

Southern Planning Committee

Agenda

Date:	Wednesday, 2nd August, 2023
Time:	10.00 am
Venue:	Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ

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

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

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

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

1. **Apologies for Absence**

To receive apologies for absence.

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

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have pre-determined any item on the agenda.

3. **Minutes of Previous Meeting** (Pages 3 - 14)

To approve the minutes of the meeting held on 28 June 2023.

4. **Public Speaking**

For requests for further information

Contact: Jennifer Ashley

E-Mail: jennifer.ashley@cheshireeast.gov.uk

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. **22/4698N - Sydney Cottage Farm, HERBERT STREET, CREWE, CW1 5LZ - Demolition of all buildings and structures and the erection of 47 no. retirement living apartments (Use Class C3) all of which would be affordable homes, along with parking spaces, landscaping and associated works** (Pages 15 - 52)

To consider the above application.

6. **23/1366N - Land at Station Yard, Station Yard, Wrenbury Road, Aston, CW5 8HA - Change of use from mixed storage and retail to Class B2** (Pages 53 - 70)

To consider the above application.

7. **22/1163C - COPPERSFIELD, CHURCH LANE, SANDBACH, CHESHIRE, CW11 2LQ - The proposed development comprises five detached five-bedroom houses arranged on a short private driveway which links to the access road of the development to the north** (Pages 71 - 90)

To consider the above application.

8. **23/0306N - Doddington Mill House, MILL LANE, DODDINGTON, CW5 7NN - Proposal to convert part of an outbuilding to commercial use for Pet and Equine cremations including the installation of 2no Incinerators** (Pages 91 - 108)

To consider the above application.

9. **23/0596C - Hermitage Turkey Farm, HERMITAGE LANE, CRANAGE, CW4 8HA - Demolition of the existing poultry units, followed by the erection of a replacement poultry unit with associated feed bins, hardstanding's, and a dirty water tank** (Pages 109 - 124)

To consider the above application.

THERE ARE NO PART 2 ITEMS

Membership: Councillors R Bailey, J Bird, J Bratherton (Chair), L Buchanan, A Burton, L Crane, A Critchley, A Gage, A Kolker (Vice-Chair), M Muldoon and J Wray

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 28th June, 2023 in the Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor J Bratherton (Chair)
Councillor A Kolker (Vice-Chair)

Councillors L Buchanan, J Clowes, L Crane, A Critchley, A Gage, G Marshall,
M Muldoon and J Wray

OFFICERS IN ATTENDANCE

Dan Evans, Principal Planning Officer
Gareth Taylerson, Principal Planning Officer
Andrew Goligher, Highways Officer
James Thomas, Principal Planning and Highways Lawyer
Rachel Graves, Democratic Services Officer

1 APOLOGIES FOR ABSENCE

Apologies were received from Councillors R Bailey, J Bird, A Burton,
L Crane and L Smith. Councillors J Clowes, A Critchley and G Marshall
attended as substitutes.

2 DECLARATIONS OF INTEREST/PRE DETERMINATION

In respect of application 22/4964N, Councillor A Critchley declared that
prior to being re-elected and campaigning with print literature he had
broadly supported the principle of the idea being presented by the Youth
Zone and had also made such comments when acting as a substitute at
various Children's and Families Committees. He had responded to
residents who have asked questions about specifics by directing them to
the application and have not offered any opinion on these. He stated he
was approaching the item with an open mind and had not predetermined
the decision.

In relation to applications 22/4662C and 22/4609C, Councillor M Muldoon
declared that he was a member of the Sandbach Town Council Planning
Committee which had considered these applications and therefore would
not take part in the consideration of them.

3 MINUTES OF PREVIOUS MEETING**RESLOVED:**

That the minutes of the meeting held on 5 April 2023 be approved as a
correct record.

4 PUBLIC SPEAKING

The public speaking procedures were noted.

5 **22/4203N - PARKSIDE, BUNBURY LANE, BUNBURY, CW6 9QZ - OUTLINE PERMISSION FOR DEMOLITION OF ONE DWELLING AND ERECTION OF UP TO 25 ENTRY-LEVEL HOMES (FIRST HOME DWELLINGS), ACCESS OFF BUNBURY LANE AND ALL OTHER MATTERS RESERVED**

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:

Councillor Becky Posnett (ward councillor), Bunbury Parish Councillor Andrew Thomson and Ms Isabel Noonan (objector).

RESOLVED:

That the application be REFUSED for the following reason:

- 1 The proposed development would cause harm in terms of the;
 - The sustainability/car dependent nature of the site
 - The cramped over-developed nature of the development
 - The loss of open countryside
 - A high concentration of affordable homes in one location
 The harm identified would not outweigh the benefits of first homes and the proposed development is contrary to policies SD1, SD2, SE1, SE6, PG2, PG6 and PG7 of the CELPS, PG8, PG9, GEN1 and HOU13 of the SADPD, H1 and H3 of the BNP and the NPPF.

In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning 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 as part of any S106 Agreement:

S106	Amount	Triggers
First Homes (entry homes)	100% on site provision	In accordance with phasing plan.
Education	Final number of units x £17,959.00 x 0.91	To be paid prior to the occupation of the 10 th dwelling

NHS	1 bed – £612 2 bed – £875 3 bed – £1225 4 bed – £1531 5 bed – £2100	To be paid prior to the occupation of the 10 th dwelling
POS	Combined amenity and play £3,000 per dwelling Recreation & Outdoor Sport £1,000 per dwelling Allotment/food growth £562.50 per dwelling	To be paid prior to the occupation of the 10 th dwelling

This decision was contrary to the recommendation in the report.

The meeting adjourned for a short break during which Councillor L Buchanan left the meeting and did not return.

6 22/4662C - COTTON FARM, MIDDLEWICH ROAD, HOLMES CHAPEL, CHESHIRE, CW4 7ET - DEVELOPMENT OF 3 NO. BUILDINGS, TOTALLING 4,422M.SQ (USE CLASS B8 - STORAGE AND DISTRIBUTION), ASSOCIATED INFRASTRUCTURE AND LANDSCAPING

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:
Holmes Chapel Parish Councillor Brian Bath and Rachel Thornley (agent).

RESOLVED:

That the application be REFUSED for the following reasons:

- 1 The proposal constitutes an urban encroachment into the open countryside which would harm the character and appearance of the area and the wider landscape. The proposal relates to a speculative form of development which does not require a countryside location and is not essential development within the open countryside. The proposal is contrary to Policies PG2, PG6, SD1, SD2, SE4 and EG2 of the Cheshire East Local Plan Strategy, RUR10, ENV3 and ENV4 of the Site Allocations and Development Policies Document, ES2 and CE5 of the Holmes Chapel Neighbourhood Plan and the principles of the National Planning Policy Framework, which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use.

- 2 The proposal represents a utilitarian design which would appear cramped and in addition to the loss of open countryside and landscape harm the proposal fails to create high quality, beautiful and sustainable buildings and places. The proposed development conflicts with policies SD2, EG2 and SE1 of the Cheshire East Local Plan Strategy, GEN1 and RUR10 of the Site Allocations and Development Policies Document, CE5 of the Holmes Chapel Neighbourhood Plan and the NPPF.
- 3 Insufficient information has been provided with the application to demonstrate that an acceptable drainage solution could be secured for this proposed development. The proposed development is contrary to Policies SE13 of the Cheshire East Local Plan Strategy, ENV16 of the Site Allocations and Development Policies Document and CE7 of the Holmes Chapel Neighbourhood Plan and the NPPF.

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

7 22/4609C - LAND OFF, MEADOWBANK AVENUE, WHEELLOCK - CONSTRUCTION OF AFFORDABLE HOUSING

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:
Councillor Laura Crane (ward councillor) and Mr David Chapman (objector).

RESOLVED:

That the application be REFUSED for the following reason:

- 1 The proposed development represents a cramped over-development of the site and does not provide an acceptable design solution or standard of amenity (including compliance with space standards). The proposed development is contrary to policies SD1, SD2 and SE1 of the CELPS, HOU8 and HOU13 of the SADPD, H2 of the SNP and the NPPF.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chair of the

Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

S106	Amount	Triggers
Affordable Housing	100% on site provision	In accordance with phasing plan.
POS	<p>Combined amenity and play contribution of £45,000 to be spent to increase the capacity at Wheelock playing field and/or Lightley Close open space.</p> <p>Recreation & Outdoor Sport £1,000 per dwelling</p> <p>Allotment/food growth £562.50 per dwelling</p>	To be paid prior to the occupation of the 8th dwelling
Ecology	<p>X1 unit of biodiversity net gain</p> <p>£12,266 per unit and the council's £1,200 administration fee so total contribution:</p> <p>£13,466</p>	To be paid prior to the occupation of the 8th dwelling

This decision was contrary to the recommendation in the report.

8 22/1485C - LAND TO THE NORTH OF 24 CHURCH LANE, SANDBACH CW11 2LQ - ERECTION OF 4 DWELLINGS WITH ASSOCIATED ACCESS AND LANDSCAPING

Consideration was given to the above planning application.

A short statement was read out on behalf of the ward councillor - Councillor S Corcoran.

RESOLVED:

That the reasons set out in the report and update report the application be APPROVED, subject to the following conditions:

- 1 Time limit
- 2 Approved plans

- 3 Approval of details of facing and roofing materials
- 4 Implementation of the mitigation measures set out in the Noise Impact Assessment
- 5 Submission of details of low emission boilers
- 6 Provision of electric vehicle infrastructure
- 7 Soil and soil forming materials to be tested for contamination
- 8 Prior to occupation, evidence and verification information (for example: quantity/source of material, laboratory certificates, depth measurements, photographs) shall be submitted to, and approved in writing by, the Local Planning Authority.
- 9 If, during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.
- 10 No development (other than demolition and site clearance works) shall commence until:
 - a) A proportionate risk assessment and (if appropriate) site sampling exercise is undertaken to address the risks posed by land contamination. This should be submitted to and approved in writing by the LPA.
 - b) Should the above indicate that remediation is necessary, a Remediation Strategy shall be submitted to and approved in writing by the LPA.

The remedial scheme shall be carried out in accordance with the approved Remediation Strategy unless otherwise agreed in writing by the LPA.
- 11 No part of the development hereby approved shall be occupied or in use prior to submission and approval in writing of a Verification Report prepared in accordance with the approved Remediation Strategy that covers that part of the development to be occupied or used.
- 12 Protection for breeding birds
- 13 Provision of features to enhance biodiversity
- 14 Submission of landscaping plan
- 15 Implementation of landscaping scheme
- 16 No development shall take place until a scheme of mechanical ventilation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show air drawn from the “clean” façade (furthest from the M6). Prior to the first occupation of any of the hereby approved dwellings, the agreed ventilation scheme shall be installed. The ventilation system shall not be capable of being disabled by the end user (except in emergency, for maintenance or repair). The agreed ventilation scheme shall be maintained in perpetuity.
- 17 Details of surface and foul drainage to be submitted and approved.

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

of Planning, in consultation with the Chair (or in their absence the Vice Chair) of Southern Planning, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

9 **22/3818C - LAND EAST OF, CHELLS HILL, CHURCH LAWTON - FULL PLANNING APPLICATION FOR PERIODIC USE OF LAND ON AN ANNUAL BASIS (UP TO 56 DAYS PER CALENDAR YEAR) FOR MOTO-CROSS PURPOSES, RETENTION OF HARDSTANDING AND ACCESS, ACCESS ENHANCEMENTS, AND ASSOCIATED WORKS**

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:

Councillor Patrick Redstone (neighbouring ward councillor) and James Warrington (agent).

RESOLVED:

That the application be REFUSED for the following reasons:

- 1 The proposed development represents inappropriate development within the Green Belt, and no very special circumstances have been identified. The development would have an urbanising effect on the Green Belt, it does not preserve the openness of the Green Belt and conflicts with the aim of safeguarding the countryside from encroachment. Furthermore, the development would detract from the character and appearance of the site and have an adverse impact upon the landscape. The development is contrary to Policies PG3, SE4 and SD2 of the Cheshire East Local Plan Strategy and the NPPF.
- 2 The proposal would have a detrimental impact upon residential amenity due to noise and disturbance generated, whilst the suggested mitigation measures are not considered to be enforceable. Furthermore, the use of the site would cause harm to other users of the open countryside (such as the Canal and local footpath network) in terms of noise generation. As a result, the proposal would conflict with Policies SE7 of the Cheshire East Local Plan Strategy, HOU12 and RUR6 of the Site Allocations and Development Policies Document and the NPPF.
- 3 The development would cause less than substantial harm to the heritage assets (the Canal Conservation Area and Listed Structures) due to the urbanised appearance of the site and the noise and disturbance caused by the proposed use. This harm would not be outweighed by the public benefits of the proposed development. The proposed development is contrary to Policy SE7 of the Cheshire East Local Plan Strategy, and Policies HER1,

HER3 and HER4 of the Site Allocations and Development Policies Document and the NPPF.

- 4 The woodland on site is listed under the Priority Habitat Inventory. In the absence of a tree survey or an arboricultural impact assessment there is no evidence provided to demonstrate that the impacts on the woodland or roadside trees have considered or could be retained. The proposed development is contrary to Policies SE3 and SE5 of the CELPS, Policy ENV6 of the Site Allocations and Development Policies Document and the NPPF.

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

- 10 **23/0376N - VACANT LAND AT, RICHARD GIBSON ROAD, HENHULL - NEW 1 FORM ENTRY PRIMARY SCHOOL TO ACCOMMODATE 210 PUPILS, WITH AN ADDITIONAL RESOURCES PROVISION FOR SEN PUPILS. ASSOCIATED PERIMETER FENCING FOR SAFEGUARDING, CAR PARK, CYCLE STORAGE, PLANT AND LANDSCAPED PLAY AREAS**

Consideration was given to the above planning application.

RESOLVED:

That for the reasons set out in the report and update report the application be APPROVED, subject to the following conditions:

- 1 3 year time limit
- 2 Development in accordance with the approved plans
- 3 Details of proposed materials
- 4 Dust suppression methods
- 5 Lighting (amenity)
- 6 Piling details
- 7 Details of electric vehicle charging points
- 8 Details of low emission boilers
- 9 Remediation strategy
- 10 Verification report
- 11 Contaminated land soil testing
- 12 Contaminated land unexpected contamination
- 13 Details of a sustainable surface water drainage scheme and a foul water drainage scheme
- 14 SUDS
- 15 Lighting (bats)
- 16 No removal of any vegetation or the demolition or conversion of buildings shall take place between 1st March and 31st August in

- any year, unless a detailed survey has been carried out to check for nesting birds
- 17 Hedgehog Reasonable Avoidance measures
- 18 Submission of an ecological enhancement strategy
- 19 Updated badger survey prior to commencement of development
- 20 Details of levels
- 21 Development in accordance with the tree protection and special construction measures identified in the Landscape Tree Management and Pruning Schedule (4361-502) dated 16th May 2023, the Arboricultural Planning Statement (1051995_Conlon_Kingsley Fields School_APS) dated April 2023, Tree Protection Plan (dated 20/4/2023) and Landscape Sections – Footpath with No dig construction for existing tree RPA (4316-301) dated 19/4/2023
- 22 An Arboricultural Clerk of Works
- 23 Landscaping scheme to be implemented
- 24 Details of improved safety of the pedestrian exit
- 25 Details of site entrance/exit signage and markings
- 26 After 6 months of opening, a Travel Plan should be submitted and approved with details of modes of travel to school and measures to reduce car trips.
- 27 Details of School Keep Clear markings and advisory 20mph signage
- 28 Details of habitat creation method statement and a 30 year habitat management plan for the retained and newly created habitats on site including a 30 year habitat management plan to detail how the newly created, enhanced and retained habitats will be managed achieve the target condition specified in the Biodiversity Metric Calculations submitted with the application.

In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning 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.

- 11 **22/4964N - CAR PARK, OAK STREET, CREWE - PROPOSED ERECTION OF A PART SINGLE, PART TWO STOREY BUILDING TO PROVIDE A CLASS D2 YOUTH ZONE FACILITY WITH MINIBUS PARKING AND DRIVE IN DROP OFF LAYBY FROM OAK STREET WITH ACCESSIBLE CAR PARKING SPACE. A 5 A-SIDE ILLUMINATED (MUGA) PITCH IS LOCATED ON THE ROOF AT FIRST FLOOR LEVEL WITH AN ACOUSTIC SCREEN FROM PROPERTIES ON HIGH STREET. COVERED SECURE CYCLE PARKING TO THE NORTH ALONG WITH EXTERNAL RECREATION AREA WITH SECURE FENCING. SERVICE YARD TO THE NORTH ACCESSED OFF HIGH STREET PROVIDING ACCESS TO BIN STORAGE AND MINIBUS SPACE. ASSOCIATED BOUNDARY TREATMENTS AND HARD AND SOFT LANDSCAPING**

Consideration was given to the above planning application.

RESOLVED:

For the reasons set out in the report and update report the application be APPROVED, subject to the following conditions:

- 1 Commencement of development (3 years)
- 2 Development in accordance with approved plans
- 3 Details of materials and finishes
- 4 Details of levels
- 5 Details of secure cycle storage/parking
- 6 Implementation of works to widen Cross Street
- 7 Implementation of works to secure service access from High Street
- 8 Submission and approval of details of drop off/pick up bay
- 9 Submission of Landscaping details
- 10 Implementation of landscaping
- 11 Implementation of drainage scheme
- 12 Contaminated land - Submission and approval of Remediation Strategy
- 13 Contaminated land - Submission and approval of Verification Report
- 14 Contaminated land - soil testing
- 15 Measures to deal with unexpected contamination
- 16 Submission and approval of Travel Information Park
- 17 Implementation of noise mitigation measures
- 18 Implementation of a programme of archaeological work in accordance with an approved written scheme of investigation
- 19 Provision of features for nesting birds
- 20 Details of on-site Surface Water drainage scheme, infrastructure and management.

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

Prior to the consideration of the following item Councillors A Kolker and G Marshall left the meeting and did not return.

12 22/3942C - THE TEARDROP Paddock, Hall Drive, Alsager, ST7 2UD - Conversion of part of stable block to a single residential dwelling and ancillary works

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:

Mr Richard Lee (agent).

RESOLVED:

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

- 1 Standard Time 3 years
- 2 Materials as per application
- 3 Development in compliance with the approved plans
- 4 Removal of Permitted Development Rights – Classes A, AA, B, C, D and E
- 5 Ancillary stables
- 6 Electric Vehicle Infrastructure provision
- 7 Ecological Enhancement
- 8 Importation of Soil
- 9 Unforeseen Contamination
- 10 Proportionate Contaminated Land Risk Assessment
- 11 Verification Report
- 12 Surface water regulation system (pre-commencement)

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

The meeting commenced at 10.00 am and concluded at 2.16 pm

Councillor J Bratherton (Chair)

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Application No: 22/4698N

Location: Sydney Cottage Farm, HERBERT STREET, CREWE, CW1 5LZ

Proposal: Demolition of all buildings and structures and the erection of 47 no. retirement living apartments (Use Class C3) all of which would be affordable homes, along with parking spaces, landscaping and associated works.

Applicant: Bowsall Developments Ltd and Housing 21

Expiry Date: 07-Apr-2023

SUMMARY

The proposal seeks permission for the demolition of all buildings and structures and the erection of 47 no. retirement living apartments (Use Class C3) all of which would be affordable homes, along with parking spaces, landscaping and associated works. The application site is located largely within the Crewe settlement boundary, with part of the red edge including an agricultural field to the northeast which is located within the Open countryside and Green Gap.

Policy PG2 sets out that Crewe is a Principal Town where significant development will be encouraged to support its revitalisation, recognising its role as one of the most important settlements in the borough. Development will maximise the use of existing infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible by public transport. Policy PG7 sets out that Principal Towns such as Crewe are expected to accommodate in the order of 65 ha of employment land and 7,700 new homes.

The majority of the site is considered to be a brownfield site with a lawful development certificate approved in 2017 for B8 use across the site. Furthermore, residential development has previously been approved on the site in 2018.

The plans show an area of communal open space located within the open space to the northeast slightly protruding into the open countryside/Green Gap. It is considered that the location of the open space complies with Policy PG6 and PG5 as outdoor recreation and therefore is acceptable in principle.

It is therefore considered that residential development is acceptable in principle, however this is subject to compliance with all other relevant policies within the development plan.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions on planning applications are made in accordance with the Development Plan

unless material considerations indicate otherwise, these matters are discussed further below.

