeast.gov.uk with any apologies or requests for further information

Speakingatplanning@cheshireeast.gov.uk to arrange to speak at the meeting

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 25/08/2021.

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. 21/1711N, 396, Newcastle Road, Shavington, CW2 5JF, Erection of 1 no. detached bungalow and ancillary works for Mr & Mrs Timlett (Pages 9 - 22)

To consider the above application.

THERE ARE NO PART 2 ITEMS

Membership: Councillors S Akers Smith (Vice-Chair), M Benson, P Butterill, S Davies, K Flavell, A Gage, A Kolker (Chair), D Marren, C Naismith, J Rhodes, L Smith and J Wray

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 25th August, 2021 at The Ballroom, Sandbach Town
Hall, High Street, Sandbach, CW11 1AX

PRESENT

Councillor A Kolker (Chair)
Councillor S Akers Smith (Vice-Chair)

Councillors M Benson, P Butterill, S Davies, K Flavell, A Gage, D Marren,
C Naismith, J Rhodes, L Smith and J Wray

OFFICERS IN ATTENDANCE

Daniel Evans- Principal Planning Officer
James Thomas- Solicitor
Neil Jones- Highways Officer
Helen Davies- Democratic Services Officer

21 APOLOGIES FOR ABSENCE

There were no apologies for absence.

22 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interests of openness and transparency, Councillor Jill Rhodes declared that she was a member of Crewe Town Council, but did not sit on the planning committee and had not made any comments on application 19/4896N, Land At Former Crewe L M R Sports Club, Goddard Street, Crewe.

In the interests of openness and transparency, Councillor Connor Naismith declared that he had been contacted by a local football club in Crewe in respect of the former LMR Sports Club that related to feasibility studies in pursuit of a new facility and this site was one under consideration. Councillor Naismith did not believe that this would preclude his ability to consider application 19/4896N, Land At Former Crewe L M R Sports Club, Goddard Street, Crewe with an open mind.

In the interests of openness and transparency, Councillor Andrew Kolker declared that he was a trustee of Everybody Sports and Leisure (ESAR) that was mentioned in respect of Section 106 monies in the application 19/4896N, Land At Former Crewe L M R Sports Club, Goddard Street, Crewe.

In the interests of openness and transparency, Councillor Suzie Akers-Smith declared that she was a trustee of Everybody Sports and Leisure (ESAR) that was mentioned in respect of Section 106 monies in the

application 19/4896N, Land At Former Crewe L M R Sports Club, Goddard Street, Crewe.

23 MINUTES OF PREVIOUS MEETING

RESOLVED: That the minutes of the meeting 28 July 2021 be accepted as a correct and accurate record.

24 PUBLIC SPEAKING

RESOLVED: That the public speaking procedure be noted.

25 19/4896N, LAND AT FORMER CREWE L M R SPORTS CLUB, GODDARD STREET, CREWE, ERECTION OF 73 DWELLINGS, COMPRISING 42 INDEPENDENT LIVING APARTMENTS AND 31 HOUSES (ALL AFFORDABLE HOMES) WITH ASSOCIATED ACCESS AND LANDSCAPING FOR THE GUINNESS PARTNERSHIP LIMITED

Consideration was given to the above application.

(Councillor Anthony Critchley- Ward Councillor for the application, Councillor Hazel Faddes- Adjacent Ward Councillor for the application both spoke against the application. Michael Askew, Agent for the Applicant and Gaynor Shuker both attended the meeting to speak in favour and answer any questions the Committee had.)

RESOLVED:

That the Application be DEFERRED for the following reasons:

- Further discussions involving Crewe Town Council, Ward Councillors, ANSA and ESAR to consider sports provision in Crewe;
- Consultation with the anti-social behaviour team about the rear parking courtyards; and
- Further clarification as to whether the cycle parking for the supported living apartments meets Cheshire East Council Standards.