The layout and size of the of the scheme is now considered to be more inkeeping with the character and appearance of the area and rural edge. The Design Officer has raised concerns the bulk and mass of the building on the southwestern boundary and details in terms of landscaping and planting and surfacing materials, however the scheme is largely acceptable and subject to conditions for materials, boundary treatment, hard surfacing, landscaping and tree planting the scheme is acceptable.

The site has raised no significant issues in relation to landscaping, forestry, amenity, highways safety, impact on protected species, flood risk or drainage, subject to appropriate conditions.

The scheme will contribute towards the normal mitigation required in relation to NHS, POS, and Affordable Housing. The scheme will also include a contribution towards an assessment and design of a pedestrian crossing on Sydney Road.

It is therefore considered that the development is on balance acceptable and recommended for approval accordingly.

RECOMMENDATION

Approve subject to S106 Agreement and conditions

REASON FOR REFERRAL

The application has been referred to the Southern Planning Committee as it is a Small Scale major development of over 20 units.

PROPOSAL

Full Planning Permission is sought for the demolition of all buildings and structures and the erection of 47 no. retirement living apartments (Use Class C3) all of which will be affordable homes, along with parking spaces, landscaping and associated works.

SITE DESCRIPTION

The application site relates to the Sydney Cottage Farm, Herbert Street, Crewe. The application site is a commercial site used for storage in relations to a horticultural business. The existing site is located off Herbert Street. There is PROW which goes through the middle of the site onto Bridleway which connects Crewe to Haslington.

The majority of the site is hardstanding, two storage buildings and a portacabin. There is a pond on the site in the lower southwest of the site. The site is bounded by residential development to the north and west, and south with Open Countryside to the east.

The site is located within the Crewe settlement boundary (the existing built development site) with the eastern open space being located within the Open Countryside and Green Gap.

RELEVANT HISTORY

18/3477N – Outline application for residential development with matters of scale and layout included – Approved with conditions and subject to a S106 Agreement 30th August 2019

17/3244N – Lawful Development Certificate Application for an Existing B8 Use (Supply of Sundries to the Horticultural Industry) – Positive Certificate issues 3rd August 2017

P03/1319 – Outline Application for a Dwelling – Refused 14th July 2004

P94/0953 – Erection of 3 No. polytunnels, 1 green house, agricultural building and portacabin – Approved with conditions 12th January 1995

P94/0043 – Conversion and extension of cowshed/loosebox to form additional living accommodation – Approved with conditions 28th February 1994

P93/0940 – Conversion and extension of cowshed/loosebox to form additional living accommodation – Refused 9th December 1993

7/13258 - Use of land for grazing/stabling of horses – approved with conditions 31st July 1986

7/04755 – Residential development and access roads – Refused 14th December 1978

PLANNING POLICY

Development Plan

Cheshire East Local Plan Strategy (CELPS);

MP1 (Presumption in favour of sustainable development)

PG1 (Overall Development Strategy)

PG2 (Settlement Hierarchy)

PG5 (Strategic Green Gaps)

PG6 (Open countryside)

PG7 (Spatial Distribution of Development)

SD1 (Sustainable Development in Cheshire East),

SD2 (Sustainable Development Principles),

IN1 (Infrastructure)

IN2 (Developer Contributions)

EG3 (Existing and Allocated Sites)

EG4 (Tourism)

SC1 (Leisure and Recreation)

SC2 (Indoor and Outdoor Facilities)

SC3 (Health and Wellbeing)

SC4 (Residential Mix)

SC5 (Affordable Homes)

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)
SE9 (Energy Efficient Development)
SE11 (Sustainable Management of Waste)
SE12 (Pollution, Land Contamination and Land Instability)
SE13 (Flood Risk and Water Management)
CO1 (Sustainable Travel and Transport)
CO4 (Travel Plans and Transport Assessments)
Appendix C: Parking Standards

Cheshire East Site Allocations and Development Policies Document (SADPD)

PG9 Settlement Boundaries
PG12 Strategic Green Gap
PG13 Local Green gaps
GEN 1 Design principles
ENV 1 Ecological network
ENV 2 Ecological implementation
ENV 3 Landscape Character
ENV 5 Landscaping
ENV 6 Trees, hedgerows and woodland implementation
ENV 15 New Development and existing uses
ENV 16 Surface water management and floodrisk
RUR 6 Outdoor sport, leisure and recreation outside of settlement boundaries
HOU 1 Housing Mix
HOU 2 Specialist housing provision
HOU 8 Space, accessibility and wheelchair housing standards
HOU 10 Amenity
HOU 12 Housing Density
HOU 13 Housing delivery
INF 3 Highway Safety and access
REC 2 Indoor sport and recreation implementation
REC 3 Open space implementation

National Planning Policy

National Planning Policy Framework (NPPF)
National Planning Practice Guidance

Other Considerations

The EC Habitats Directive 1992
Conservation of Habitats & Species Regulations 2010

Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System

CONSULTATIONS

CEC Head of Strategic Infrastructure (Highways) – No objections, subject to a contribution of £19,000 towards the assessment and design of a pedestrian crossing on Sydney Road and an informative for a S278 agreement

CEC Environmental Protection – No objections to the proposal subject to conditions regarding electric vehicle charging points, ultra-low emission boilers, travel plan implementation, updated Phase II contaminated land report, verification report, soil importation materials, unexpected contaminated land.

CEC Flood Risk – No objection in principle. Conditions suggested for detailed drainage strategy/design

CEC Housing – No Objections

CEC Open Space (ANSA) – No objections in principle to revised scheme. Open Space contribution for offsite improvements required at £1,500 per bed to be used locally, and Recreation/outdoor sports facilities contribution of £500 per 2 bed space apartments to be used in line with the Council's adopted playing pitch strategy or any subsequent document.

CEC PROW – No objection subject to diversion and condition for a scheme of management to be submitted

United Utilities – No objection subject to conditions regarding implementation of drainage scheme, surface water drainage, and sustainable surface water drainage scheme

NHS Primary Care – Request a contribution of £31,657 to offset the impact from extra demand for housing.

Brine Board – No objection, subject to informative regarding the need for specific foundations and services.

Cheshire Fire and Rescue Service – Supply advice on installation of water suppression systems, access for the fire service, and water supply

Crewe Town Council – That, whilst the committee does not object to the principle of the development, it sustains its objection to the proposal on the following grounds:

- i. That the development must demonstrate net biodiversity gain as per planning policy (it was not possible to clearly identify this has been demonstrated from the revised plans and documents).
- i. That the development demonstrates sustainable energy production as per planning policy (it was not possible to clearly identify this has been demonstrated from the revised plans and documents).
- ii. That the form of heating seeks to achieve sustainability eg ground source heat pump or similar method, as per planning policy (it was not possible to clearly identify this has been demonstrated from the revised plans and documents).

- iii. The site does not provide the minimum parking provision within local plan policy and this will inevitably lead to on street parking issues to the detriment of the amenity of neighbouring residences
- iv. It was considered that the proposals are too dense for the site hence the difficulty in provision for parking and meeting policies associated with sustainability

REPRESENTATIONS

Letters of representation have been received from around 35no households. The main issues raised are;

- Objection to development in the open countryside
- Object to loss of a Greenland site
- Impact on PROW / Bridalway
- Impact on highway safety, lack of parking provision on site, any on street parking will be hazardous, already too many cars trying to park on Herbert Street and Foxholme Court
- Question if large vehicles such as bin lorries, emergency services will be able to access the site safely
- The bus services are limited and occupants would need to cross Sydney Road to reach the bus stop – there are no safe pedestrian crossings near Herbert street
- The proposal is an over development of the site
- Concerns raised in terms of noise pollution on neighbour during construction
- Impact on neighbouring amenity in terms of overlooking, and overbearing impact, impact on views
- Impact on wildlife using the site
- Impact on flood risk in the area
- There is not enough infrastructure e.g. doctors for additional housing in the area
- Lack of services in the area
- Further affordable housing is not required in the area
- Parking data is not comparable to the application site

A letter of representation has also been received from Cllr Faddes. The main issues raised are (summarised below – full version available to view on the website);

- Lack of parking provision within the scheme
- Significant on street parking currently – concerns over large vehicles accessing the site
- Poor sustainable transport links
- Bus is a circular route into the town centre where the bus stop is located on the opposite side of Sydney Road
- Lack of facilities within walking distance, no doctors, supermarket, shop etc
- Lack of community facilities and amenities on site
- Access into the site is poor

OFFICER APPRAISAL

Principle of Development

The majority of the application site is located within the Crewe settlement boundary. Policy PG2 sets out that Crewe is a Principal Town where significant development will be encouraged to

support its revitalisation, recognising its role as one of the most important settlements in the borough. Development will maximise the use of existing infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible by public transport. Policy PG7 sets out that Principal Towns such as Crewe are expected to accommodate in the order of 65 ha of employment land and 7,700 new homes.

Policy PG9 of the SADPD states that within settlement boundaries, development proposals (including change of use) will be supported where they are in keeping with the scale, role and function of that settlement and do not conflict with any other relevant policy in the local plan.

The majority of the site is considered to be a brownfield site with a lawful development certificate approved in 2017 for B8 use across the site. Furthermore, residential development has previously been approved on the site in 2018.

Whilst the floorspace created by the new development will exceed the floor space of the existing buildings, given the site is located within the settlement boundary this is not a requirement, as development is acceptable in principle, subject to compliance with all other relevant policies of the development plan.

Green Gap

Within the red edge of the site, to the northeast an area of land is located within the designated Crewe / Haslington Strategic Green Gap as identified in LPS policy PG5 'Strategic Green Gaps' and Figure 8.3 of the Local Plan Strategy. LPS policy PG5 'Strategic Green Gaps' identifies that planning permission will not be granted for the construction of buildings that would:-

- i. Result in erosion of a physical gap between any of the settlements; or*
- ii. Adversely affect the visual character of the landscape; or*
- iii. Significantly affect the undeveloped character of the Green Gap, or lead to the coalescence between existing settlements*

Exceptions to this policy are only considered where it can be demonstrated that no other suitable location is available.

In this instance the land is shown on the plans as communal amenity space for the development and is to be planted to create an improved buffer on the rural edge., it is not considered that the small projection would have any significant impact on the openness of the Green Gap due to existing built form to the north of the site.

Open countryside

The same area of land is also noted as being outside of any defined settlement boundary¹ in policy PG 6 'open countryside' of the LPS. In the open countryside, only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.

¹ as listed in table 8.3 'settlements with a defined settlement boundary' in the LPS

It is considered that the location of the open space albeit private associated with the application site complies with Policy PG6 as outdoor recreation and therefore is acceptable in principle. Furthermore, there is a similar protrusion to the north of the application site, where a communal garden is located beyond the residential development creating a buffer between the development and the wider open countryside. The Development to the north on Foxholme Court, projects further in terms of built development into the open countryside/green gap than the proposed development and therefore will screen the development from the open countryside to the north.

Whilst there is some incursion into the Green Gap on the edges, it is considered that on balance, the development as amended, is acceptable in principle. The development as proposed is therefore considered to comply with policies PG5 and PG6, of the Cheshire East Local Plan Strategy.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions on planning applications are made in accordance with the Development Plan unless material considerations indicate otherwise, these matters are discussed further below.

Previously Developed Land (PDL)

On the 3rd August 2017 a Certificate of Lawful Existing Use was granted for the entire application site to establish the lawful use as B8 (Storage or Distribution). Consideration, therefore, needs to be given to the site being Previously Developed Land (PDL).

Policy SD1 of the CELPS and the Framework encourages development on previously developed land. Previously Developed Land (often referred to as brownfield land) is defined within Annex 2 of the NPPF and states;

‘Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape’

It is considered that the application proposal falls within this category, so its re-development would be supported in this regard by Policy SD1 (Part 15) of the CELPS and the Framework.

Part 1 of Policy SE2 (Efficient Use of Land), states that the Council will encourage the redevelopment/re-use of previously developed land and buildings. The proposal is also deemed to adhere with this aspect of development plan policy.

Paragraph 85 of the NPPF states that *‘The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.’*

Paragraph 117 of the NPPF states that *‘planning policies and decisions should promote an effective use of land....in a way that makes as much use as possible of previously-developed or ‘Brownfield’ land.’*

As such, this aspect of development would adhere with both adopted development policy and national planning policy. It is afforded significant weight in this instance as a result of the strong local and national policy support the re-development of such sites.

Locational Sustainability

Both policies SD1 and SD2 of the CELPS refer to supporting development in sustainable locations. Within the justification text of Policy SD2 is a sustainable development location checklist.

The site is within the Crewe Town settlement which is categorised as a Principal Town within Policy PG 2 of the CELPS. The site is considered to be locationally sustainable, and within walking distance of a number of services on Sydney Road, and the Town Centre. Within the town centre is a Bus Service Station which links the town to the wider area. There is a bus service along part of Sydney Road which links to the Town centre, with links beyond.

Housing Mix

Paragraph 62 of the Framework states that 'the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes'.

Policy SC4 of the Local Plan requires that developments provide an appropriate mix of housing (however this does not specify a mix).

All 47 apartments are to be affordable homes (rented) for retirement living for occupants of 55 and over. The proposed scheme will have 36no 1 bed apartments and 11no 2 bed apartments.

Policy HOU6 of the SADPD requires that new housing developments comply with the Nationally Described Space Standards (NDSS).

Apartment Type	Size (Bed/Person)	NDSS Standard (m2)	Actual (m2)	Difference NDSS v Actual (+/-) m2	M4(2) and M4(3)	Percentage of plots (%)	No of Plots
1	1 bed 1b2p M4(2)	50	54	4	M4(2)	46.8	22
2 (Corner)	1 bed 1b2p M4(2)	50	57	7	M4(2)	23.4	11
3	1 bed 1b2p M4(3)	50	58	8	M4(3)	6.4	3
4	2 bed 2b3p M4(2)	61	64	3	M4(2)	23.4	11
Total							47

The applicant has confirmed that all apartments are in compliance with National Described Space Standards and all apartments will be adaptable to M4 (2) standards of the Building Regulations (table above). The apartments have been designed to with accessibility in mind with all rooms capable of allowing wheelchair navigation.

Provision of older persons accommodation

Criteria 3 of LPS policy SC4 'Residential Mix' states that development proposals designed specifically for the elderly and people who require specialist accommodation will be supported where there is a proven need; they are located within settlements; accessible by public transport; and within a reasonable walking distance of community facilities such as shops, medical services and public open space.

In this instance the use proposed under C3 as retirement living apartments for over 65's preferably but applications from people of at least 55 years of age will be considered. The scheme includes self-contained apartments whilst having full access to a range of communal facilities including lounges and gardens. The scheme also includes on site Court Manager who is responsible for overseeing the daily operations of the site.

Affordable Housing

Policy SC 5 (Affordable Homes) in the Cheshire East Local Plan Strategy (CELPS) and subsequent Affordable Housing Supplementary Planning Document sets out the thresholds for affordable housing in the borough. In residential developments, affordable housing will be provided as follows:

-

- i. In developments of 15 or more dwellings (or 0.4 hectares) in the Principal Towns and Key Service Centres at least 30% of all units are to be affordable;*
- ii. In developments of 11 or more dwellings (or have a maximum combined gross floorspace of more than 1,000 sqm) in Local Service Centres and all other locations at least 30% of all units are to be affordable;*
- iii. In future, where Cheshire East Council evidence, such as housing needs studies or housing market assessments, indicate a change in the borough's housing need the above thresholds and percentage requirements may be varied.*

The National Planning Policy Framework in paragraph 64, states that the provision of affordable homes should not be sought for residential developments that are not major developments. Major developments are defined as housing sites of 10 or more homes, or the site has an area of 0.5 hectares or more.

The LPS states in the justification text of Policy SC5 (paragraph 12.44) that the Housing Development Study shows that there is the objectively assessed need for affordable housing for a minimum of 7,100 dwellings over the plan period, which equates to an average of 355 dwellings per year across the borough. This figure should be taken as a minimum.

Affordable housing contributions

Recently, some innovative models of private sector housing for older people have been developed. These schemes are characterised by the availability of varying degrees of care, 24-hour staffing and ancillary facilities. The Council recognises that such models can contribute to meeting affordable and special needs housing, thus the Council will seek an affordable housing contribution from these schemes where the dwellings trigger the thresholds set out in LPS SC5 (affordable homes).

Importantly, reference to 'dwellings' in policy is not only confined to C3 uses (termed 'dwelling houses' in the UCO) in applying affordable housing requirements. LPS policy SC5 (affordable

homes) refers to affordable housing requirements applying to 'residential developments' and this reference can include class C2 (residential institutions) and class C3 (dwelling houses) uses.

Consideration will be given by the Council to any viability issues which arise from this distinction and will assess these accordingly. Due to the difficulty in providing replicable and repeatable guidance for all housing development sites each request to the Council to reduce the affordable housing provision will be assessed on an individual case by case basis in line with point 7 of policy SC5 (affordable homes).

This is a proposed development of 47 retirement dwellings in a Principal Town, therefore, in order to meet the Council's Policy on Affordable Housing there is a requirement for 15 (14.1) dwellings to be provided as affordable homes.

Affordable Housing Mix

Point 3 of policy SC5 (affordable homes) notes that "the affordable homes provided must be of a tenure, size and type to help meet identified housing needs in this case affordable retirement homes and contribute to the creation of mixed, balanced and inclusive communities where people can live independently longer". Paragraph 12.48 of the supporting text of Policy SC5 (affordable homes) confirms that the Council would currently expect a ratio of 65/35 between social rented and intermediate affordable housing. On this basis, 10 units should be provided as affordable/social rent and 5 units as intermediate tenure.

The Housing Supplementary Planning Document states for Specialist, Supported Living and Older Person Housing the below;

8.1 The Council's vulnerable and older persons strategy (2020 - 2024) has identified three main strategic objectives consistent with the 2014 version of the strategy: -

- That people are supported to live in their own homes independently for longer;*
- When required, people can receive the support they need in a wide range of specialist, supported accommodation including those members of the community with specific housing needs within the borough;*
- People are able to make informed choices about the accommodation, care, and support options within Cheshire East.*

In the Vulnerable and Older Persons Strategy it mentions the below for Older Persons.

The 2014 strategy identified that the number of older adults across the borough was due to significantly increase and as such, this would impact on the requirement for a number of housing types including downsizing opportunities, as well as specialist accommodation, to address issues relating to care, access, and mobility.

Affordable Older Persons Need.

The current number of those over 55 on the Cheshire Homechoice waiting list with Crewe as their first choice is 166. From this data there is a shown need for 96 1- and 2-bedroom flats as rented accommodation.

Under the Supplementary Planning Document for Affordable Housing the council expects the rental units to be capped at the Local Housing Allowance. Paragraph 6.18 states;

6.18 There is a clear need to ensure that rented affordable dwellings can be let at rent levels which are truly affordable. Whilst housing schemes across the borough have previously been let at social rent or affordable rent (up to 80% of market rent), Cheshire East Council have an ambition and are now seeking to support rent levels which do not exceed either the Local Housing Allowance (LHA) for the area, or Regulator for Social Housing target rent amounts – whichever is lowest. This total rent amount is inclusive of additional service charges.

There is also still a need for Intermediate units that will cater for those who wish to downsize but cannot buy on the open market.

The applicant in this proposed development is working with a Registered Provider of Affordable Housing (Housing 21). The application is proposing for all 47 (100%) to be 1- and 2-bedroom retirement homes with a tenure of Social Rented accommodation for the over 55's.

The Housing Officer notes that the provided Affordable Housing Statement supports this and is in line with that required under the Affordable Housing Supplementary Planning Document. As the proposed units are to be contained within one building the mix of tenures is not feasible as experience has shown and as such a 100% rented tenure is acceptable.

The affordable housing meets the NDSS (Nationally Described Space Standards) sizing as suggested by the SPD. As this proposed development will be going some way to meet the need for socially rented retirement housing for the over 55's, The Strategic Housing Officer has raised no objections to the scheme. There is a preference for the affordable housing to be secured by S106 Agreement.

Open Space

The Greenspaces officers in Ansa notes that the main focus being Public Open Space - amenity open space, active recreation and play along with food growth/allotments, outdoor sport and green infrastructure connectivity, all minimum standards laid out in Policy SE6, Table 13.1 within Cheshire East Local Plan Strategy.