26 20/1872N, LAND TO THE NORTH OF, BROAD STREET, CREWE, THE CONSTRUCTION OF 25 DWELLINGS; PROVISION OF ASSOCIATED ACCESS, DRAINAGE AND HARD AND SOFT LANDSCAPING; AND OTHER ASSOCIATED WORKS, FOR MR I HARRISON, TAYLOR WIMPEY UK LIMITED

Consideration was given to the above application.

(Councillor Hazel Faddes attending the meeting as the Ward Councillor and spoke against the application. Nicolas Mills spoke as the Agent for the Applicant in favour of the application.)

RESOLVED:

That, for the reasons set out in the report, the application be APPROVED as recommended subject to a S106 Agreement with the following Heads of Terms;

S106	Amount	Triggers
Affordable Housing	30% (100% Intermediate)	In accordance with phasing plan. No more than 80% open market occupied prior to affordable provision in each phase.
Indoor Sport	Contribution of £4,550 for Indoor sport to be used towards supporting Crewe Lifestyle Centre.	Prior to first occupation
Education	Contribution of £119,602 towards Primary and Secondary school provision.	50% Prior to first occupation 50% at occupation of 12 th dwelling.

- 1) Time limit
- 2) Approved plans
- 3) Materials as provided
- 4) No removal of any vegetation or the demolition or conversion of buildings between 1st March and 31st August in any year
- 5) Bat and bird boxes are to be provided in site in accordance with the approved Ecological Assessment Report along with the gaps for hedgehogs shown on submitted Boundary Treatment Detail plans reference SF 43 and SF 43
- 6) Boilers to be provided as per approved specification
- 7) Piling
- 8) Dust
- 9) Travel Information Pack
- 10) Electric Vehicle Charging
- 11) Contaminated land 1
- 12) Contaminated land 2
- 13) Contaminated land 3
- 14) Contaminated land 4
- 15) Development in accordance with the submitted Flood Risk Assessment
- 16) Drainage strategy
- 17) Foul and surface water shall be drained on separate systems

- 18) Ground levels and Finished floor levels (FFLs) need to be approved in writing by the LLFA
- 19) The development shall be carried out in accordance with the Arboricultural Impact Assessment (TEP Version 2.0) and Tree Protection Plan
- 20) Cycle storage details
- 21) Additional fenestration/detailed elements to the active façade on the gable-end wall of plot 660
- 22) Compliance with the FRA
- 23)

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

Should the application be subject to an appeal, the following Heads of Terms should be secured

S106	Amount	Triggers
Affordable Housing	30% (100% Intermediate)	In accordance with phasing plan. No more than 80% open market occupied prior to affordable provision in each phase.
Indoor Sport	Contribution of £4,550 for Indoor sport to be used towards supporting Crewe Lifestyle Centre	Prior to first occupation.
Education	Contribution of £119,603 towards primary and secondary education	50% Prior to first occupation. 50% at occupation of 12 th dwelling.

27 21/1711N, 396, NEWCASTLE ROAD, SHAVINGTON, CW2 5JF, ERECTION OF 1 NO. DETACHED BUNGALOW AND ANCILLARY WORKS FOR MR & MRS TIMLETT

Consideration was given to the above application.

(Councillor Janet Clowes attended the meeting as the adjacent Ward Councillor and spoke against the application. Richard Lee spoke as Agent for the Applicant in favour of the application.)

RESOLVED:

That the Application be DEFERRED pending a site visit.

The meeting commenced at 10.00 am and concluded at 12.38 pm

Councillor A Kolker (Chair)

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Application No: 21/1711N
Location: 396, Newcastle Road, Shavington, CW2 5JF
Proposal: Erection of 1 no. detached bungalow and ancillary works.
Applicant: Mr & Mrs Timlett
Expiry Date: 30-Sep-2021

MAIN ISSUES

- Principle of Development
- Design and Character of the Area
- Forestry
- Amenity
- Highways
- Flood Risk and Drainage
- Air Quality
- Ecology

SUMMARY

The site is located within the settlement boundary of Shavington and the principle of residential development on the site is acceptable.

The site is sustainably located and is within easy walking distance of public transport and services and facilities within Shavington.

The proposal is considered to have a neutral impact in terms of design, highways safety, ecology, flood risk and amenity.

The benefits would be the provision of an open market dwelling and the usual social and economic benefits during construction.

It is considered that the development constitutes sustainable development and should therefore be approved and there are no material considerations which dictate otherwise.

RECOMMENDATION

APPROVE subject to conditions

REASON FOR DEFERRAL

This application was deferred at the Southern Planning Committee Meeting on 25th August to allow Members to visit the site.

REASON FOR REFERRAL

This application is referred to Southern Planning Committee as one of the applicant's is a member of staff employed within the Development Management and Policy service area.

DESCRIPTION OF SITE AND CONTEXT

The application relates to an area of hardstanding to the rear (south west) of no. 396 Newcastle Road, Shavington along with a section of the existing garden area associated with the property. The existing gravelled vehicular access off the shared access point from Newcastle Road provides access to the area of land to the rear of the existing property, which at the time of the Officer site visit was largely vacant other than a small area being used for storage purposes and a small open fronted timber building.

The application site is roughly rectangular in shape, excluding the access into the site, and includes an area of land currently in use as garden to no. 396 Newcastle Road. The site area extends to some 600sqm including the site access.

The boundary of the garden area of no. 396 Newcastle Road is currently delineated by a mature hedgerow which would be removed in order to incorporate part of the rear garden area into the application site boundary. The existing property would retain a rear garden area in excess of 250sqm.

The access into the site is currently delineated by a fence to the south eastern boundary and a mature hedgerow to the north western boundary. The south western and north western boundaries of the site are delineated by a close boarded fence.

The site lies within the settlement boundary of Shavington as designated in the Cheshire East Local Plan Strategy with the land to the immediate south east designated as open countryside. To the north west and south west of the site are properties fronting onto Stock Lane. A field access runs along the south western boundary of the site.

DETAILS OF PROPOSAL

The application proposes the construction of a single storey, detached dwelling within an area of land to the rear (south west) of no. 396 Newcastle Road, Shavington, which was granted planning permission in 2010 for its use as a garden and parking area (09/3882N).

The proposal would provide an open plan kitchen, dining area and living room area, two bedrooms and a wet room. Garden areas would be provided to the side and

rear of the proposed dwelling, with parking provided to the front of the property. Parking for no. 396 Newcastle Road would be retained within the front garden area.

The dwelling would have a footprint of approx. 96sqm and would be approx. 2.5m to the eaves and 5.4m to the ridge, at its highest point. No details of the materials for the proposed dwelling have been provided with the application.

RELEVANT HISTORY

10/2689N	Single Storey Side Extension	Planning Permission granted on 07.09.2010
09/3882N	Change of Use of Small Area of Land at Side & Rear of Property from Agricultural Use to Garden & Parking Area	Planning Permission granted on 23.02.2010
P03/0106	Conservatory	Planning Permission granted on 03.03.2003
P01/0410	Replacement Garage	Planning Permission granted on 27.06.2001

POLICIES

Cheshire East Local Plan Strategy

MP1 - Presumption in Favour of Sustainable Development

PG1 - Overall Development Strategy

PG2 - Settlement Hierarchy

PG7 - Spatial Distribution of Development

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

IN1 - Infrastructure

IN2 - Developer Contributions

SE1 - Design

SE2 - Efficient Use of Land

SE3 - Biodiversity and Geodiversity

SE4 - The Landscape

SE5 - Trees, Hedgerows and Woodland

SE6 - Green Infrastructure

SE8 - Renewable and Low Carbon Energy

SE12 - Pollution, Land Contamination and Land Instability

SE13 - Flood Risk and Water Management

CO1 - Sustainable Travel and Transport

CO2 - Enabling Business Growth Through Transport Infrastructure

CO4 - Travel Plans and Transport Assessments

Appendix C: Parking Standards

Borough of Crewe and Nantwich Replacement Local Plan

NE.5 - Nature Conservation and Habitats

BE.1 - Amenity

BE.3 - Access and Parking

BE.4 - Drainage, Utilities and Resources

RES.11 - Improvements and Alterations of Existing Dwellings

TRAN.9 - Car Parking Standards
SPD - Extensions and Householder Development (July 2008)