The proposed scheme is for people aged at least 55 years and over who it would be expected would still mostly lead healthy and active lifestyles.

The layout shows private amenity/communal space being gated on the northeast entrance and enclosed by the apartment block and planting. Private amenity space is not a requirement of Policy SE6 therefore contributions for offsite improvements are sought. There is little to encourage community cohesion outdoors therefore the Greenspaces officer suggests the space to the south of the communal lounge is further utilised. This will in turn support good health and wellbeing linked to evidence on the positive effects of green spaces. In reference to allotment/food production, the introduction of fruiting trees and small raised beds could be incorporated within the development site. This will help to promote a more sustainable development and further social unity. It is considered that a revised landscape plan could achieve this by condition.

With regards to Green Infrastructure. connectivity - some space has been allocated to accommodate the PRoW however it is felt by the Green Spaces Officer that the substation compromises its amenity value. Further soft landscaping should be provided to shield the PRoW from the substation.

Should committee deem this application acceptable then the following contributions for off-site open space and outdoor sport are sought:

- Open space £1,500 per bed space for apartments to be used in the locality of the development – this equates to $47 \times £1,500 = £70,500$
- Recreation/Outdoor Sports facilities £500 per 2 bed space apartment to be used in line with the Council's adopted Playing Pitch Strategy or any subsequent document. – this equates to $11 \times £500 = £5,500$.

Therefore, a contribution of £76,000 is considered to be reasonable and necessary to mitigate the impact of the development and the contributions can be secured by S106 Agreement prior to the commencement of development.

Health

The NHS consultee notes that this application represents a considerable challenge in terms of increased pressures on already stretched capacity. The ICB would therefore object to the application, unless Section 106 monies are allocated to the Primary Care Network's that cover the area of Crewe. This allocation, due to the considerable constraint other recently approved applications have placed on Primary Care, would need to be made available prior to first occupation. The GP Practices affected are:

Eagle Bridge PCN

- Millcroft Medical Centre
- Earnswood Medical Centre

Combined Practice List size of 44,511 patients.

GHR PCN

- Grosvenor Medical Centre
- Hungerford Medical Centre
- Rope Green Medical Centre

Combined Practice list size of 42,435 patients.

There has been little investment allocated for Primary Care as part of the planning process and therefore any additional development must make a contribution to ensure the GP Practice infrastructure has the capacity to cope with the level of population increases being experienced.

The GP Practices within the area, have completed utilisation studies on their existing premises, and across the Practices there was an average utilisation rate of 98%. The GP Practices are currently unable to hire into both clinical and administrative roles and despite best efforts, struggle to provide enough clinical sessions per week due directly to the constraints of the existing Premises. This development would look to considerably negatively impact on the Practices and this needs to be mitigated.

There are several pipeline projects that the awarded Section 106 monies would be able to support. These include:

- Eagle Bridge Health and Wellbeing Centre – Conversion of a vacant non GMS area into HBN (Health Building Note) compliant clinical rooms to support increase in capacity. *Project Cost Scoping indication - £110,000*
- Rope Green Medical Centre - internal GP Practice modifications inclusive of; adding additional clinical rooms, creating multi-use rooms and converting. *Project Cost Scoping Indication - £100,000*
- Grosvenor Medical Centre – Conversion of office space into clinical space. *Project Cost Scoping Indication - £55,000*
- Hungerford Road Surgery - Extension and remodification internally. *Project Cost Scoping Indication £290,000.*

Given the above, the ICB therefore requests section 106 monies tied to the below formula (set at 2022 costs – requires inflation for RPI as necessary).

No. of Beds	Amount of Occupants	Correlating Cost
1 bed unit	1.4 persons	£612 per 1 bed unit
2 bed unit	2.0 persons	£875 per 2 bed unit
3 bed unit	2.8 persons	£1,225 per 3 bed unit
4 bed unit	3.5 persons	£1,531 per 4 bed unit
5 bed unit	4.8 persons	£2,100 per 5 bed unit

1 bed unit x 36 = £ 22,032

2 bed unit x 11 = £ 9,625

The requested contribution is therefore calculated as £31,657 mitigation towards projects proposed within the Crewe area. It is therefore considered that the financial contribution can be secured as part of a legal agreement to mitigate the harm. Therefore, no objection is raised subject to the mitigation contribution of £31,657 being secured by S106 Agreement.

Education

The proposed development will be aimed at over 65 provision with some over 55's accepted. The applicant states that there is unlikely to be any children in full time residence due to the nature of the provision. Therefore, although there are 11 units with 2 beds which could allow for family to live on site in this instance it is considered unlikely and unreasonable to require a contribution towards Education in this instance.

Residential Amenity

The application site is surrounded by residential development, on three sides with open field to the east and part of the south aspect. Currently the development on site is a relatively low-key storage use, with two warehouse buildings and a portacabin.

The proposed building will be 3 storeys in height with the third storey of accommodation located within the mansard roof of the development.

To the north of the site is a development of terraced dwellings and apartments. The proposed building is to be located to the south of the site within a carpark located between the building and the neighbouring properties.

Policies HOU12 and HOU 13 of the SADPD set out the general principles required for new development in to help safeguard neighbouring amenity and the future occupiers of a development. Table 8.2 set out that there should be a separation distance of 21m retained for rear principal windows facing each other, reduced down to 14m for habitable rooms having non-habitable rooms. Increased to 3 storeys or above the distance between principal windows should be increased to 24m back-to-back; and 16.5m between principle and non-habitable rooms.

The building will be located a minimum of 34m away from the rear elevations of the properties on Foxholme Court, and 23m from the side elevation of No 55 Herbert Street. The front elevation of the buildings will contain a mix of principle habitable windows and non-habitable windows. Nevertheless, the separation distance exceeds the minimum required between new development and existing development. The proposal should therefore not significantly impact on neighbouring amenity by means of overlooking, overshadowing or overbearing impact. There is also an access road between the existing and proposed buildings and the development includes the retention/improvement of landscaping along the boundary.

The neighbours at No.53 Herbert Street have a low boundary which overlooks the site. The new PROW path is to run along this boundary with tree coverage retained along the southwestern boundary. The building will be set back from the dwellings and will not directly overlook the neighbours windows. A separation distance of 24m will be maintained between the front elevation of the building and the corner of the rear elevation of the No.53. There are windows which overlook the garden of No 53 which runs the full length of the side elevation of the building. The windows will serve bedroom and living rooms and therefore will be principal habitable rooms. There is a separation distance of around 12m between the proposed building and the edge of the garden. There is existing tree and hedge coverage along the boundary and additional boundary treatment will be conditioned along the new PROW, and substation. Whilst there will be some potential overlooking it will be mitigated in part by tree planting and therefore it is considered that the proposed development will not have a significantly detrimental impact on neighbouring amenity by means of overshadowing, overlooking or overbearing impact.

To the south of the site accessed of the adopted part of the Bridleway is No. 236 Sydney Road. The proposed building will be located over 25m away, and therefore is considered to be unlikely to cause any significant impact on neighbouring amenity. The bungalows on Avon Drive are located over 40m away from the development with tree coverage and the rear garden of No 53 Herbert Street between, and therefore will also not be significantly impacted upon by the development.

The apartments have communal amenity space to the south and east of the building. This is considered to be sufficient for its use.

Environmental Protection have raised no objections to the proposal subject to conditions regarding electric vehicle charging points, ultra-low emission boilers, travel plan, Phase II contaminated land

report, remediation scheme implementation, verification report, soil importation materials, unexpected, contaminated land. These conditions are considered to be reasonable.

Highways

The proposal is for affordable housing of 47 retirement living apartments with off-road parking and utilising an amended access from Herbert St. The majority of the apartments will be one beds. The current use of the site is B8 storage and distribution, and the site had approval for a small residential development.

The site is on the edge of Crewe approximately a few minutes' walk from Sydney Road. There is existing footway infrastructure to the wider Crewe area including to bus stops on Sydney Road, outside Sydney Arms, with approximately 2no bus services per hour providing access to the wider Crewe area including the town centre and the Grand Junction Retail Park.

The existing access off Herbert Street will be used but will be formalised and a footway access for pedestrians will be provided. It will be over 5m wide and is sufficient to serve the development. The access has an acceptable level of visibility and has operated safely with the existing B8 use and associated car and HGV use.

As mentioned above, there will be footway access to the wider Crewe area and there is an existing dropped kerb crossing across Sydney Road. There have been comments submitted to the planning portal suggesting the need for a signalised crossing given how busy Sydney Road is. The Strategic Highways Officer in discussions with the applicant considered that there would be a benefit of providing a signalised pedestrian crossing on Sydney Road near the entrance of Herbert Street. The Highways Authority have requested a contribution of £19,000 towards the assessment and design of a signalised pedestrian crossing on Sydney Road. This would encourage more sustainable movements from the site enabling safer crossing to bus stops on the opposite side of Sydney Road.

For this type of development vehicle trips are more distributed over the course of a day. During the typical network peak hours, the development is forecast to generate around 10 trips with the afternoon peak generating approximately 15 vehicle trips. The impact upon the local highway network is considered to be negligible.

For the 47 apartments, 28 parking spaces are to be provided. As this proposal is for retirement living only with an age restriction it is more suited to sheltered accommodation and the applicant has stated that there will be 2 full-time staff, resulting in a requirement for 40 car parking spaces. It is therefore short by 12 spaces. The Strategic Highways Officer notes that subject to justification a relaxation of car parking standards can be acceptable.

The applicant manages over 22,000 retirement living and extra care properties throughout England, including 224 rented retirement living schemes, and when comparing to other sites their owners have stated that the provision is sufficient to serve the development. This retirement living development differs from others typically received in Cheshire East in that it is 100% affordable and tenanted by residents with a relatively low rate of car ownership. The applicant has stated that on their other sites the parking ratio of flats to spaces is around 2.7 equating to 17 spaces for this application, and that 2,684 cars are owned by residents that are parked in the Housing 21 car parks with a total capacity of 3,156, resulting in 85% occupancy. From these numbers the Strategic

Highways Officer considers that it is clear that the proposed provision is adequate to serve the development. Nevertheless, given the concerns raised regarding parking and that the site is on the edge of Crewe rather than more centrally located, the applicant has agreed to increase the parking provision from the initial 21 proposed to 28. As extra confirmation, the applicant also carried out a parking accumulation survey of one of their sites on the edge of Winsford which is considered a comparable location. The site has 38 apartments, and the maximum occupancy was 9 spaces.

From the available information the parking will cater for residents, staff, and visitors. In the event that parking will overspill, it will be minimal and infrequent and onto a residential street which is not a through route, and does not raise a highway safety concern.

It is therefore considered that for the reasons set out above, despite the parking provision being below normal standards the proposal is acceptable, and no objection is raised subject to contribution of £19,000 towards the provision of a signalised crossing on Sydney Road, and a condition for a Construction Management Plan.

Landscape

Located on the edge of an urbanised area of housing various ages, the site has been of light industrial use beforehand. Users of the local footpaths can see this previous use as they walk through the site, with areas of storage etc. The proposals sit seemingly lower than adjacent housing. The proposals as seen in the viewpoints within the Landscape and Visual Appraisal (LVA), sit below the existing built housing and in this aspect they fit into some of the existing built form horizon as seen from the south and east. Becoming an addition to an existing character area of residential properties on the countryside fringe.

The Landscape Officer considers that the site feels a little 'compressed' with regards to landscape design, due to the larger form footprint of the proposed building. The Landscape officer notes that some viewpoints within the Landscape and Visual Appraisal (LVA) (including ones not assessed within the residential areas) will have a Slight Adverse to Neutral impact depending on the viewpoint. Notwithstanding, this the Landscape Officer considers that a more considerate landscape masterplan with more boundary tree planting of an appropriate type could be a remedy and adverse impacts. The proposals will probably over time with the maturing of the landscape proposals (if tweaked) sit into this edge urban landscape, and therefore it is recommended that a revised landscape scheme is conditioned for submission.

The Landscape Officer has raised some concerns over the limited communal space for the number of apartments, and the lack of more communal features such as seating and pathways to encourage communal use. Nevertheless, it is considered that this can be dealt with by means of an updated landscape master plan and this can be conditioned.

The Landscape officer has also raised concerns that there are gaps within the boundary tree/hedge proposals allowing occasional views into the proposal from the rear of some properties and a channeled view on the highway of Foxholme Close in one particular place. The lack of CGI views from this estate means one cannot realistically assess the visual impacts at this location with confidence from existing residential users. Improved planting along these boundaries can be dealt with by the updated landscaping condition. It is therefore considered that on balance improvements to the landscaping masterplan can be conditioned for submission to ensure the impacts of the development limited.

Design

The Design officer has considered the most recent plans and made the following comments on the scheme.

Levels, massing scale

There has been no change to the building footprint or a reduction to the rear wings of the building, as suggested by the Design Officer previously and therefore consequently, he still has some concerns regarding the transition at the countryside edge. However, the design officer notes that the visualisations submitted do show that the building, particularly the western wing as being visible in the first few years, but that the landscaping should mature to help screen and soften views by year 10. The Design Officer remains of the opinion that a reduction in height of the western wings would further help transition the building at the rural edge but nevertheless, given the visualisations do show that the height of this building is comparable to that of the modern housing to the north of the site (which is up to 3 storeys in height) does not raise objections to it.

Architectural design and character

The Design Officer notes that the dominance of the southern brick gables has been reduced a little by the wrapping of the roof cladding over the gables for the upper storey. Information in relation to the materiality of the scheme has been submitted as part of the original submission but this will need to be conditioned if the application were to be approved.

Amenity space, landscaping & PRow

There has been a change to the central courtyard space, providing for a partially hardened area, screening planting and what appear to be planters. The Design Officer considers that potentially more could be made of the eastern landscape area as suggested previously for informal sitting out, food growing etc. This is also set out in the Greenspaces Officer comments. There is potential to add further soft landscape to help screen the sub-station and the cycle parking, as noted above a revised landscape scheme to include soft and hard landscaping features will be conditioned to address these concerns.

Access & parking

Parking provision has increased from the original submission, and planting areas have reduced in width, but the same number of beds/trees is still proposed. Additional parking to the northern edge of the site impacts the hedgerow in a couple of areas necessitating replacement planting, the detail of which is a little unclear. Full details can be conditioned for submission.

Conclusions

The revisions to the building and external areas, have made some progress in reducing the impact of the overall bulk and mass. As highlighted there are still some minor concerns about the appearance of the building at the edge of countryside, however the CGIs give some reassurance that, in time, the appearance of the building will soften. The Landscape Officer has also concluded this in their consultation response.

If the development is to be proposed for approval, conditions in relation to materials, both for the building and the external hardscape, as well as landscape management conditions are suggested.

Forestry

This application for residential living apartments has been supported by updated Arboricultural information; Tree Survey Report which confirms the presence of 1 individual moderate quality B Category Oak (off site), 11 individual and 1 group of low-quality C Category trees and 5 hedgerows within and adjacent to the development area. None of the trees are afforded any statutory protection and neither are they of such arboricultural quality or significance to warrant consideration for formal protection by virtue of their existing quality, growth habit and species characteristics.

The revised layout has been supported by an updated AIA and Method Statement and Tree protection Plan. The report confirms that 3 individual low-quality Willow and 1 group of Elder and section of 2 hedgerow will be removed to accommodate the proposal. It's noted that the same tree losses were effectively allowed with the previously approved application on the site.

This application however proposes heavy pollarding of 3 mature and established Willows which are shown to be retained, however the reduction proposed will have a visible impact on views of the site from the west and south. The Tree Officer states that works would not accord with the requirements of BS3998:2010 Tree Work – Recommendations and the report acknowledges that pollarding of the mature trees is likely to trigger terminal decline. A lesser reduction would likely reduce the impact of this but the proposed proximity to the closest elevation of the apartment block with this application is accepted as being unsustainable if the trees were retained in their existing form.

There are also concerns regards the potential impacts of development on hedgerow 12H given the proximity of construction and in the absence of any level's information. The relocated PROW runs immediately adjacent to the western boundary to such a degree that hedgerow 11H is now also shown to be removed or cut back to the boundary.

The report makes provision for tree protection to retained trees and hedgerow, provides a methodology for implementing the development while seeking to minimise harm, and identifies those areas requiring controlled removal of hard surfaces and no dig construction methods.

It is apparent that the layout submitted with this application will arise in a more significant impact to trees and hedgerows to the south and southwestern corner of the site than was formally approved and which had allowed for appropriate separation between the closest dwelling which would not have compromised the trees and the green screening they presently provide. It is considered that opportunities may exist to provide increased separation between the trees in this area, or a provide increased space to retain hedgerows in full and accommodate new tree planting to provide enhancements to this corner of the site and ensure that tree cover is sustained in the longer term. The landscape plan proposes a total of 32 new trees on the site which is accepted to demonstrate some commitment to according with Policy SE5 however no new tree planting is indicated in the area where the most significant impact to trees would occur.

The Forestry Officer has confirmed that there is no objection to the scheme and that the trees on the site are not worth of protection. The main concern is the impact of the tree works to the

southwestern edge of the site and the accepted decline the works would do to those trees, and how the loss would impact on the landscape visuals.

The applicants Arboricultural Officer has responded below;

“The trees are classed as a low value in an arboricultural classification, a point that does not seem to be disputed by the tree officer. This low value classification is largely based on the species’ unsuitability within the vicinity of residential infrastructure. The trees would require removal due to root disturbance with the present scheme. Pollarding will allow retention of the trees, as the main structure of the trees will be removed. It has to be accepted that the trees would likely decline thereafter, however. But this may take years and the trees may provide some benefit as monoliths.

The tree officer has suggested that the trees could be retained and pruned if given more space, but I think this is unlikely to be practical. The development would need to be adjusted to provide adequate clearance from the trees, but even then, given the limited area for open space, the area beneath the trees would still likely be utilised for open space and accessed by residents. Pruning the Willows to reduce the potential for branch drop/fracture would not be sustainable in my opinion – the pruning would be hazardous and would require cyclic works on a basis of some 3 to 5 years. It would provide little benefit in reducing the risk of branch breakage in an area likely to be frequented by residents. In short, I question the practicality of retaining Willows in a confined development regardless of root impacts.

Loss of the Willows (either by felling, or pollarding) would provide benefits to the adjoining oak tree (8T), which has long term viability. This, in my opinion is far the more practical and sustainable approach. The canopy of the oak, will become the dominant landscape feature.”

It is therefore considered that on balance as there is no formal objection to the scheme, there is the potential to improve tree coverage on the edge of the site with new planting and therefore it is considered that whilst the loss/pollarding of the Willows is unfortunate on balance, the initial retention will benefit the scheme and will not have a significant impact on the scheme as a whole.

Ecology

The application includes a protected species survey, which the Councils Ecologist has considered.

Breeding Birds

If planning consent is granted, a condition for safeguarding breeding birds is required.

Wildlife sensitive lighting

In accordance with the BCT Guidance Note 08/18 (*Bats and Artificial Lighting in the UK*), prior to the commencement of development details of the proposed lighting scheme should be submitted to and approved in writing by the Local Planning Authority.

The scheme should consider both illuminance (lux) and luminance (candelas/m²). It should include dark areas and avoid light spill upon bat roost features, bat commuting and foraging habitat (boundary hedgerows, trees, watercourses etc.) aiming for a maximum of 1lux light spill on those features.

Ecological Enhancement

Local Plan Policy SE 3(5) 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 this policy. It is therefore recommended that if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

Air Quality

Policy SE12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality.

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

- Travel Plan implementation
- Electric Vehicle Infrastructure
- Ultra Low Emission Gas Boilers

Subject to the imposition of these conditions the impact upon air quality from this development is considered to be acceptable.

Flood Risk

The Strategic Flood Risk team have confirmed that there are no objections in principle to the revised proposals. Additional information has been requested however this has not yet been submitted. Nevertheless the Flood Risk Officer has stated that without the information supplied up front a prior to commencement condition will be required for a detailed drainage strategy. This is considered to be reasonable.

United Utilities have been consulted on the application have raised no objection, subject to conditions for the implementation of the drainage scheme, and a detailed strategy for SUDs to be submitted.

PROW

There is a PROW which runs diagonally through the application site, which meets a Bridlepath to the south. The proposed development would have a direct and significant effect on the Public Right of Way, which constitutes “a material consideration in the determination of applications for planning permission and local planning authorities should ensure that the potential consequences are taken into account whenever such applications are considered” (Defra Rights of Way Circular (1/09), Guidance for Local Authorities, Version 2, October 2009, para 7.2). A proposal for the diversion of Public Footpath no.5 under s.257 of the TCPA has been submitted and is being considered.

The PROW officer has confirmed that subject to the successful outcome and completion of the legal order process and planning approval the diversion of the PROW is acceptable and the landscape proposals along the amended PROW are acceptable.

Climate Change

Policy ENV7 of the SADPD requires that all 'major' residential development schemes should provide for at least 10% of their energy needs from renewable or low carbon energy generation on site unless the applicant can clearly demonstrate that having regard to the type of development and its design, this is not feasible or viable. This could be controlled via the imposition of a planning condition.

CIL Compliance

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

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

A contribution of £70,500 to mitigate for the lack of onsite open space provision and a further £5,500 to mitigate the lack of Recreational/outdoor sports provision on site are required by Local Plan Policy . The requirement to secure the commuted sum by legal agreement is considered to be fair and reasonable to ensure the mitigation is secured and used offsite appropriately.

A contribution of £31,657 is required to mitigate the impact on the NHS. This is directly related to the development to ensure the increased use of the site and access is mitigated. This is considered to be fairly and reasonably related in scale and kind.

The development will provide 100% affordable housing provision, with a minimum age limit of 55. The tenure will be full socially rented and this should be secured by legal agreement. This is considered to be reasonable and fair.

A Contribution of £19,000 towards the assessment and design of a pedestrian crossing on Sydney Road is considered to be directly related to the development and will help to create a more sustainable development. This considered to be fairly and reasonably related in scale and kind.

On this basis the S106 recommendation is compliant with the CIL Regulations 2010.

PLANNING BALANCE

The proposal seeks permission for the demolition of all buildings and structures and the erection of 47 no. retirement living apartments (Use Class C3) all of which would be affordable homes, along with parking spaces, landscaping and associated works. The application site is located largely within the Crewe settlement boundary, with part of the red edge including an agricultural field to the northeast which is located within the Open countryside and Green Gap.

Policy PG2 sets out that Crewe is a Principal Town where significant development will be encouraged to support its revitalisation, recognising its role as one of the most important settlements in the borough. Development will maximise the use of existing infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible

by public transport. Policy PG7 sets out that Principal Towns such as Crewe are expected to accommodate in the order of 65 ha of employment land and 7,700 new homes.

The majority of the site is considered to be a brownfield site with a lawful development certificate approved in 2017 for B8 use across the site. Furthermore, residential development has previously been approved on the site in 2018.

The plans show an area of communal open space located within the open space to the northeast slightly protruding into the open countryside/Green Gap. It is considered that the location of the open space complies with Policy PG6 and PG5 as outdoor recreation and therefore is acceptable in principle.

It is therefore considered that residential development is acceptable in principle, however this is subject to compliance with all other relevant policies within the development plan.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that decisions on planning applications are made in accordance with the Development Plan unless material considerations indicate otherwise, these matters are discussed further below.

The layout and size of the of the scheme is now considered to be more inkeeping with the character and appearance of the area and rural edge. The Design Officer has raised concerns the bulk and mass of the building on the southwestern boundary and details in terms of landscaping and planting and surfacing materials, however the scheme is largely acceptable and subject to conditions for materials, boundary treatment, hard surfacing, landscaping and tree planting the scheme is acceptable.

The site has raised no significant issues in relation to landscaping, forestry, amenity, highways safety, impact on protected species, flood risk or drainage, subject to appropriate conditions.

The scheme will contribute towards the normal mitigation required in relation to NHS, POS, and Affordable Housing. The scheme will also include a contribution towards an assessment and design of a pedestrian crossing on Sydney Road.

It is therefore considered that the development is on balance acceptable and recommended for approval accordingly.

RECOMMENDATION:

Approve subject to S106 Agreement to secure:

S106	Amount	Triggers
Affordable Housing	100% affordable rent for over 55	Affordable Housing - All development to accord with Affordable Housing Statement
Public Open Space	Contribution total of £76,000 <ul style="list-style-type: none"> Open space £1,500 per bed space for apartments to be used in the locality 	Contribution – Prior to commencement

	<p>of the development – 47 x £1,500 = £70,500</p> <ul style="list-style-type: none"> • Recreation/Outdoor Sports facilities £500 per 2 bed space apartments to be used in line with the Council's adopted Playing Pitch Strategy or any subsequent document. – 11 x £500 = £5,500. 	
NHS	Contribution of £31,657	Contribution - Prior to first occupation
Highways	Contribution of £19,000 towards the assessment and design of a pedestrian crossing on Sydney Road	Contribution – Prior to commencement

And the following Conditions

1. Standard Time
2. Approved plans
3. External Materials
4. Surfacing materials
5. Revised Landscape Scheme with a 10 year management plan
6. Landscape Implementation
7. Boundary Treatment
8. Tree Retention
9. Implementation of AIA and AMS
10. Tree Protection
11. Levels survey
12. Biodiversity enhancement features
13. Safeguard Nesting Birds
14. Lighting strategy – prior to occupation
15. Secure and covered cycle parking – prior to occupation
16. Construction Management Plan to be submitted and approved
17. Detailed strategy/design limiting the surface water runoff generated by the proposal, and associated management /maintenance plan - required prior to commencement
18. Foul and surface water to be drained separately
19. Prior to occupation – EVI
20. Prior to occupation – Low emission boilers
21. Travel Information Pack
22. Contaminated Land – Phase II report and remediation scheme
23. Contaminated Land – verification report to be submitted
24. Contaminate land – Soil Importation

25. Contaminate land - Unexpected Contamination

26. 10% of energy needs to be from renewable or low carbon energy

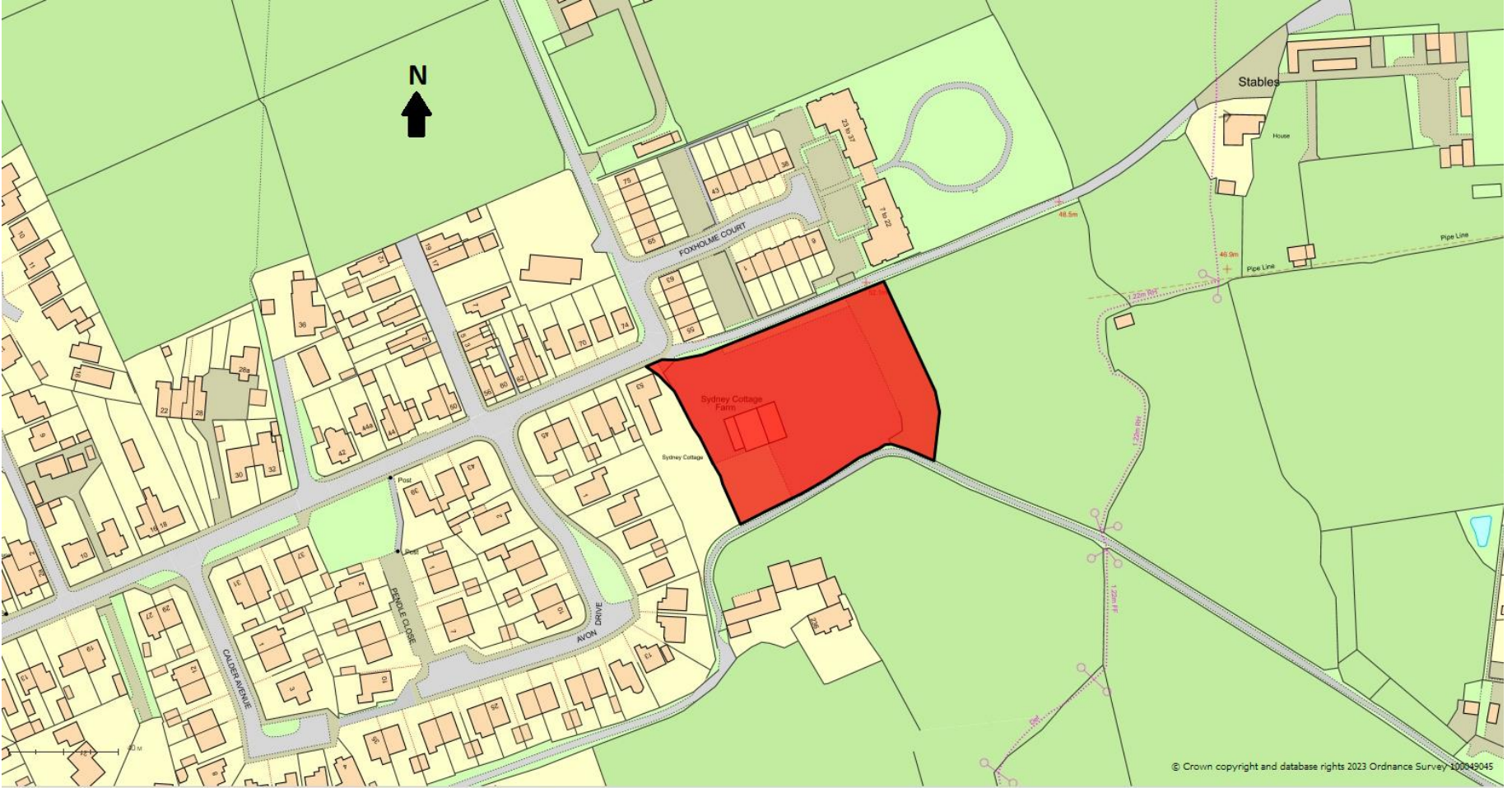
27. At least 30% of the dwellings in housing developments should comply with the requirements of M4(2) Category 2 of the Building Regulations regarding accessible and adaptable dwellings.

28. At least 6% of the dwellings in housing developments should comply with the requirement m4 (3)(2)(a) Category 3 of the Building Regulations regarding wheelchair adaptable dwellings.

In order to give proper effect to the Southern 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.

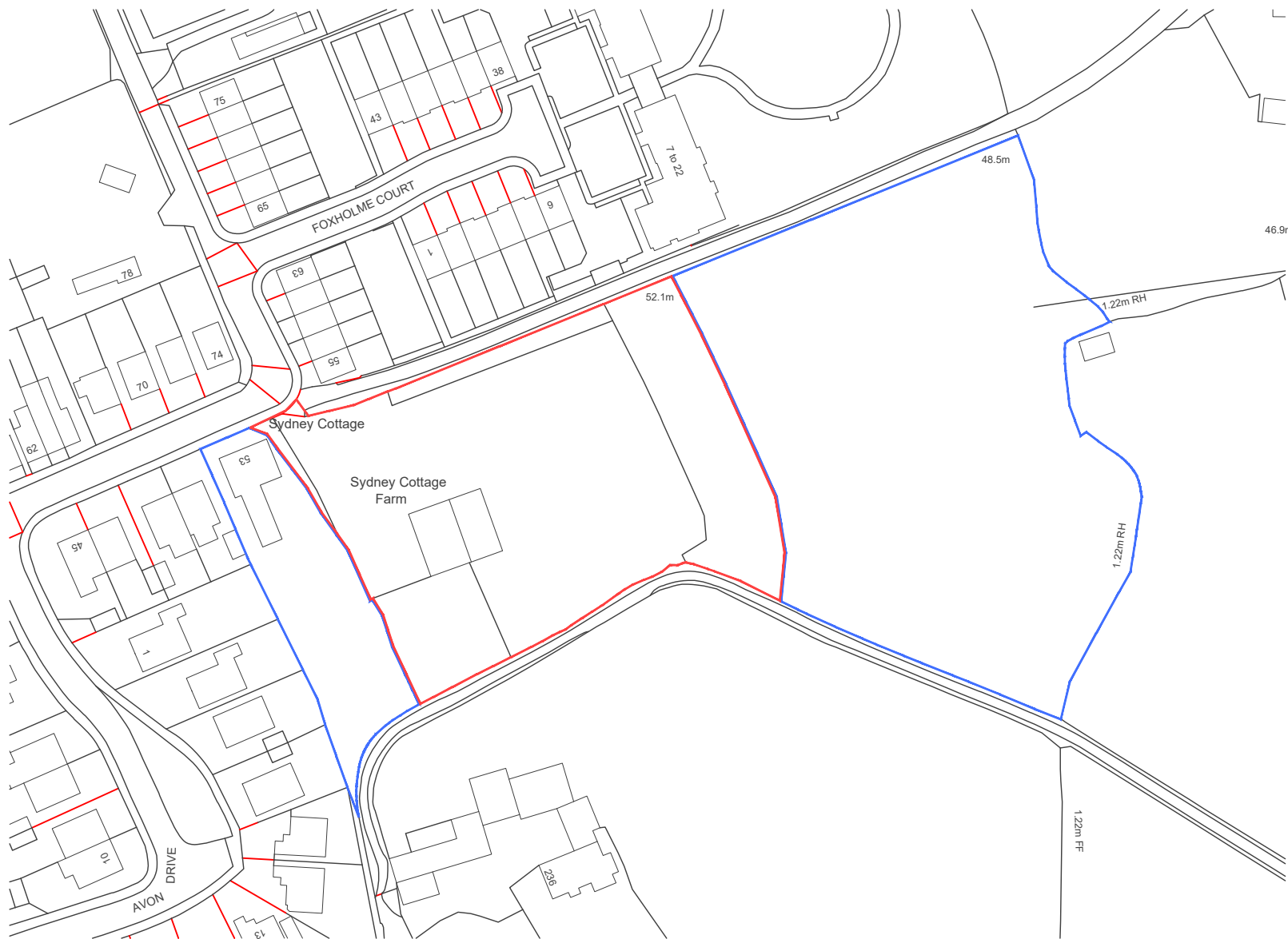
If the application is subject to an appeal approval is given to enter into a S106 Agreement with the following Heads of Terms;

S106	Amount	Triggers
Affordable Housing	100% affordable rent for over 55	Affordable Housing - All development to accord with Affordable Housing Statement
Public Open Space	Contribution total of £76,000 <ul style="list-style-type: none"> • Open space £1,500 per bed space for apartments to be used in the locality of the development – 47 x £1,500 = £70,500 • Recreation/Outdoor Sports facilities £500 per 2 bed space apartments to be used in line with the Council's adopted Playing Pitch Strategy or any subsequent document. – 11 x £500 = £5,500. 	Contribution – Prior to commencement
NHS	Contribution of £31,657	Contribution - Prior to first occupation
Highways	Contribution of £19,000 towards the assessment and design of a pedestrian crossing on Sydney Road	Contribution – Prior to commencement



22/4698N

SYDNEY COTTAGE FARM
HERBERT STREET
CREWE



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Site Location Plan

Notes

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Legend

- Site Boundary
- Other land within client ownership

A	Site boundary amended in line with Bowsall comments 20.09.22	20.09.22	SK
-	Initial Issue	16.08.22	SK
Rev	Description	Date	By

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Client:	Bowsall Ltd			
Project:	Herbert Street, Crewe			
Project Status:	P - Preliminary			
Scale:	@ Original Size	Date:	Drawn By:	Checked By:
1:1250	A4	August 2022	SK	KOR

Project Number	1183	Drawing Number	A	DR	001
Description	Site Location Plan	Rev	A		





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Accommodation Schedule			
	22 No.	1B2P M4(2) Apartment @ 54m ²	47%
	11 No.	1B2P Corner M4(2) Apartment @ 57m ²	23%
	3 No.	1B2P M4(3) Apartment @ 58m ²	6%
	11 No.	2B3P M4(2) Apartment @ 64m ²	23%
		Communal	
		Plant/Store/Refuse	
		Staff	
		Circulation	
	47 No.	Total Units	100%
	28 No.	Parking Spaces	60%
	0.52 Ha	Site Area	
	90 No.	Dwellings per hectare	
	4158 m ²	Total GIFA	
	2693 m ²	Total Residential	
		Residential Percentage of GIFA	65%

Considerations	
Access to site - existing access used	
Highways input required	
Existing trees retained. Some have been removed	
Ecology survey required	
Overlooking distances	
Scaling down of massing for overlooking	
Brownfield site - potential contamination	
Existing services - overhead cables adjacent to site	
Site boundary to be confirmed	

NOTE
Indicative landscape shown please refer to separate landscape proposal by Trevor Bridge Associates for detailed design.

H	Updated to show indicative landscaping	10.05.23	ABH
G	Units revised to M4(3)	21.04.23	ABH
F	Updated in line with transport consultants recommendations	22.03.23	ABH
E	Amendments to parking in line with Highways comments	14.03.23	KOR
D	Amendments to PRow in line with Vectos comments received 27.01.23.	30.01.23	SK
C	Car parking provision increased by 3 spaces.	24.01.23	SK
B	Planning Issue	30.09.22	SK
A	Parking arrangements and pond size amended in line with consultant comments. Sub station added as instructed by Bowsall 16.09.22.	20.09.22	SK
-	Initial Issue	16.08.22	SK
Rev	Description	Date	By

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Client:

Bowsall Ltd

Project:

Herbert Street, Crewe

Project Status:

PL - Planning

Scale:

1:500

@ Original Size

A3

Date:

August 2022

Drawn By:

SK

Checked By:

KOR

Project Number

1183

Drawing Number

A

DR

002

Description

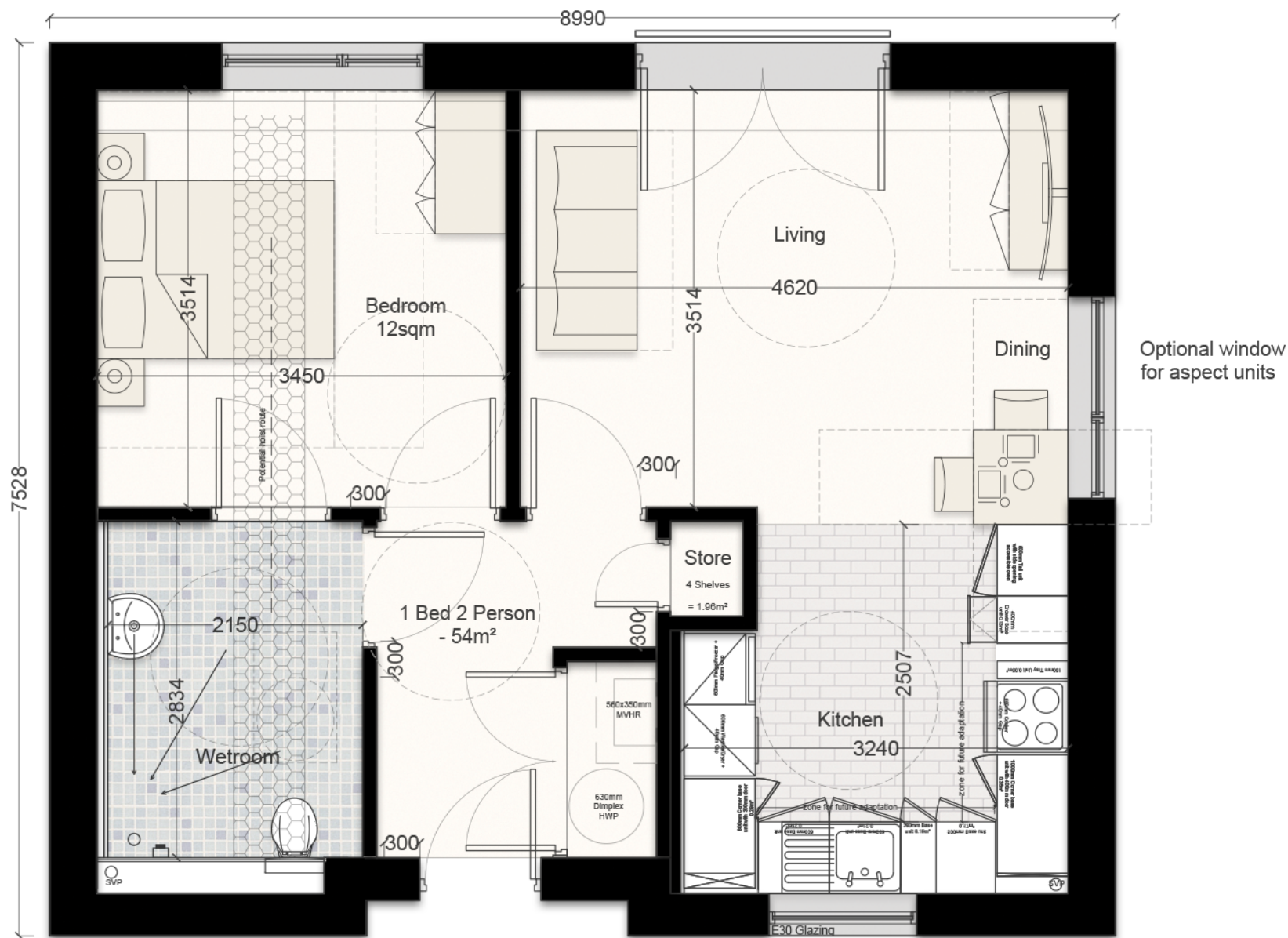
Proposed Site Plan

Rev

H



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Typical 1Bed M4(2) Apartment Layout