Shavington-cum-Gresty Neighbourhood Plan

HOU1 - New Housing
HOU2 - Housing Mix and Type
HOU4 - Local Character and Housing Design
ENV2 - Trees and Hedgerows
ENV3 - Water Management and Drainage
TRA1 - Sustainable Transport
TRA2 - Parking

Other Material Considerations

National Planning Policy Framework (NPPF)
Development on Backland and Gardens SPD
Cheshire East Design Guide SPD

CONSULTATIONS (External to Planning)

Nature Conservation Officer: Recommends a condition relating to breeding birds.

Natural England: No comments to make.

Tree Officer: No objection.

Landscape Officer: Recommends conditions relating to the submission of a landscaping scheme and the implementation of the approved scheme.

Environmental Protection: Recommends conditions relating to electric vehicle charging infrastructure and contamination.

United Utilities: The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

Flood Officer: Recommends a condition relating to the submission of a detailed drainage strategy / design, associated management / maintenance plan for the site.

Strategic Transport: No objection subject to informative relating to the requirement for a S184 licence to create the new vehicle crossing.

VIEWS OF THE PARISH / TOWN COUNCIL

The site lies within the parish of Shavington-cum-Gresty, with land to the south west within the parish of Hough and land to the south west and north west within the parish of Wybunbury.

Shavington Parish Council: No comments received.

Hough and Chorlton Council: **Objection** on the following summarised grounds:

- The site lies outside of the curtilage of the domestic garden

- By virtue of the clearly delineated separation of the domestic garden curtilage of the principal dwelling, the site is effectively in open countryside
- The proposal is contrary to Policy PG6 of the CELPS as it does not satisfy any of the exception criteria for building in open countryside and is not considered in-fill development as it does not in-fill a small gap in an otherwise built-up street frontage
- The shared site access is in close proximity to the complex traffic lights controlling traffic at this staggered junction
- The proposal is contrary to the Shavington Neighbourhood Plan and the Wybunbury Combined Parishes Neighbourhood Plan as both determine that development should not be permitted outside settlement boundaries, in open countryside in a local green gap

Wybunbury Parish Council: **Objection** on the following summarised grounds:

- Issues with flooding of the adjoining site
- The property is currently used for residential and commercial purposes
- Increase in density on the corner of Newcastle Road and Stock Lane
- Highway safety concerns
- Within designated green gap within the Wybunbury Combined Parishes Neighbourhood Plan
- No reason provided for dwelling

OTHER REPRESENTATIONS

Councillor Clowes: 'After careful consideration and discussion with both Wybunbury Parish Council and with Hough & Chorlton Parish Council, I am registering my wish to call-in this application on the following material [planning grounds]:

1. This application is a clear and unacceptable example of 'Backfill' development.

Whilst in the ownership of the principal dwelling, it is clear from the photographic evidence provided by the applicant in their design and access statement, that;

2. the site lies outside the curtilage of the domestic garden (which is clearly delineated by well-established conifer and beech hedges and the walls of outbuildings that open into the domestic garden).

Walnut House (No.1 Stock Lane) can be seen just beyond the back of the site. The field access path runs alongside the fence to the left of this photo whilst the garden of 396 Newcastle road lies to the right, separated from the site by these substantial hedges.

It is also clear that the application requires that:

3. these same hedges will need to be ripped out and a significant part of the domestic garden curtilage of the principal dwelling reconfigured to accommodate the proposed footprint of the bungalow and vehicle turning space.