-	Initial Issue	16.08.22	SK
Rev	Description	Date	By

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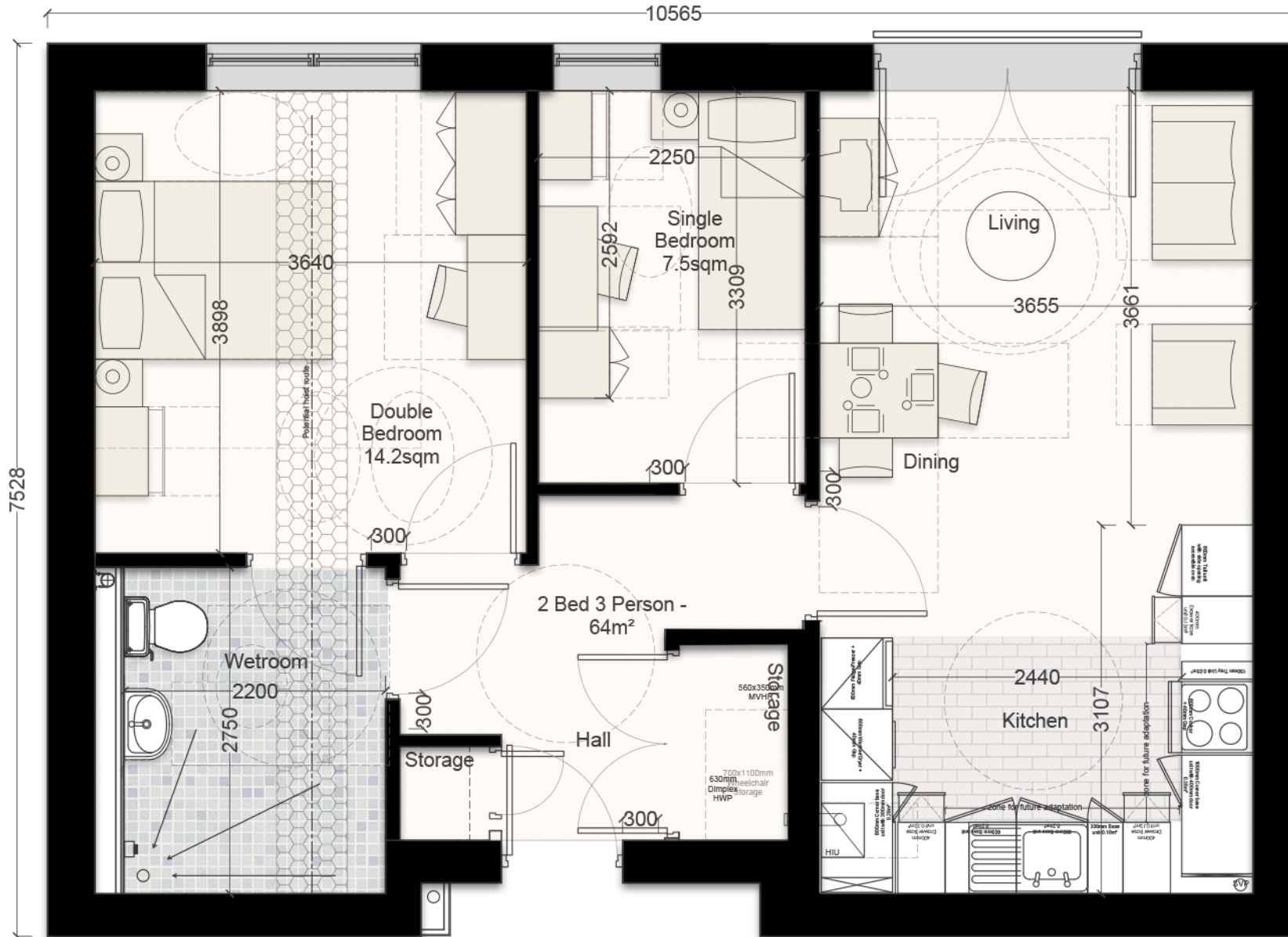
manchester: 0161 336 5011
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Client:		Bowsall Ltd	
Project:		Herbert Street, Crewe	
Project Status:		P - Preliminary	
Scale: 1:50	Original Size: A4	Date: January 2022	Drawn By: SK Checked By: KOR

Project Number	Drawing Number		
1183	A	DR	014
Description			Res
Typical 1Bed M4(2) Apartment Layout			-



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Typical 2Bed M4(2) Apartment Layout

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Rev	Description	Date	By

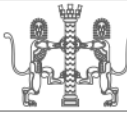
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Client: Bowsall Ltd			
Project: Herbert Street, Crewe			
Project Status: P - Preliminary			
Scale: 1:50	@ Original Size A4	Date: January 2022	Drawn By: SK Checked By: KOR

Project Number	Drawing Number		
1183	A	DR	017
Description			Rev
Typical 2B M4(2) Apartment Layout			-



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Ground Floor Plan

C	Units revised to M4(3)	21.04.23	ABH
B	Planning Issue	30.09.22	SK
A	Parking amendments in line with Vectos comments	30.08.22	SK
-	Initial Issue	02.08.22	SK
Rev	Description	Date	By

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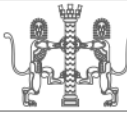
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Client:		Bowshall Ltd			
Project:		Herbert Street, Crewe			
Project Status:		PL - Planning			
Scale:	@ original size	Date:	Drawn by:	Checked By:	
1:100	A1	January 2022	SK	KOR	
Project Number		Drawing Number			
1183		A	DR	010	
Description					Rev
Ground Floor Plan					C

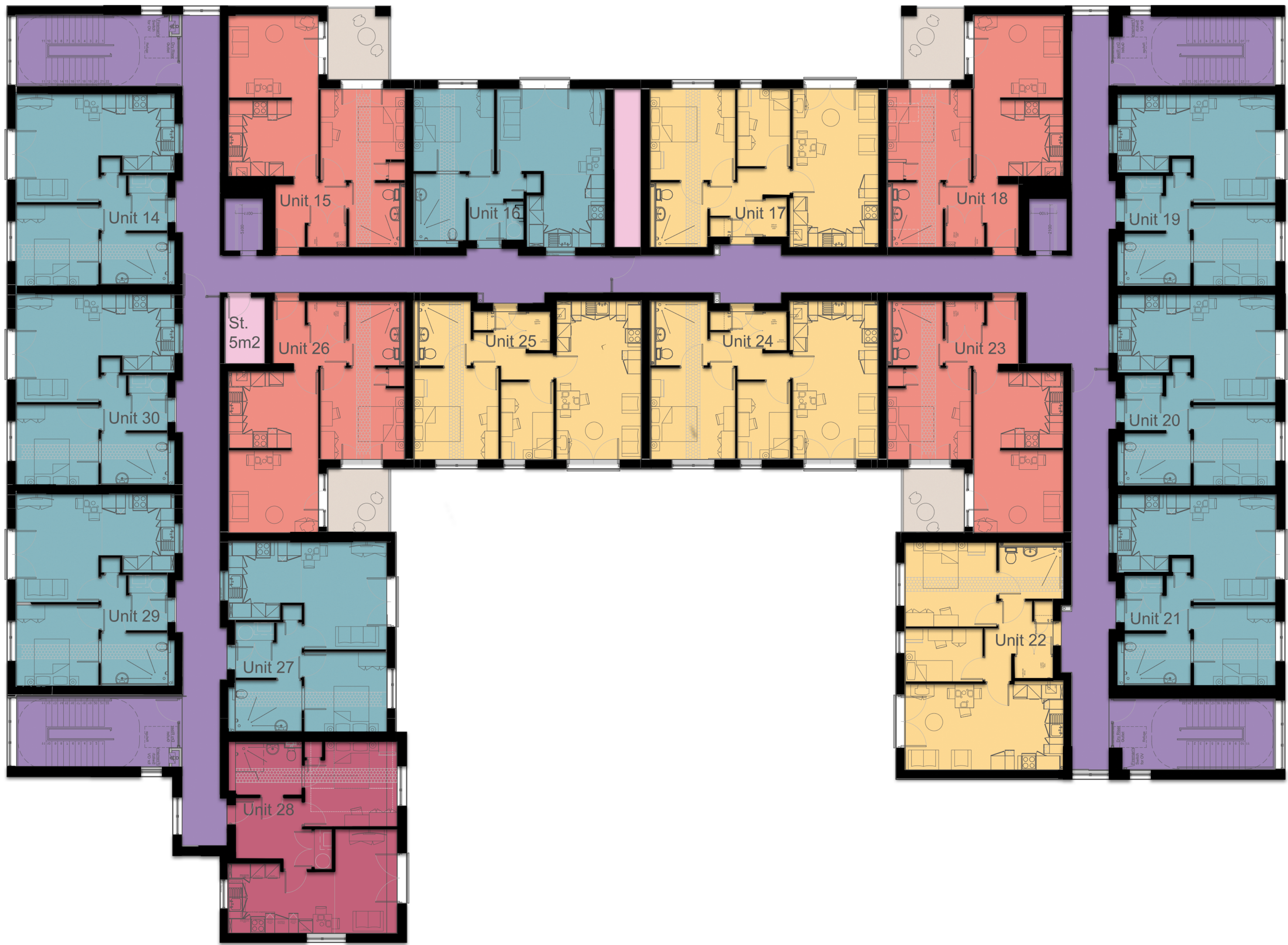
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First Floor Plan

B	Units revised to M4(3)	21.04.23	ABH
A	Planning Issue	30.09.22	SK
-	Initial Issue	02.08.22	SK
Rev	Description	Date	By

jda

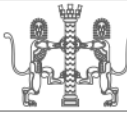
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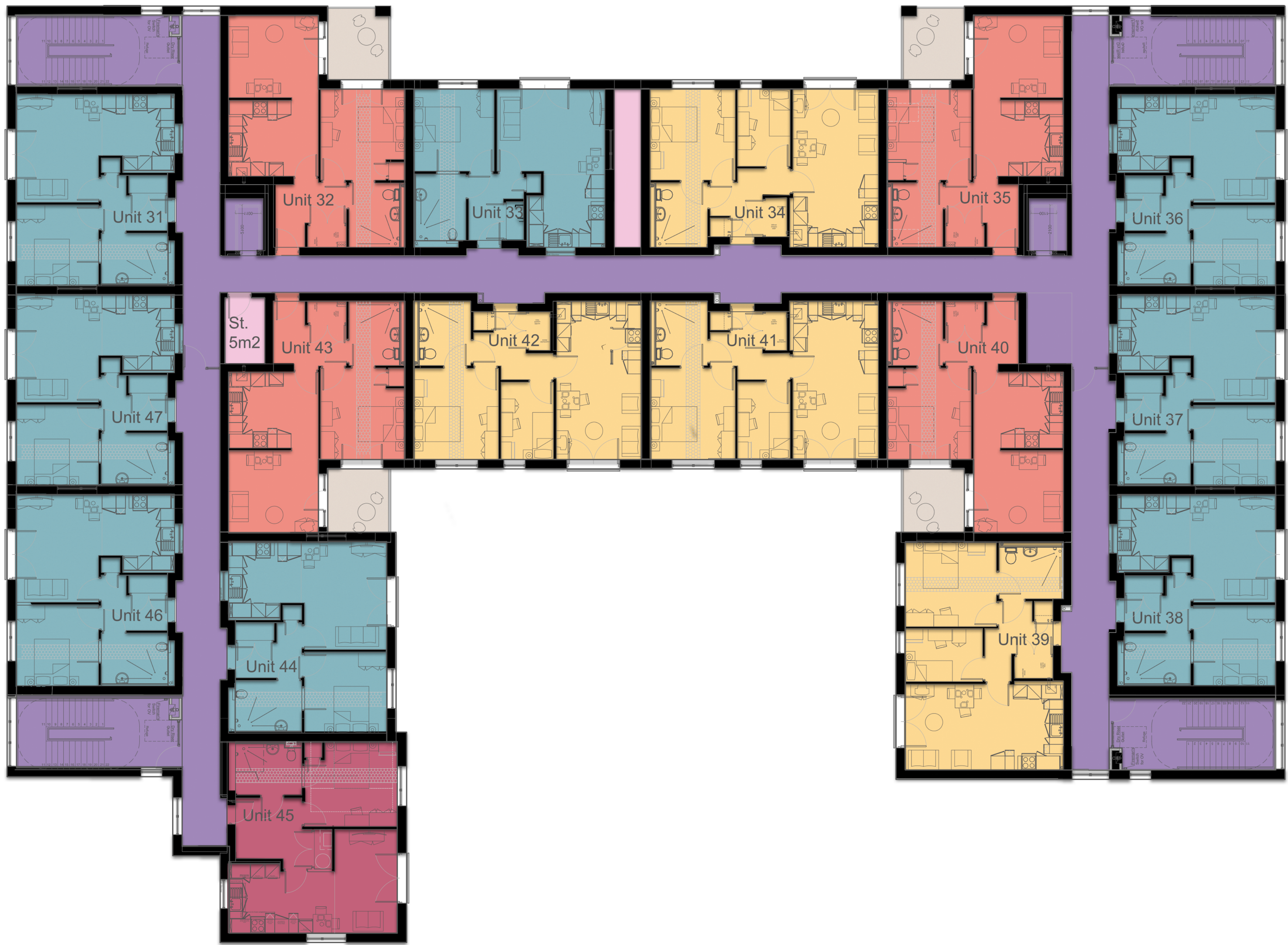
Client:		Bowsall Ltd	
Project:		Herbert Street, Crewe	
Project Status:		PL - Planning	
Scale:	@ original size	Date:	Drawn by:
1:100	A1	January 2022	SK
Project Number		Drawing Number	
1183		A DR 011	
Description		Rev	
First Floor Plan		B	

Scale 1:100



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Second Floor Plan

B	Units revised to M4(3)	21.04.23	ABH
A	Planning Issue	30.09.22	SK
-	Initial Issue	02.08.22	SK
Rev	Description	Date	By

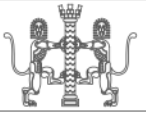
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Client:		Bowsall Ltd			
Project:		Herbert Street, Crewe			
Project Status:		PL - Planning			
Scale:	@ original size	Date:	Drawn by:	Checked By:	
1:100	A1	January 2022	SK	KOR	
Project Number		Drawing Number			
1183		A	DR	012	
Description		Rev			
Second Floor Plan		B			

Scale 1:100



Notes

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Front Elevation



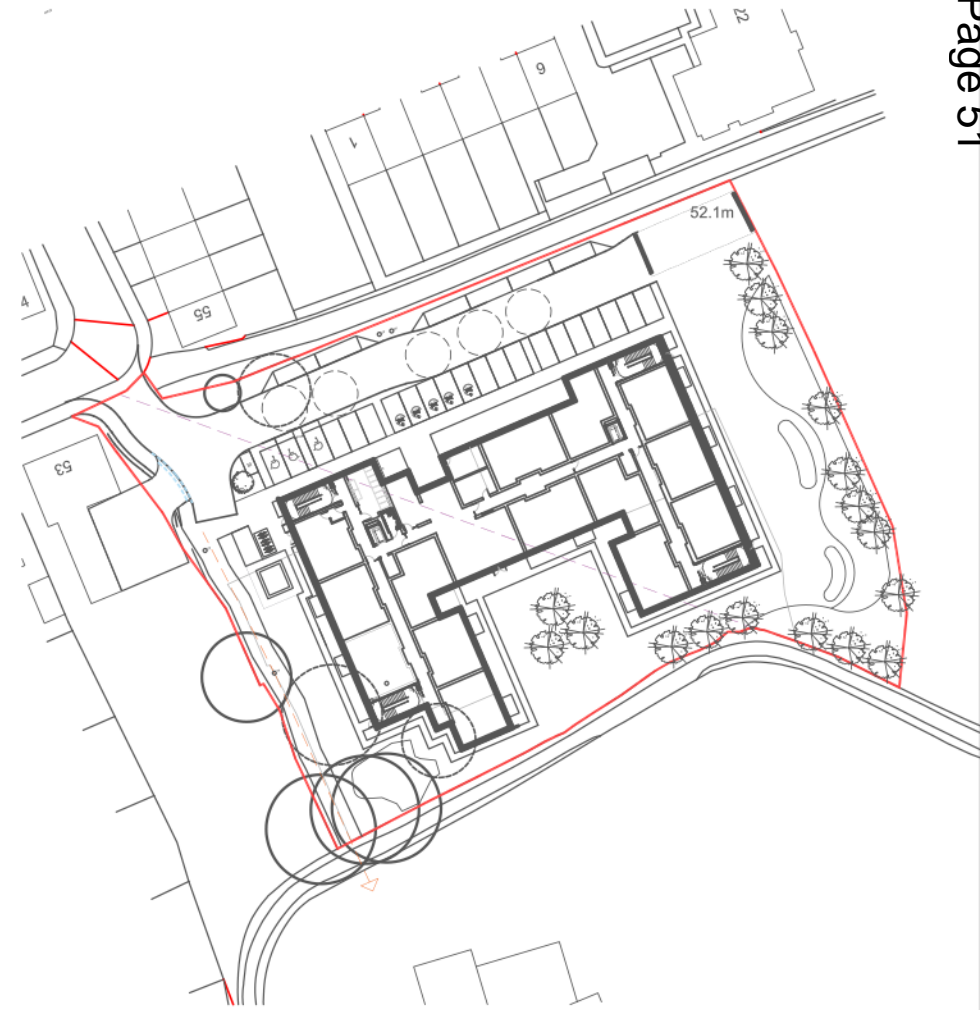
East Side Elevation



Rear Elevation



West Side Elevation



Key Plan
1:1000

D	Amendments to suit design team comments	06.04.23	ABH
C	Revised following comments received from planner.	14.03.23	SB
B	Planning Issue	30.09.22	SK
A	Window transom heights raised to 1100mm in line with AD Part O	16.06.22	SK
-	Initial issue for LPA comment	16.02.22	SK
Rev	Description	Date	By

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Client:	Bowsall Ltd		
Project:	Herbert Street, Crewe		
Project Status:	PL - Planning		
Scale:	@ original size	Date:	Drawn by:
1:200	A1	January 2022	SK
Checked By:	KOR		
Project Number	Drawing Number		
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Description	Proposed Elevations		Rev
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Application No: 23/1366N

Location: Land at Station Yard, Station Yard, Wrenbury Road,, Aston, CW5 8HA

Proposal: Full planning application for a change of use from mixed storage and retail to Class B2 along with the provision of replacement concrete plant. (resubmission of 20/4181N)

Applicant: Mr Graham Heath, Graham Heath Group Limited

Expiry Date: 01-Jun-2023

SUMMARY

Whilst in the open countryside, the development would allow for the better operation of an existing business

Highway safety and parking implications are considered to be acceptable subject to a restriction on HGV movements.

In terms of noise, Environmental Protection are satisfied that this can be controlled by conditions

The impact on residential amenity is considered to be acceptable.

The application is therefore recommended for approval.

RECOMMENDATION

Approve with conditions

CALL IN

The application is referred to Southern Planning Committee at the request of former Cllr Stan Davies on the following grounds:

The Application Form states "Full planning application for a change of use from mixed storage and retail to Class B2 along with the provision of replacement concrete plant. (re-submission of 20/4181N)" i.e. as a re submission of 20/4181N with only adjustments to HGV access for the LPA to reconsider and suggesting no other review is necessary for any negative impacts on residents' amenity or the environment. This is fundamentally wrong. Upon our detailed review of the content of the submission this is clearly not the case and is a misrepresentation of the facts as this Application has material changes, confirms amalgamation of different businesses and is an intensification of industrial activity in a rural residential location, namely:

- The Application site boundary has changed significantly moving the site approximately 40 metres northeast and the area under review for planning has been greatly enlarged by over*

50%. Using the Applicant's figures: Application 20/4181N - 4000m² - Application 23/1366N - 6031m²

- All previous impact assessments and reviews carried out by Cheshire East Planning must be reassessed for this new enlarged and moved site, the old ones are no longer relevant, as is suggested by the Applicant. By way of example, the internal movements of HGVs are completely different to the original Application and have not been assessed for noise or dust implications within the documentation supporting this latest application.*
- The Application site boundary now includes a large area of the adjacent Creamery Industrial Estate that is the subject of a separate previously Approved application for Graham Heath Construction (17/1573N) through which the new access to Station Yard is now proposed.*
- There has never been any historical connection in legal or planning terms nor access between Station Yard and the land on the Creamery Estate, referred to above. The applicant intends creating a completely new and unapproved access and is seeking now to formalise in planning terms the operational and physical link between Graham Heath Construction and Concrete Panel Systems.*
- The Applicant has a condition restricting HGV movements in time and number from the Concrete Panel System sites, which they suggest will be maintained for the current application site; conversely unrestricted HGV movements, in time and number, are currently permitted for Graham Heath Construction sites to be physically linked to this Application site. The Applicant has recently admitted to Planning Enforcement that product from Concrete Panel Systems operations is being moved to Graham Heath Construction sites for transportation 24/7, i.e. circumvention of the planning condition for Concrete Panel Systems. C E Planning Enforcement advises this is a permissible workaround (Complaint 23/00257E). The Planning Committee should ensure specific conditions are enacted to prevent this abuse/malpractice and maintain the intent of the original conditions such that community amenity is not compromised by HGV movements at weekends and all hours of day and night.*
- These are material & significant changes potentially creating a substantial 2.50Ha consolidated Industrial facility wholly unsuited to this rural location which is contrary to Wrenbury Neighbourhood Plan and Cheshire East Policies on Rural Development.*
- The Application requires a full review by the Planning Committee of all aspects of the planned development not just a review of proposed new HGV access to the site.*

DESCRIPTION OF SITE AND CONTEXT

The application site has been previously used for storage and retail uses. Approval was granted in 2013 for affordable housing, but this was never implemented.

The whole site has been surfaced in concrete and concrete walls have been installed on the boundaries. The concrete batching plant has been installed on the site, but at the time of report writing is not operational.

The site is designated as being within open countryside in the adopted local plan.

A previous application (20/4181N) was refused by the Council on 10th March 2022 for the following reason:

The proposed development would allow access for heavy goods vehicles between, and in close proximity to, the two residential properties adjacent to the access, namely Station House and 1 Station Cottages. This would have an unacceptable impact on the residential amenity of these properties in

terms of noise and vibration. The proposal is therefore contrary to Policy SE 12 of the Cheshire East Local Plan Strategy and Policy BE.1 of the Crewe and Nantwich Replacement Local Plan.

This decision was subject to an appeal that was dismissed on 1st March 2023.

DETAILS OF PROPOSAL

This is an application for full planning permission, for a change of use from mixed storage and retail to Class B2 along with the provision of replacement concrete plant. It is described as a re-submission of 20/4181N, although there is a different site edged red.

The application seeks to address the previous reason for refusal by excluding the access close to the railway crossing and using the access road to the east.

RELEVANT HISTORY

20/4181N - This application is for a change of use from mixed storage and retail to B2 along with the provision of replacement concrete plant – Refused 10th March 2022 – Appeal dismissed 1st March 2023

12/0447N - Provision of 21 X 70m Portal Framed Shed for casting Concrete Products Provision of 2m Diameter X 10m High Mobile Cement Silo and Three Bay Bin - 8.50 X 2.50 – Refused 23rd April 2012 – Appeal allowed 4th December 2012

11/1165 – Outline application for 16 affordable homes – Approved 25th February 2013

POLICIES

Cheshire East Local Plan Strategy (CELPS)

PG 6 Open Countryside
PG 7 Spatial Distribution of development
SD 1 Sustainable Development
SD 2 Sustainable Development Principles
EG 1 Economic Prosperity
EG 2 Rural Economy
EG 3 Existing and Allocated Employment Sited
SE1 Design
SE 2 Efficient Use of Land
SE 12 Pollution, Land Contamination and Land Instability
CO 1 Sustainable Travel and Transport

Site Allocations and Development Policies Document (SADPD)

GEN 1 Design Principles
ENV 5 Landscaping
ENV 6 Trees, Hedgerows and Woodland Implementation
ENV 12 Air Quality
ENV 14 Light Pollution

ENV 15 New Development and Existing Uses
ENV 16 Surface Water Management and Flood Risk
RUR 10 Employment Development in the Open Countryside
HOU 12 Amenity
INF 3 Highway Safety and Access

Wrenbury cum Frith Neighbourhood Plan (WCFNP)

LC1 Character and Design
LC2 Landscape Character
TR1 Footpaths, Cycleways and Towpath
TR2 Sustainable Transport
TR3 Vehicular Access to and Through the Parish
LEC1 Local Economy

Other Considerations

National Planning Policy Framework
Cheshire East Design Guide

CONSULTATIONS (External to Planning)

Flood Risk: None received at the time of report writing, however flood risk issues were addressed as part of the previous application.

Highways: No objection subject to conditions relating to HGV movements and cycle parking.

Environmental Health: No objection subject to conditions/informatives relating to noise, hours of operation and contaminated land.

Network Rail: No objection subject to a condition relating to HGV movements adjacent to the railway.

Wrenbury Parish Council: The Parish Council objects to the proposal on many grounds, these are summarised below and can be viewed in full on the Council website:

- It cannot be a re-submission as the site is larger and uses a different access
- Proposal is not compliant with adopted and made plan policies
- Visual intrusion
- Inappropriate industrial use in open countryside
- Noise, dust and disturbance
- Traffic generation and highway safety
- HGVs passing along country lanes and through conservation areas
- Errors and lack of clarity in the submitted documentation
- Applicant not complying with existing conditions
- No traffic impact assessment

Further objected to the amended site edged red and blue and the consultation response from Environmental Protection.

Newhall Parish Council

The Parish Council also objects to the proposal on several grounds, again, these are summarised below and can be viewed in full on the Council website:

- No protection from an uncontrolled increase in HGVs
- Noise and vibration
- Danger to children
- Highway safety
- No traffic impact assessment
- Conditions not being complied with

OTHER REPRESENTATIONS

At the time of report writing, 51 objections have been received expressing the following concerns:

- Increase in HGV movements
- Damage to road surface
- Vibration caused by HGVs
- Anti-social operating hours
- Noise
- Dust
- Concrete dust is dangerous
- Application is not a re-submission and is larger
- Noise mitigation has not been put in place
- Operations are not compatible with neighbouring uses
- Acoustic report is flawed
- Non-compliance with existing conditions
- Hours of operation
- Unsuitable use for a rural area
- Local infrastructure not suitable for this business
- Poor condition of the roads
- Concerns about future expansion of the business
- Misleading information in the submitted documents
- Non-compliance with planning policy
- Retrospective nature of the application
- Danger to cyclists
- There is no connection between Station Yard and Th Creamery
- Impact on the railway
- Structure is unsightly and too large
- Inconsistencies in submitted documentation
- Destruction of railway heritage
- Business should re-locate elsewhere on a more suitable site
- Majority of workers are not local

All representations and consultation responses can be viewed in full on the Council website.

OFFICER APPRAISAL

Planning History

The north-eastern part of the appeal site includes a portal framed shed for casting concrete products, a batching shed, a mobile cement silo, and a three-bay bin. This was approved at appeal following the refusal of application 12/0447N, and this permission has been implemented and is operating from the site. This permission is the subject to restrictive conditions, including the following;

- The storage of materials within the site shall not exceed 2m in height
- The batching plant shall operate between the following hours; 08:00-18:00 Monday to Friday and 08:00-14:00 on Saturday with no operation on Sundays or Bank Holidays. No other machinery shall be operated, no other process carried out and no deliveries shall be taken or dispatched outside the hours of 08:00-18:00 Monday-Saturday and at no time on Sunday or Bank Holidays.
- Other when in use for access to the building, the doors of the portal frame shed for casting concrete products shall remain closed during the manufacture process.
- No development authorised by this permission shall take place until a scheme of noise mitigation, including measures addressing reversing alarms, the tamping process, and the boundary wall, together with a programme for its implementation has been submitted to and approved in writing by the local planning authority.
- No more than 24 heavy goods vehicle movements shall be made to and from the site in any one day. A register of all heavy goods vehicle movements shall be maintained and made available for inspection by the local planning authority on request. (This relates to the existing access to the south of 4 Station Cottages)

This current application also follows an earlier application which was recently dismissed at appeal (20/4181N). Application 20/4181N was refused due to the impact upon the dwellings to either side of the access between Station House and 1 Station Cottages due to noise and vibration.

This current application relates to a different and larger area edged red than application 20/4181N (in that it shifts the red-edge north-east away from the residential properties and includes the land edged red as part of application 12/0447N). This application also proposes the use of an alternative access point to the south of 4 Station Cottages (as per 12/0447N). The location and design of the concrete plant would be the same as that which was refused and dismissed at appeal as part of application 20/4181N.

The Inspector who dismissed the appeal as part of application 20/4181N did so on the basis of the impact upon the amenities of the dwellings at either side of the access (Station House and 1 Station Cottages) only, and she concluded that;

'the proposal would be significantly harmful to the living conditions of the neighbouring occupiers of Station House and 1 Station Cottages, having particular regard to noise and vibration. The conditions suggested by the appellant would not make the development acceptable for the reasons given above. The proposal would therefore be contrary to Policies HOU 12 and RUR 10 of the SADPD, Policy SE 12 of the Cheshire East Local Plan Strategy 2010 - 2030 (2017) and Policy LEC1 of the Wrenbury Cum Frith Neighbourhood Plan 2010 - 2030. Amongst other things, these policies seek to ensure that development does not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, including in terms of noise, disturbance and vibration. The proposal would also conflict with paragraphs 130 and 174 of the Framework, which seek to ensure a high standard of amenity for existing and future users and prevent new and existing development from being adversely affected by unacceptable levels of noise pollution'

This application seeks to address the Inspectors decision by using the access to the south adjacent to 4 Station Cottages (this is the same access which was approved as part of application 12/0447N).

Principle of Development

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

- For development that is essential for the expansion or redevelopment of an existing business.

Policy EG2 (Rural Economy) states that opportunities for local rural employment development that supports the vitality of rural settlements will be supported. This is subject to it meeting sustainable development objectives, impact on nearby buildings and residential amenity and impact on the quality of the landscape. Those issues are discussed in other sections of this report.

Policy RUR10 (Employment Development in the Open Countryside) of the SADPD states that employment development in the open countryside should be appropriate to its location and setting, the nature of the business means that a countryside location is essential and provides local employment opportunities that support the vitality of rural settlements.

Policy LEC1 of the Wrenbury Neighbourhood Plan also encourages the retention and expansion of existing businesses, including through the sympathetic conversion of existing buildings.

The new batching plant would support the operations on the wider site and to locate it on an alternative site, this would result in further vehicle movements to and from the site, which is not considered to be a sustainable alternative.

The retrospective nature of the proposal is noted, and the applicant has put forward the case that the new equipment and use of the land for operations in Class B2 (General Industrial) is essential for the ongoing operations of the Graham Heath Construction operations, which operates from the Wrenbury Creamery site. The batching plant was placed on the site before planning permission had been granted, apparently due to the 'lead-in' time for delivery of the equipment and the need to replace the existing batching plant with a more efficient one. Whilst the retrospective nature of the application is regrettable, it is not a reason for refusal of the application.

The proposal is therefore considered to be in compliance with Policies PG6 and EG2 of the CELPS, Policy RUR 10 of the SADPD and Policy LEC1 of the WCFNP.

Design

The batching plant is a large industrial structure reflective of its function. It is visible from some distance away, however when seen in the context of the existing industrial estate and the railway, it is not considered to be so detrimental as to warrant refusal of the application. It is also noted that the Inspector who dismissed the appeal for application 20/4181N did not do so on design grounds.

The proposal is therefore considered to be in compliance with Policies SD2 and SE1 of the CELPS and Policy GEN 1 of the SADPD.

Highways

The proposal is for a replacement batching plant at Station Yard. The site will extend the B2 use from the existing adjacent site increasing the area of the industrial use.

The previous application proposed using the access off Station Road located between residential properties (Station House and 1 Station Cottages). This is no longer proposed and instead the existing access at the southern side of the site will be used (adjacent to 4 Station Cottage). This access already serves the site including HGV movements, and this is considered acceptable.

Given that the proposal seeks to extend the B2 use over an additional area, a condition is required, as was in the previous application, to restrict the HGV movements to 24 two-way movements per day. This total number of movements relates to the application site and the existing adjacent B2 site. This is a condition imposed on the site at a previous appeal (12/0447N).

During the application process an amended location plan was submitted, including the area of land subject to appeal in 2012 (12/0447N) in the site edged red. This will enable the Council to impose the 24 vehicle movements condition to this application, thus ensuring that by allowing this application, there is no increase in vehicle movements.

Given there will be no increase in HGV movements and the existing access will be utilised, no objection is raised by the Head of Strategic Transport, subject to conditions relating to vehicle movements and cycle parking.

The proposal is therefore considered to be in compliance with Policy INF 3 of the SADPD.

Amenity

As noted above in dismissing the appeal as part of application 20/4181N, the Inspector did so on the basis of the harm caused to the dwellings at either side of the access (Station House and 1 Station Cottages) only.

This application proposes the same concrete batching plant, but now proposes the use of the southern access point (to the south of 4 Station Cottages). With the imposition of the same restrictive condition relating to HGV movements (imposed as part of application 12/0447N – no more than 24 in any one day), the proposed development would not cause any harm to residential amenity.

The Environmental Health officer has raised no objection to this application subject to the imposition of planning conditions. The proposal is therefore considered to be in compliance with Policy SE 12 of the CELPS, Policies ENV 15 and HOU 12 of the SADPD and Policy LEC1 of the WCFNP.

Drainage

This is a retrospective application and at the time of report writing Flood Risk Officers have not commented. However, the situation on site is as it was for the previous application and their comments from that are still relevant.

The applicant has submitted a drainage note, compiled by a firm of flood risk consultants and water engineers. The drainage note concludes that the existing drainage system has the capacity to convey peak flows during a 1 in 100 year plus 40% CC event. If there was a system blockage, where no flow can discharge off-site, runoff volumes can be contained within the existing rainwater storage tanks and above ground.

This drainage note was assessed by LLFA officers who were satisfied that, subject to compliance with the details set out in the drainage note, the drainage on site is acceptable.

The development is therefore in compliance with Policy SE 13 of the CELPS and Policy ENV 16 of the SADPD.

Other Matters

Many of the objectors have put forward that the application should not be considered as a resubmission because the site edged red is larger and uses a different access point for HGVs. However, the application is to be judged on its own merits, therefore the fact that 'resubmission' is referred to is not relevant.

CONCLUSIONS

Whilst in open countryside, the development would allow for the better operation of an existing business

Highway safety and parking implications are considered to be acceptable subject to a restriction on HGV movements.

In terms of noise, Environmental Protection are satisfied that this can be controlled by conditions

The impact on residential amenity is considered to be acceptable.

The application is therefore recommended for approval, subject to the following conditions:

RECOMMENDATION

Approve subject to the following conditions:

- 1. Approved plans**
- 2. No more than 24 heavy goods vehicle movements shall be made to and from the site in any one day. A register of all heavy goods vehicle movements shall be maintained and made available for inspection by the local planning authority on request.**
- 3. Submission of details and provision of covered, secure cycle parking**
- 4. The external storage of materials shall not exceed a height of 2 metres**
- 5. The batching plant shall not operate outside the following times: 08:00 hours to 18:00 hours from Monday to Friday and 08:00 hours to 14:00 hours on Saturday, nor at any time on Sundays and bank and public holidays. No other machinery shall be operated, no other process shall be carried out and no deliveries shall be taken at or despatched**

- from the site outside the following times: 08:00 hours to 18:00 hours from Monday to Saturday, nor at any time on Sundays and bank and public holidays
6. The hours of demolition, groundworks and construction shall be restricted to the following times: 08:00 hours to 18:00 hours Monday to Friday, 09:00 hours to 14:00 hours Saturday, nor at any time on Sundays and bank and public holidays
 7. Other than when in use for access to the building, the doors of the portal frame shed for casting concrete products shall remain closed during the manufacturing process
 8. The mitigation recommended in the Acoustic Report P21-080-R01 dated March 2021 shall be implemented in full prior to the batching plant becoming fully operational
 9. The mixing head enclosure shall be enhanced on the south-west and north-west elevations by the installation of an additional internal lining of 0.6mm steel with a minimum 150mm cavity partially filled with 100mm mineral wool (not rigid PIR-type insulation) in the cavity
 10. Measures shall be taken to block the line of sight of the underside of the mixer head enclosure and the concrete delivery sock from the rear garden of Station House by cladding the upper sections of the supporting framework of the mixer head with an appropriately solid dense material with a minimum surface mass of 10 kg/m² (20mm thick timber or substantial 100mm composite cladding panels).
 11. A 3m high acoustic barrier shall be installed along the north-western elevation of the mixer head supporting framework and extending sufficiently far out such that concrete trucks being filled will be located behind the barrier. This shall be constructed of an appropriately solid dense material with a minimum surface mass of 10kg/m² (20mm thick timber, substantial 100mm composite cladding panels and/or concrete panels
 12. All vehicles permanently located at the site of the batching plant, used for loading, moving concrete cleaning or any other associated activity shall be fitted with 'white noise' reversing alarms to prevent noise disturbance
 13. All vehicles visiting the site for deliveries or collection shall turn off engines to prevent noise nuisance from idling engines
 14. Cleaning of cement mixing vehicles, particularly when inside the mixing explosives are used to remove concrete build up, shall be undertaken within a 3-sided bay or using an existing building to shield residential properties from noise.
 15. When the plant is completed/commissioned. A further acoustic assessment shall be undertaken to assess whether the mitigation measures put in place are effective. Should the acoustic assessment identify adverse noise impact on residential properties, further mitigation measures shall be put in place prior to the plant becoming fully operational. These measures shall be submitted to and approved in writing by the LPA. The agreed mitigation scheme shall be retained and maintained throughout the use of the development unless any variation is agreed in writing by the LPA
 16. The weighbridge sited on Station Yard shall not be used in its current position and shall be moved to a different part of the site, details of which shall be submitted to and approved in writing by the LPA
 17. In order to minimise dust emissions arising during the development, including site preparations/demolition/construction activities, a 'site specific DMP' shall be retained at the development site; and made available for inspection upon request by Cheshire East Borough Council Officers.
 18. The site specific DMP shall identify the fugitive dust sources at the development site and describe in detail the dust mitigation measures to be employed.
The DMP shall include details:
 - of all dust suppression measures

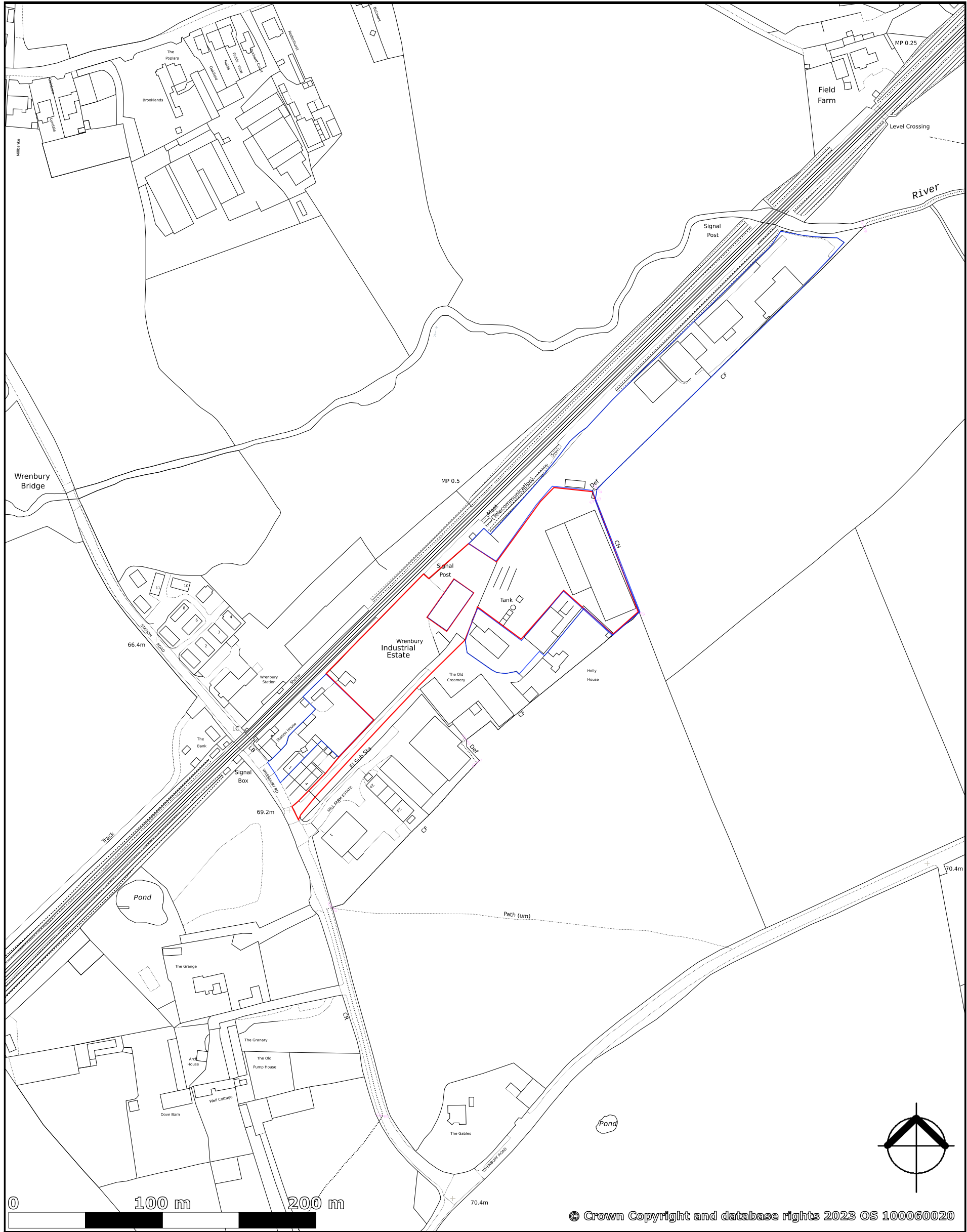
- the methods to monitor emissions of dust arising for the duration of the project
The demolition / construction phase of the development shall be completed in full compliance with the site specific DMP.
The dust suppression measures shall be maintained and fully operational for the duration of the demolition / construction phase of the development.
19. The existing batching plant within the red edge shall be dismantled and permanently removed from the site within 6 months of the approved batching plant being brought into use.