4. By virtue of the clearly delineated separation of the domestic garden curtilage of the principal dwelling;

the current available land holding is effectively in Open Countryside. (This is contrary to the CELPS PG6 Open Countryside)

- This application does not satisfy any of the exception criteria for building in open countryside (PG6 section 3).

- The site is primarily situated adjacent to agricultural and equestrian land to the east and south. A field access track runs from Stock Lane into the field alongside the proposed site bungalow. (Between Walnut House (No1 Stock Lane and No.3 Stock Lane).
 - It should be noted that an application for housing development on an adjacent field (20/3436N) has been refused now that Cheshire East has a Local Plan in Place and has a robust housing land supply (in excess of six years). This site was refused because of its detrimental impact on the open countryside.
5. **This application may not be considered in-fill development** as it does not in-fill a small gap in an otherwise built-up street frontage. (It is back-fill development on a site that has no relationship to the street scene of Newcastle Road).
 6. The Parish Councils have **concerns regarding the proposed access**. The site may only be currently accessed by a field gate off the Newcastle Road. This is adjacent to the access to 396, Newcastle Road – both in close proximity to the complex traffic lights controlling traffic at this staggered junction. At this same point, the road splits into two lanes to allow traffic to turn right.
 7. We share the drainage officers' **concerns regarding potential flooding and drainage issues in and around this site**, The water table in this area is high and surface water accumulation is common. Surface water run-off from roofs and drives will not function well through ground-based soak-aways (SUDS). This was identified as an issue in application 20/3436N adjacent to this site. With no detailed drainage report, this application must be refused.
 8. There is no indication in the application that this property will meet an exceptional local housing need or that it will be offered as 'affordable' housing and so is contrary to CELPS Policy SC6.
 9. This site lies on the boundary of both Shavington and Hough Parishes. This site also lies on the Shavington settlement boundary but the track leading to the site and the site to the rear of 396 Newcastle Road lie outside the settlement boundary (suggesting it may have been purchased at a later date).
 - The Shavington Neighbourhood Plan (Referendum 6th May 2021) and the Wybunbury Combined Parishes Neighbourhood Plan (made February 2020) both determine that development should not be permitted outside settlement boundaries or in open countryside.
 - The site lies in an area identified as a Local Green Gap (Policy GG1, WCP NP) where development is not permitted in order to prevent coalescence between settlements.
 - We would ask that Natural England are included as a statutory consultee due to the relative proximity of the SSSI / Ramsar site of Wybunbury Moss.

For the above reasons, I politely request that this application is REFUSED.'

OFFICER APPRAISAL

Site Visit

The case officer visited the site on 30 June 2021.

Principle of Development

The application site is located within a residential area within the settlement boundary of Shavington, a Local Service Centre as set out in the Cheshire East Local Plan Strategy (CELPS). Policy PG2 states that in Local Service Centres '*...small scale development to meet needs and priorities will be supported where they contribute to the creation and maintenance of sustainable communities*'.

As a windfall site Policy SE2 of the CELPS 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, including transport, water supply and sewerage. Where this is unavoidable, development should be appropriately phased to coincide with new infrastructure provision; and*
- *Consider the consequences of the proposal for sustainable development having regard to Policy SD 1 and Policy SD 2.*

Paragraph 69 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 SD1 of the CELPS 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 of the CELPS then provides suggested distances to services and amenities.

Policy HOU1 of the Shavington-cum-Gresty Neighbourhood Plan (SNP) sets out that within the settlement boundary, proposals for housing development (including change of use) will be supported where they are in keeping with the scale, role and function of Shavington-cum-Gresty and do not conflict with any other relevant policies in the local plan.

In this case the site is located close to public transport links on Newcastle Road and services and facilities could easily be accessed by non-motorised forms of transport. As such the site is considered to be sustainable.

It is noted that Hough and Chorlton Council Parish Council and Councillor Clowes consider the application site to be outside of the garden area of no. 396 Newcastle Road and therefore should be considered as open countryside, however the site was which was granted planning permission in 2010 for its use as a garden and parking area (09/3882N). Therefore, Policy PG6 of the CELPS and the exceptions set out in that policy are not a consideration in this case.