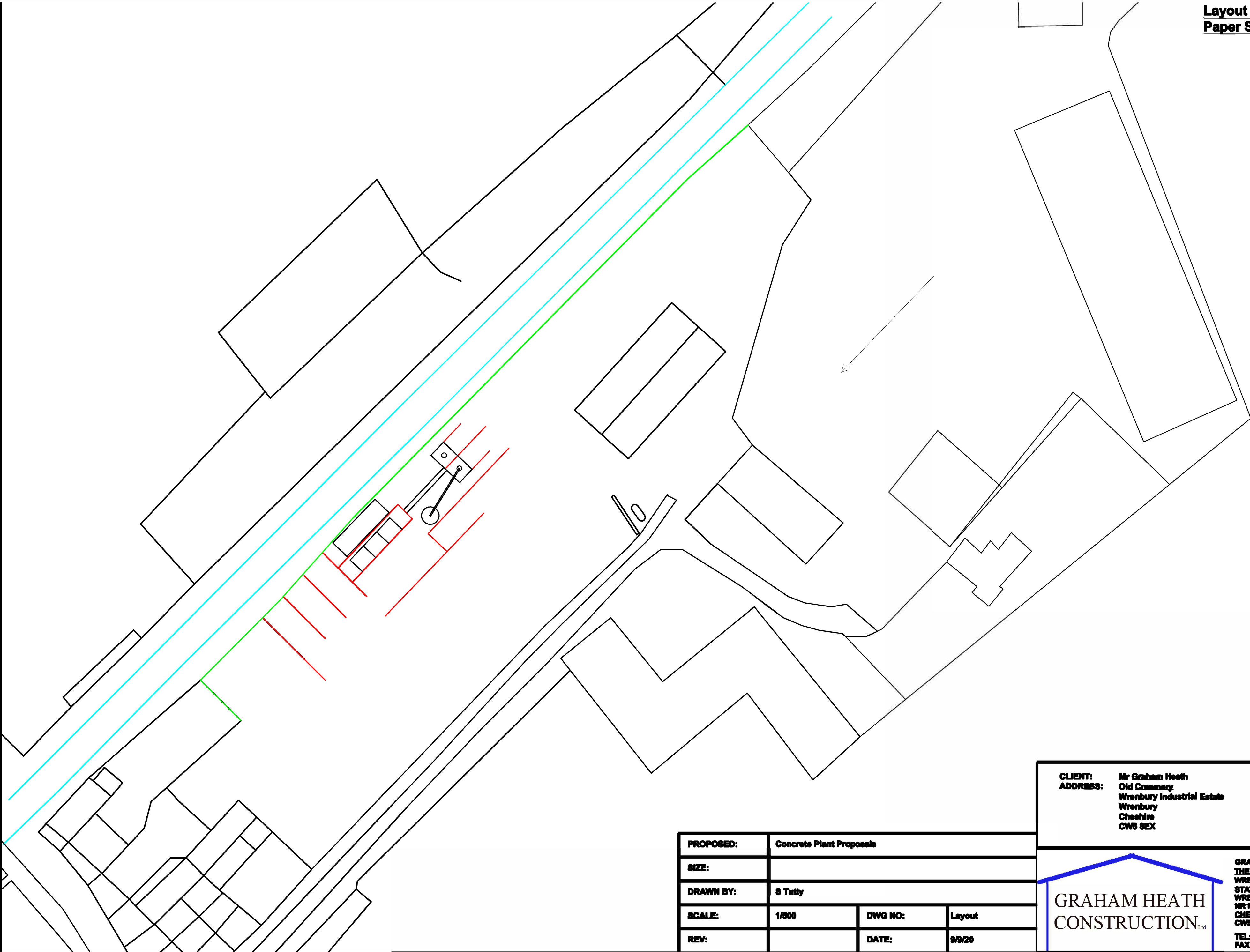
In order to give proper effect to the Southern Planning Committee's intent and without changing the substance of its decision, authority is delegated to the Planning and Enforcement Manager in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in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



23/1366N
LAND AT STATION YARD
STATION YARD
WRENBURY ROAD
ASTON

GRA1267 29



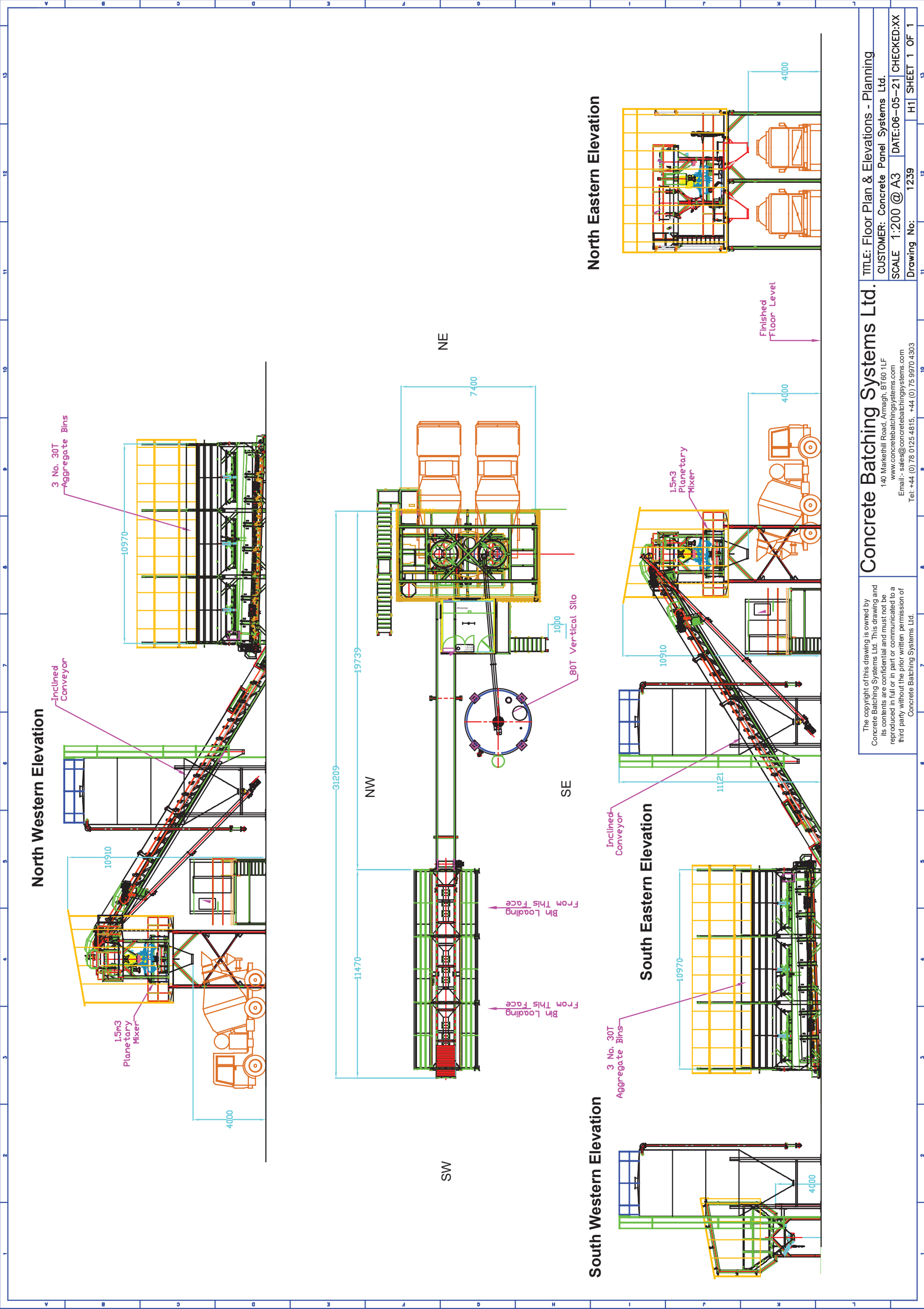


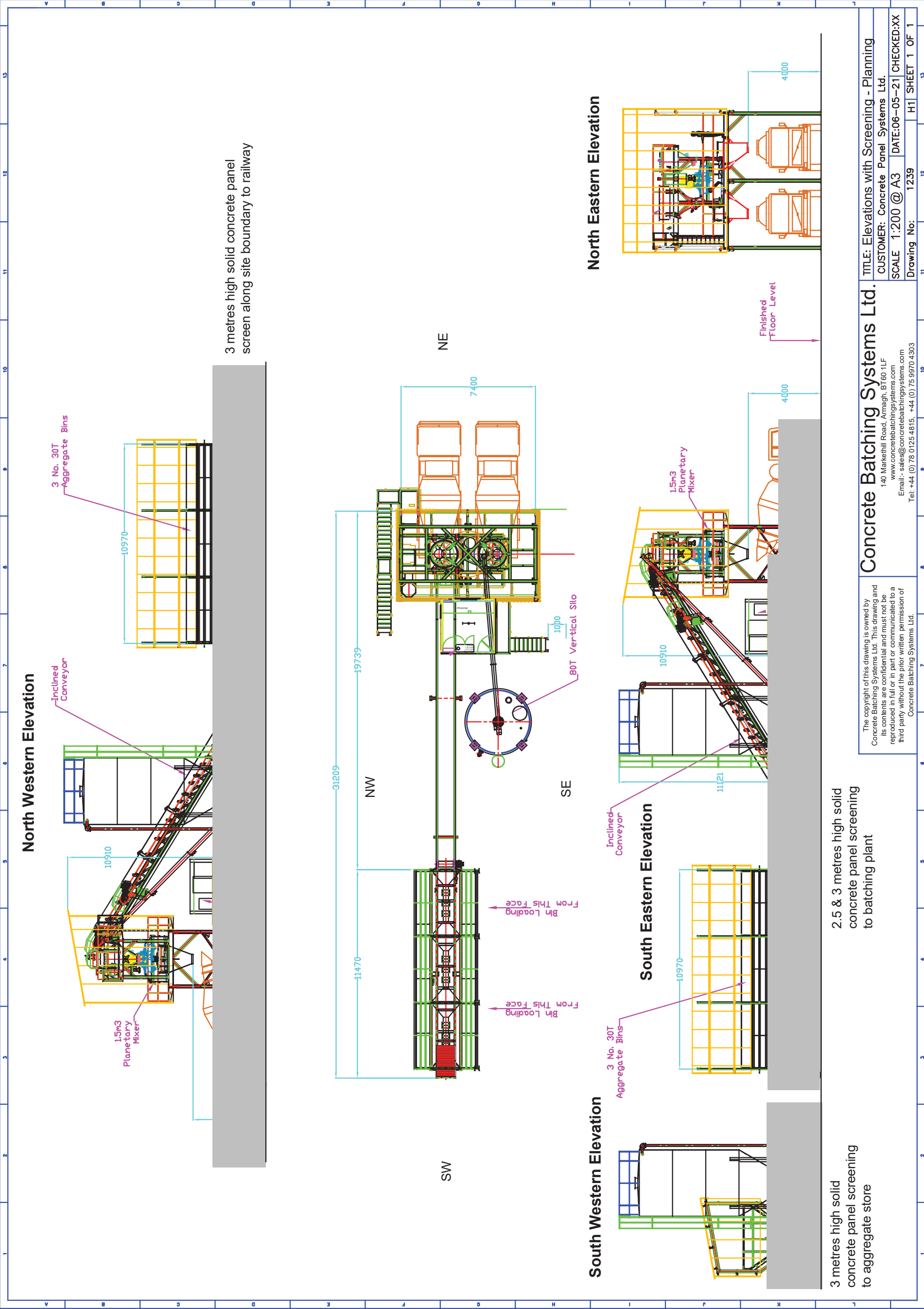
PROPOSED:	Concrete Plant Proposals		
SIZE:			
DRAWN BY:	S Tutty		
SCALE:	1/500	DWG NO:	Layout
REV:		DATE:	9/9/20

CLIENT: Mr Graham Heath
ADDRESS: Old Creamery
Wrenbury Industrial Estate
Wrenbury
Cheshire
CW5 8EX

**GRAHAM HEATH
CONSTRUCTION**Ltd

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Application No: 22/1163C

Location: COPPERSFIELD, CHURCH LANE, SANDBACH, CHESHIRE,
CW11 2LQ

Proposal: The proposed development comprises five detached five-bedroom houses arranged on a short private driveway which links to the access road of the development to the north.

Applicant: Mr Steve Binch

Expiry Date: 04-Nov-2022

SUMMARY:

The principle of development is considered to be acceptable as the site is designated as being within the settlement boundary and a key service centre.

The design of the proposed development is acceptable and complies with relevant Development Plan Policies

The development would have a neutral impact upon living conditions, trees, landscape, highways, ecology, air quality and contaminated land.

There is no requirement for the provision of affordable housing for a development of 5 dwellings within the settlement boundary.

RECOMMENDATION:

Approve subject to conditions and completion of a Section 106 Agreement.

REASON FOR REFERRAL

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

I support the objections of Sandbach Town Council, particularly the noise the houses will suffer (despite the acoustic fencing) and the 3-storey houses being not in keeping with surrounding properties and not needed in Sandbach.

DESCRIPTION OF SITE AND CONTEXT

The application site is to the rear of 24 Church Lane and to the west of the M6 motorway. To the south is a children's play area, to the north is a consented residential development.

The site was previously designated as being within the open countryside but is now designated as being within the settlement boundary as part of the Site Allocations and Development Policies Document and the Sandbach Neighbourhood Plan.

DETAILS OF PROPOSAL

Full planning permission is sought for 5 detached five-bedroom houses arranged on a short private driveway which links to the access road of the development to the north.

RELEVANT HISTORY

No relevant planning history relating to this site.

POLICIES

Cheshire East Local Plan Strategy (CELPS)

MP1 – Presumption in Favour of Sustainable Development
PG1 – Overall Development Strategy
PG2 – Settlement Hierarchy
PG7 - Spatial Distribution of Development
SC4 – Residential Mix
CO1 - Sustainable Travel and Transport
CO4 – Travel Plans and Transport Assessments
SC5 – Affordable Homes
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE 1 - Design
SE 2 - Efficient Use of Land
SE 3 - Biodiversity and Geodiversity
SE 4 - The Landscape
SE 5 - Trees, Hedgerows and Woodland
SE 6 – Green Infrastructure
SE 9 – Energy Efficient Development
SE 13 - Flood Risk and Water Management
IN1 – Infrastructure
IN2 – Developer Contributions

Site Allocations and Development Policies Document (SADPD)

PG9 – Settlement Boundaries
GEN1 – Design Principles
ENV2 – Ecological Implementation
ENV3 – Landscape Character
ENV5 – Landscaping
ENV6 – Trees, Hedgerows and Woodland Implementation
ENV7 – Climate Change
ENV12 – Air Quality
ENV14 – Light Pollution

ENV16 – Surface water Management and Flood Risk
HER1 – Heritage Assets
HER3 – Conservation Areas
HER8 - Archaeology
RUR5 – Best and Most Versatile Agricultural Land
HOU1 – Housing Mix
HOU8 – Space, Accessibility and Wheelchair Housing Standards
HOU10 – Backland Development
HOU12 – Amenity
HOU13 – Residential Standards
HOU14 – Housing Density
HOU15 – Housing Density
INF3 – Highways Safety and Access
INF9 – Utilities
INF10 – Canals and Mooring Facilities
REC2 – Indoor Sport and Recreation Implementation
REC3 – Open Space Implementation
MID1 – East and West of Croxton Lane

Sandbach Neighbourhood Development Plan (SNDP)

PC2 – Landscape Character
PC3 – Settlement Boundary
PC4 – Biodiversity and Geodiversity
H1 – New Housing
H2 – Design and Layout
H3 – Housing Mix and Type
H4 – Housing and an Ageing Population
IFT1 -Sustainable Transport, Safety and Accessibility
IFT2 – Parking
CC1 – Adapting to Climate Change

Other Considerations

Housing Supplementary Planning Document
National Planning Policy Framework
Cheshire East Design Guide

CONSULTATIONS (External to Planning)

Highways: No objection.

Environmental Health: No objection subject to conditions/informatives relating to noise and disturbance, dust, air quality and land contamination.

United Utilities: No objection subject to drainage conditions.

Sandbach Town Council: Members object to this application. The Committee is of the opinion that this is an extremely unsuitable site for this development. Future residents' amenity will be impacted

by nearby road noise, despite the acoustic fencing. Furthermore, neighbouring acoustic fencing is covered in graffiti which paints Sandbach in a bad light on an entry into the town.

OTHER REPRESENTATIONS

Two representations have been received at the time of report writing, expressing the following views:

- Over development
- Loss of green space
- Design out of keeping
- Sandbach has already provided enough housing
- Inadequate parking provision
- Misleading information within the application

All the representations can be viewed in full on the Council website.

OFFICER APPRAISAL

Principle of Development

The site was previously designated as being within open countryside. However, both the SADPD and SNP now show that the site is designated as being within the settlement boundary. Sandbach is designated as a key service centre. The principle of residential development within the settlement boundary is acceptable as confirmed by SADPD policy PG9 and SNP policy PC3.

Affordable Housing

Policy SC5 of the CELPS and the Housing Supplementary Planning Document sets out the requirements for affordable housing provision. As the site is within the settlement boundary and a key service centre, affordable housing provision is only required for developments of 15 or more dwellings or 0.4 hectares in size. As this application proposes only five dwellings, affordable housing provision is not required.

Design

The proposed dwellings would be served by a small cul-de-sac accessed from the road serving the new development to the north. Two would face towards the motorway, two would face the cul-de-sac and access and one would face the rear elevation of 24 Church Lane. The Urban Design Officer has put forward changes to the layout, however these are not possible due to electricity infrastructure within the site.

There would be two house types, very similar in design. The proposed houses would be two-storey, with rooms in the roof served by dormers to the front and rooflights to the rear.

Concern has been expressed about the scale of the buildings, but it should be noted that they would be very similar in scale and height to some of the newly constructed dwellings facing onto Church Lane and those recently approved to the west.