The principle of development on this site is considered to be acceptable, with the site considered to be sustainably located in compliance with policies PG2, SD1 and SE2 of the Cheshire East Local Plan Strategy and Policy HOU1 of the Shavington-cum-Gresty Neighbourhood Plan.

Design and Character of the Area

The importance of securing high quality design is specified within the NPPF and Paragraph 126 of the NPPF 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.'* Paragraph 130 of the NPPF sets out the planning policies and decisions should ensure that developments, amongst other criteria, *'... are visually attractive as a result of good architecture, layout and appropriate and effective landscaping...'* and *'...are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)...'*

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.

Policy SD2 of the CELPS states that all development will be expected to contribute positively an area's character and identity, creating or reinforcing local distinctiveness in terms of:

- Height, scale, form and grouping
- Choice of materials
- External design features
- Massing of the development (the balance between built form and green/public spaces)
- Green infrastructure; and
- Relationship to neighbouring properties, street scene and the wider neighbourhood

Policy HOU4 of the SNP sets out that development adjoining open countryside should provide a sympathetic transition between the built form and wider countryside. The policy also seeks, amongst other criteria, new development to be bordered by boundary treatments appropriate to its location, use traditional materials and detailing where appropriate, be of a design that reflects the wide variety of building styles and materials which characterise the settlement and be of a density appropriate to the site and its surroundings. In addition, Policy HOU2 of the SNP seeks housing developments within the parish to comprise a mix of house types, including smaller homes such as bungalows, apartments, terraced and semi-detached properties.

The proposed dwelling, whilst sited to the rear of no. 396 Newcastle Road, would be seen within the context of built development on Newcastle Road and Stock Lane when approaching Shavington from the east. The proposed dwelling would be single storey in height, and whilst not reflective of properties on this section of Newcastle Road, would reflect properties to the northern extent of Stock Lane which are bungalows and dormer bungalows. Therefore, it would not be contrary to the existing urban grain. It would also be set well back from the road and thus would not be overly prominent in the street scene.

The site does not have a frontage to the highway and as such is considered to be backland development. In terms of the plot size, it is not considered that the proposed dwelling would appear as a cramped form of development or result in the overdevelopment of the site, have a footprint of some 96sqm and rear and side garden areas, excluding any parking and access areas, in excess of 110sqm. Whilst a section of the garden area of the existing property would be incorporated into the application site boundary, a rear garden area in excess of 250sqm, excluding any parking and access areas, would be retained. It is noted that there are a number of existing small scale backland developments along Stock Lane (to the rear of no's 25 and 27 Stock Lane and no's 46 and 48 Stock Lane) and that a residential development of 28 dwellings has recently been constructed to the rear of properties along the northern side of Newcastle Road. It is not therefore considered that the construction of a dwelling on the site, and of the footprint proposed, would be out of keeping with the character of the wider area.

Whilst materials have not been specified within the application, it is noted that there are a variety of styles and designs of dwellings in the locality, with materials predominantly render and/or brick to the walls with tiled roofs. It is recommended that a condition is imposed requiring the materials to be submitted for approval.

The proposed development therefore complies with policies SD1, SD2 and SE1 of the Cheshire East Local Plan Strategy and policies HOU2 and HOU4 of the Shavington-cum-Gresty Neighbourhood Plan.

Forestry

The Council's Tree Officer has advised the site is bounded by agricultural land on the east and south sides, these boundaries are not hedged and no significant hedges or trees are to be affected by the development. To the west of the site are existing domestic properties and neither these nor the interior of the site contain any trees or hedges of significance that will be affected by the proposed development. Further, it is considered that the proposal will be unlikely to present future pressure for pruning or removal of trees.

Whilst acknowledging that the proposal would result in the partial removal of a section of hedgerow within the application site, it is noted that the Council's Tree Officer does not consider this to be a hedgerow of significance. Details of boundary treatment and landscaping are recommended to be sought by condition along with finished floor levels of the proposed dwelling, to ensure that the final details of the development are acceptable, and that the development is appropriately landscaped given its edge of settlement location.

The proposed development therefore complies with policies SE5 of the Cheshire East Local Plan Strategy and policies ENV2 of the Shavington-cum-Gresty Neighbourhood Plan.

Amenity

Policy BE.1 of the Borough of Crewe and Nantwich Replacement Local Plan (BCNRLP) requires proposals to not prejudice the amenity of occupiers of adjacent property by reason of, amongst other criteria, overshadowing or overlooking. Policies SD2 and SE1 of the CELPS seek to ensure an appropriate level of privacy for new and existing residential properties. In addition, Policy HOU4 of the SNP sets out that new development should be positioned such that it does not prejudice the amenity of future occupiers or the occupiers of adjacent property by reason of overshadowing, overlooking, visual intrusion, noise and disturbance, odour, or in any other way.

Given the distances retained (at least 21m to the rear elevations of neighbouring properties, including no. 396 Newcastle Road), the relationship with the adjoining dwellings and that the proposed dwelling is single storey in height, it is not considered the proposal would result in a significant loss of light or have an overbearing impact to the occupiers of the adjoining properties.

It is however recommended that conditions are imposed requiring details of the boundary treatments to be submitted and agreed and removing permitted development rights which would allow for the extension and alteration of the property, including the roof space, in order to ensure that neighbouring privacy and amenity is retained.

The proposed development therefore complies with policies SD2 and SE1 of the Cheshire East Local Plan Strategy, Policy BE.1 of the Borough of Crewe and Nantwich Replacement Local Plan and Policy HOU4 of the Shavington-cum-Gresty Neighbourhood Plan.

Highways

Policy CO2 of the CELPS identifies that 'proposals should adhere to the current adopted Cheshire East Council Parking Standards for Cars and Bicycles set out in Appendix C (Parking Standards)', with Policy SD1 of the CELPS seeking to ensure that developments, wherever possible, provide sufficient car parking in accordance with adopted highway standards. Policy BE.3 of the BCNRLP requires new development to provide safe vehicular access and egress arrangements, whilst Policy RES.11 requires development to result in not loss of parking spaces required to meet the standards set out in Appendix 8.1. In addition, Policy HOU4 of the Shavington-cum-Gresty Neighbourhood Plan sets out that new development should have off-street parking in accordance with the number of spaces defined in the Cheshire East Local Plan Strategy Parking Standards.

The proposed dwelling would be accessed off the existing gravelled vehicular access off the shared access point from Newcastle Road. This existing access provides access to the area of land to the rear of the existing property, and was approved under application 09/3882N. At that time, the Local Highway Authority (LHA) raised no objection to the construction of the access subject to it being constructed in accordance with Cheshire East Council specifications.

The comments of Wybunbury and Hough and Chorlton Council Parish Council's and Councillor Clowes are noted in respect of highway safety concerns. The access is

close to crossroads and associated traffic signals and this has been acknowledged by the LLHA in their consideration of the current application. However, whilst noting that the access may not be ideal, the LHA has advised that the principle of the access at this location has already been accepted and a single additional dwelling will add little traffic. Additionally, it has been noted that there have been no recorded traffic accidents at the location over the last three years. Therefore, no objections to the proposal have been raised by the LHA.

In terms of parking provision, two parking spaces for the proposed dwelling would be provided to the front of the property with parking for up to 3 vehicles being retained within the front garden area of no. 396 Newcastle Road. The LHA have advised that there will be sufficient room within the site for parking and turning.

The proposed development therefore complies with policies CO2, SD1 and Appendix C of the Cheshire East Local Plan Strategy, policies BE.3 and RES.11 of the Borough of Crewe and Nantwich Replacement Local Plan and Policy HOU4 of the Shavington-cum-Gresty Neighbourhood Plan

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. Policy HOU4 of the Shavington-cum-Gresty Neighbourhood Plan sets out that all developments should incorporate SUDS which minimises surface water run-off and that every reasonable option should be investigated before discharging surface water into a public sewerage network, in line with the surface water hierarchy. This is also reflected in Policy ENV3 of the SNP.

United Utilities have been consulted as part of this application and have advised that the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.

Whilst the comments of Wybunbury Parish Council and Councillor Clowes are noted in respect of the flooding of the adjoining site, the Council's Flood Risk Officer has advised that there are no objections in principle to the proposed development however additional information is requested regarding the management of surface water on the site. The site lies within Flood Zone 1 as designated by the Environment Agency. It is noted that the site possesses some surface water risk (topographic low spots) within the site boundary that will need to be managed and that there is an existing surface water risk in close proximity to the site boundary. As such, it has been advised that it is imperative that all surface water is managed and retained on site, in order to not exacerbate any localised issues. It is considered that the matters raised can be dealt with by condition, as suggested by the Flood Risk Officer, requiring a detailed drainage strategy / design, associated management / maintenance plan for the site, to include information regarding surface water run-off rates, designs storm period and intensity and any temporary storage facilities included.

Subject to the imposition of the drainage condition as suggested by the Council's Flood Risk Officer, the development complies with Policy SE13 of the Cheshire East Local Plan Strategy and policies HOU4 and ENV3 of the Shavington-cum-Gresty Neighbourhood Plan.

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.

Ecology

Policy SE3 of the CELPS requires all developments to aim to positively contribute to the conservation of biodiversity.

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with the policy outlined above. A planning condition could be imposed to secure a scheme of ecological enhancements.

It is noted that an existing mature hedgerow forming the boundary of the garden area of no. 396 Newcastle Road is to be removed in order to construct the proposed dwelling. As suggested by the Council's Nature Conservation Officer, it is recommended that a condition is imposed in respect of the timing of any works in order to safeguard nesting birds.

Other Matters

In relation to comments made in respect of the site being located within a 'green gap' as set out in the SNP and Wybunbury Combined Parishes Neighbourhood Plan (WCNP), it is noted that the green gap as defined in the WCNP extends up to the site boundary but does not include the application site as it is outside of the parish of Wybunbury and their neighbourhood parish area. The SNP does not include a green gap policy and the site is not within a Strategic Green Gap as designated in the CELPS.

It is noted that planning permission for the residential development of land to the east/south-east of the application site has been refused planning permission, most recently in February 2021 (20/3436N). However, the land to the east/south-east is located within the open countryside, as designated in the CELPS, whereas the application site is sited within the settlement boundary of Shavington. As such, the principle of development on the application site is considered to be acceptable and consideration of the proposal against Policy PG6 of the CELPS is not required.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The site is located within the settlement boundary of Shavington and the principle of residential development on the site is acceptable. The site is sustainably located and is within easy walking distance of public transport and services and facilities within Shavington.

The proposal is considered to have a neutral impact in terms of design, highways safety, ecology, flood risk and amenity. The benefits would be the provision of an open market dwelling and the usual social and economic benefits during construction.

It is considered that the development constitutes sustainable development and should therefore be approved and there are no material considerations which dictate otherwise. The proposal is considered acceptable in this instance and complies with the Development Plan and guidance within the NPPF.

Recommendation: Approve subject to the following conditions:

1. Standard Time
2. Approved Plans
3. Drainage Details
4. Details of Ground Levels to be Submitted
5. Submission of Samples of Building Materials
6. Landscaping to Include Details of Boundary Treatment
7. Biodiversity Enhancement
8. Electric Vehicle Charging Points
9. Provision of Car Parking
10. Protection for Breeding Birds
11. Landscaping Conditions (Implementation)
12. Soil Importation
13. Unexpected Contamination
14. PD Rights – Extensions and Alterations

Informatives:

1. NPPF
2. Community Infrastructure Levy (CIL)
3. Highways - S184 Licence
4. Noise from Construction Works
5. Contaminated Land

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