Policy HOU10 of the SADPD requires that tandem or backland development are equal or subordinate to surrounding buildings, particularly those fronting the highway. In terms of this site, to the north there are dwellings of a similar scale and height, and approval has been granted for 4 more also of a similar scale. Also to the west is 24 Church Lane, which, while having a lower ridge height has been significantly extended and is a substantial property.

Dormer windows are a common design mechanism to create additional living space without significantly increasing the overall height of the dwelling, and it is not uncommon to see dormer windows on rural properties. Furthermore, dormer windows can often be inserted into existing roofs under permitted development in both urban and rural dwellings. As such a refusal on these grounds could not be sustained.

The proposal is therefore considered to be in compliance with Policies SD2 and SE1 of the CELPS, Policies GEN1 and HOU10 of the SADPD and H2 of the SNP.

Highways

The proposal is for a small number of units with off-road parking and a new access off a recently approved residential development.

The new access will be a shared private drive and is sufficient to serve the small-scale proposal. The bin collection area is in an acceptable location and the parking provision for each property meets CEC requirements.

The proposal is acceptable, and no objection is raised by the Head of Strategic Transport.

As such the development complies with Policies HOU12 and INF3 of the SADPD, Policies SD1 and CO2 and Appendix C of the CELPS and Policies IFT1 and IFT2 of the SNP.

Amenity

Policy HOU12 of the SADPD requires that development proposals must not cause unacceptable harm to nearby occupiers of residential properties and future occupiers due to:

1. loss of privacy;
2. loss of sunlight and daylight;
3. the overbearing and dominating effect of new buildings;
4. environmental disturbance or pollution; or
5. traffic generation, access and parking.

The properties in closest proximity to the site are those facing onto Church Lane and it is considered that there would be no significant adverse impact on the amenities of these properties due to there being adequate separation distances. The front elevation of the dwelling on plot 1 would have a separation distance of 27.5m to the rear elevation of 24 Church Lane (exceeding the requirement of 24m set out in Policy HOU13). The side elevation of plot 2 would have a separation distance of 24m to the rear elevation of Coppersfield (exceeding the requirement of 16.5m set out in HOU13).

Within the development to the north, the consented dwelling would have a blank side elevation facing plot 1 and this relationship is also acceptable.

Policy HOU8 of the SADPD requires that new residential development should meet the Nationally Described Space Standard and the dwellings proposed in this application do comply with this requirement.

In terms of future occupiers of the proposed dwellings, there would be adequate private amenity space available.

The proposal is therefore in compliance with Policy SE12 of the CELPS and Policies HOU8 and HOU12 of the SADPD.

Pollution

In terms of noise from the motorway, an acoustic report was submitted and assessed by Environmental Protection officers. They are satisfied that future occupiers will not suffer unacceptable levels of noise, subject to a condition requiring the recommended the following mitigation measures to be implemented and retained;

- Acoustic fencing to rear gardens
- Glazing specification
- Ventilation specification
- Roof and wall insulation specification

These measures are similar to those within the development to the north and as such, a refusal on these grounds could not be sustained at appeal.

In terms of air quality, an Air Quality Assessment has been submitted with the application. Testing took place at the site and the results showed that there would be no exceedances of the relevant air quality objectives. However conditions should be imposed relating to low emission boilers and electric vehicle charging points to safeguard air quality in the future.

The proposal is therefore considered to be in compliance with Policy SE12 of the CELPS and Policy ENV12 of the SADPD.

Nature Conservation

Biodiversity Net Gain (BNG)

Any development proposals must seek to lead to an overall enhancement for biodiversity in accordance with Local Plan Policy SE3(5). The applicant has not submitted an ecology report or habitat assessment of the site.

Historical ecological assessments of adjacent sites indicate the site is likely to offer a limited value for biodiversity, but due to the size of the site that value is likely to equate to the equivalent of approximately 1.2 biodiversity habitat units, which will be lost under the proposed plans.

It is considered that this could be addressed by way of a commuted sum secured by a Section 106 agreement to fund offsite habitat creation/enhancement within Cheshire East.

Alternatively, the applicant could submit a Biodiversity Offsetting Report outlining the results of their own assessment undertaken in accordance with the Defra Biodiversity 'Metric' version 3.1.

Breeding Birds

If planning consent is granted, a condition is required to ensure the protection of breeding birds.

Other Protected Species

An updated Survey was carried out in June 2023 and no signs of occupation by other protected species was identified within 30m of the site. No further survey effort is required in support of this application.

Ecological Enhancement

Local Plan Policy SE 3(5) 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 this policy. It is therefore recommended that if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

The proposal is therefore in accordance with Policy SE3 of the CELPS and Policy ENV1 of the SADPD.

CIL Compliance

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

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

In this case, a contribution for biodiversity net gain is necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.

CONCLUSIONS

The principle of development is considered to be acceptable as the site is designated as being within the settlement boundary and a key service centre.

The design of the proposed development is acceptable and complies the relevant Development Plan policies.

The development would have a neutral impact upon living conditions, highways, ecology, air quality and contaminated land.

There is no requirement for the provision of affordable housing for a development of 5 dwellings within the settlement boundary.

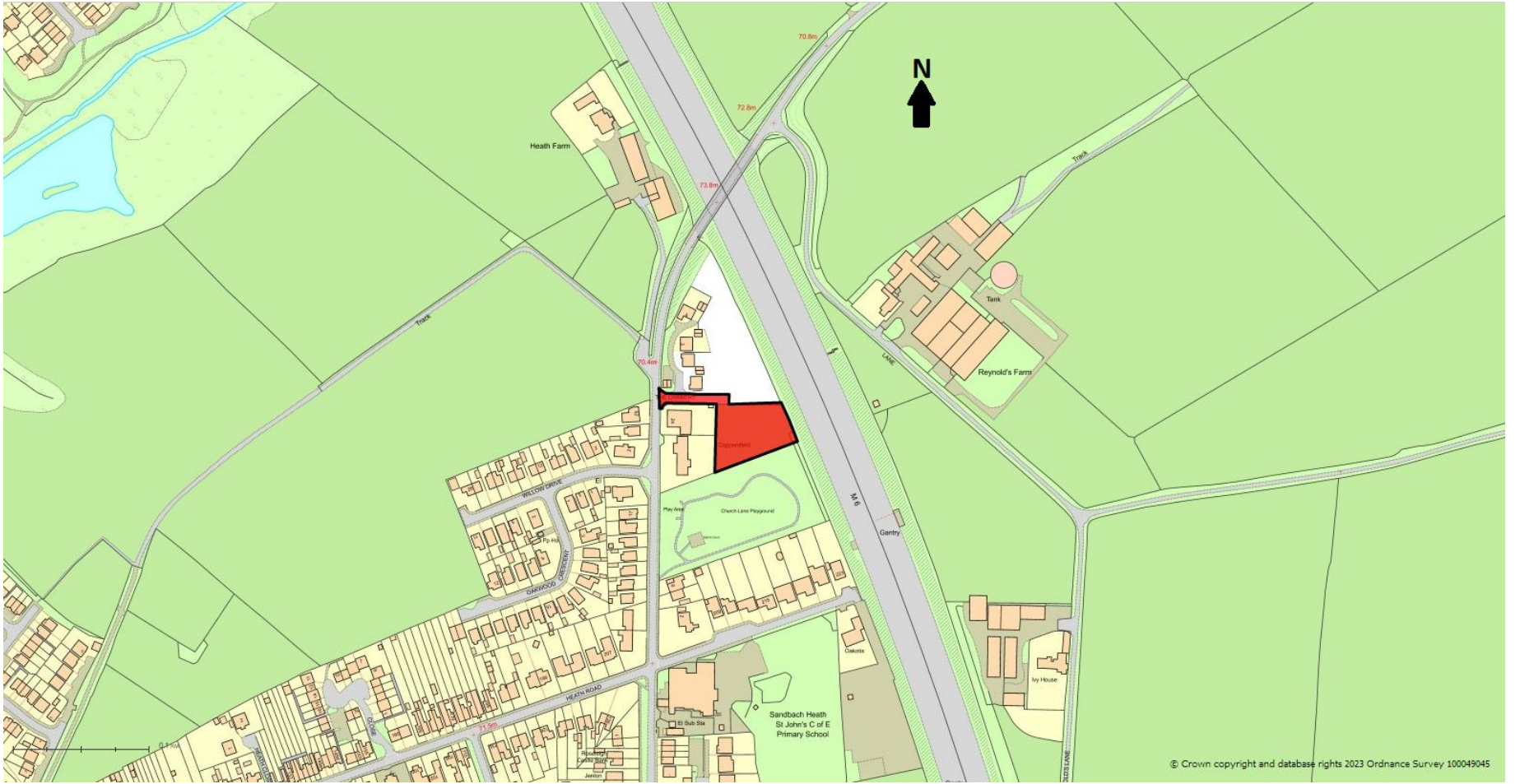
RECOMMENDATION

Approve subject to the completion of a Section 106 Agreement to secure funding for off-site BNG (amount to be confirmed in an update) and the following conditions:

- 1. Time limit**
- 2. Approved plans**
- 3. Materials as detailed in the application**
- 4. Details of any external lighting to be provided prior to installation**
- 5. Submission of levels prior to commencement of development**
- 6. Provision of electric vehicle infrastructure**
- 7. Provision of ultra low emission boilers**
- 8. Compliance with the mitigation measures in the submitted Noise Impact Assessment**
- 9. A (a) Any soil or soil forming materials to be brought to site for use in garden areas or soft landscaping shall be tested for contamination and suitability for use in line with the current version of 'Developing Land within Cheshire East Council – A Guide to Submitting Planning Applications, Land Contamination' (in the absence of any other agreement for the development), which can be found on the Development and Contaminated Land page of Cheshire East Council's website.
(b) Prior to occupation, evidence and verification information (for example: quantity/source of material, laboratory certificates, depth measurements, photographs) shall be submitted to, and approved in writing by, the Local Planning Authority (LPA).**
- 11. If, during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.**
- 12. Submission of a foul and surface water drainage scheme prior to commencement of development**
- 13. Protection of breeding birds**
- 14. Provision of features to enhance biodiversity**
- 15. Obscure glazing – west facing window to the side of plot 2**

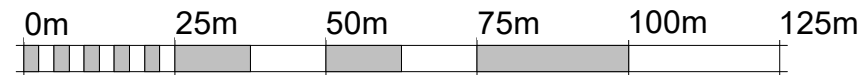
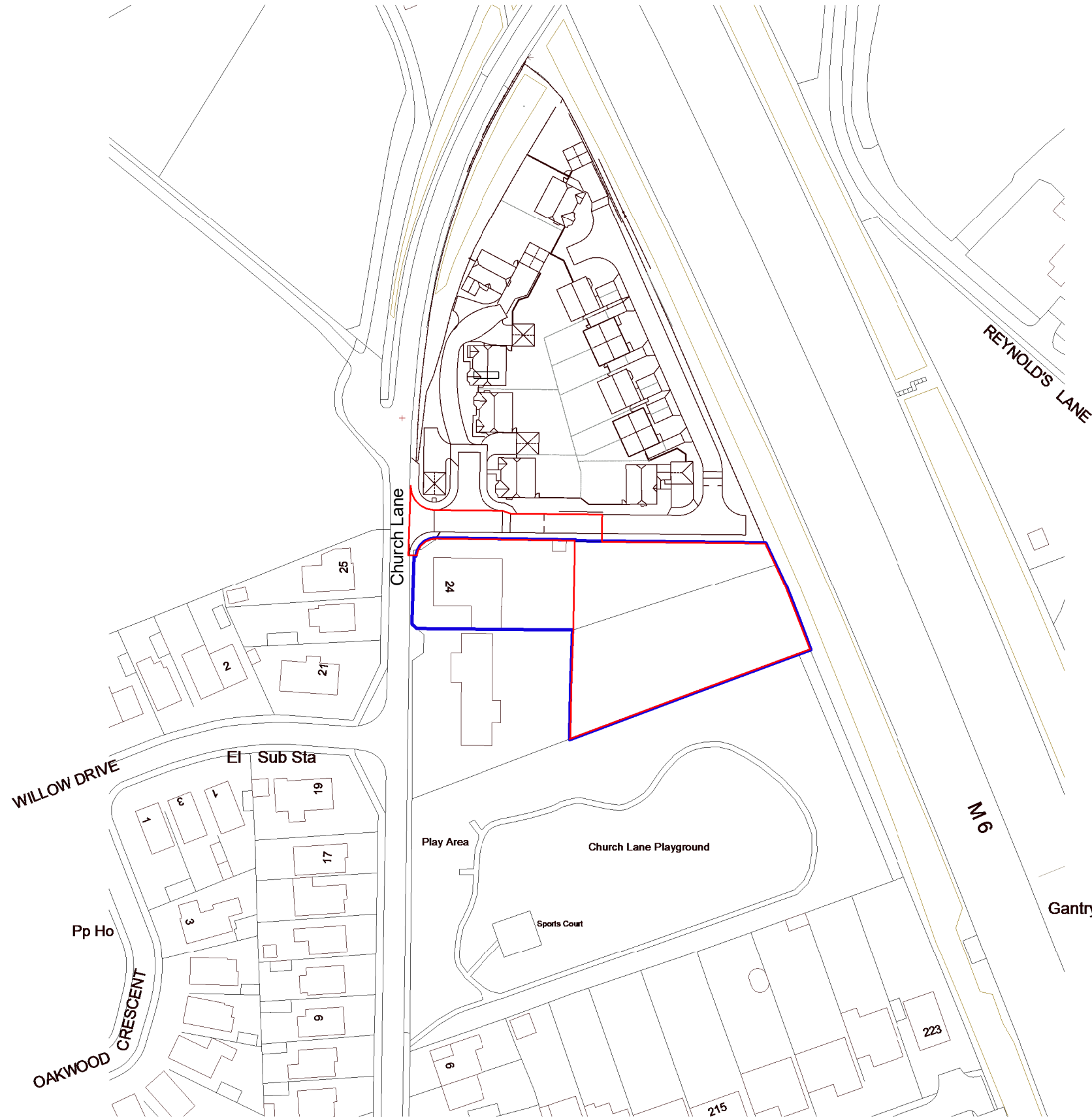
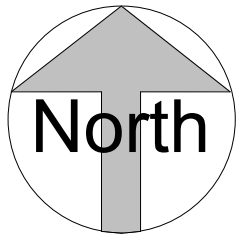
In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission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

Should this application be the subject of an appeal, authority be delegated to the Head of Planning in consultation with the Chair (or in their absence the Vice Chair) of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.



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22/1163C
COPPERSFIELD
CHURCH LANE
SANDBACH



VISUAL SCALE 1:1250 @ A3



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CDM - RESIDUAL RISKS

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GENERAL

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STRUCTURAL

All Structural Design and Calculations to be provided by Structural Engineer

NOTES:

- Planning Application Boundary
Area: 2143 sq.m.
0.214 Ha
- Land Ownership Boundary

REVISION NOTES

Rev	Date	Description



The Barn
Hopwell Hall
Ockbrook
Derbyshire
DE72 3RW

PROJECT NAME

G40044 Sandbach

TPOLOGY

Site Plan

PROJECT ADDRESS

Land to the Rear of 24 Church Lane,
Sandbach, East Cheshire, CW11 2LQ

CLIENT / USER NAME

Dr J. Richardson

DRAWING NAME

Location Plan

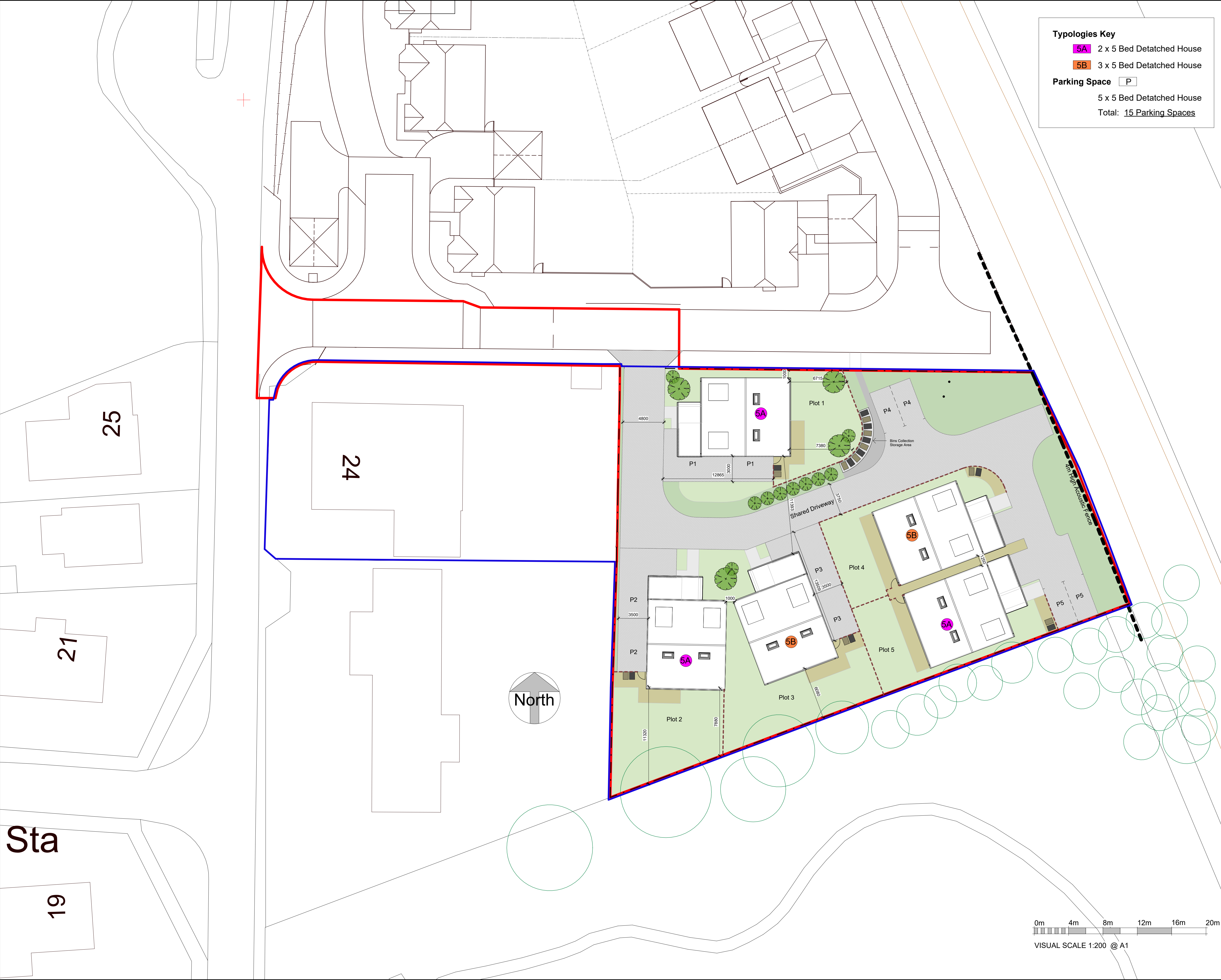
FULL DOCUMENT REFERENCE

Project Number	Series	Drawing No	Issue Date
G40044	--	A001	14/03/22

STATUS

PLANNING

Sheet size	Scale	Revision
A3	1 : 1250	



Typologies Key

5A

2 x 5 Bed Detatched House

5B

3 x 5 Bed Detatched House

Parking Space

P

5 x 5 Bed Detatched House

Total: 15 Parking Spaces

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STRUCTURAL

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NOTES:

Planning Application Boundary

Land Ownership Boundary

Timber Fence

Timber Post Railing:1.2m Height

Proposed Native Tree Planting

Proposed Turf

Rear Gardens

Residential Road / Driveway Construction Block Paving

Pedestrian Access

REVISION NOTES

Rev	Date	Description

The Barn
Hopwell Hall
Ockbrook
Derbyshire
DE72 3RW

ARCHITECTS

PROJECT NAME

G40044 Sandbach

TYPOLGY

Site Plan

PROJECT ADDRESS

Land to the Rear of 24 Church Lane, Sandbach, East Cheshire, CW11 2LQ

CLIENT / USER NAME

Dr J. Richardson

DRAWING NAME

Proposed Roof Site Plan

FULL DOCUMENT REFERENCE

Originator Project Number	Series	Drawing No	Date
G40044	--	A004	29/09/22

STATUS

PLANNING

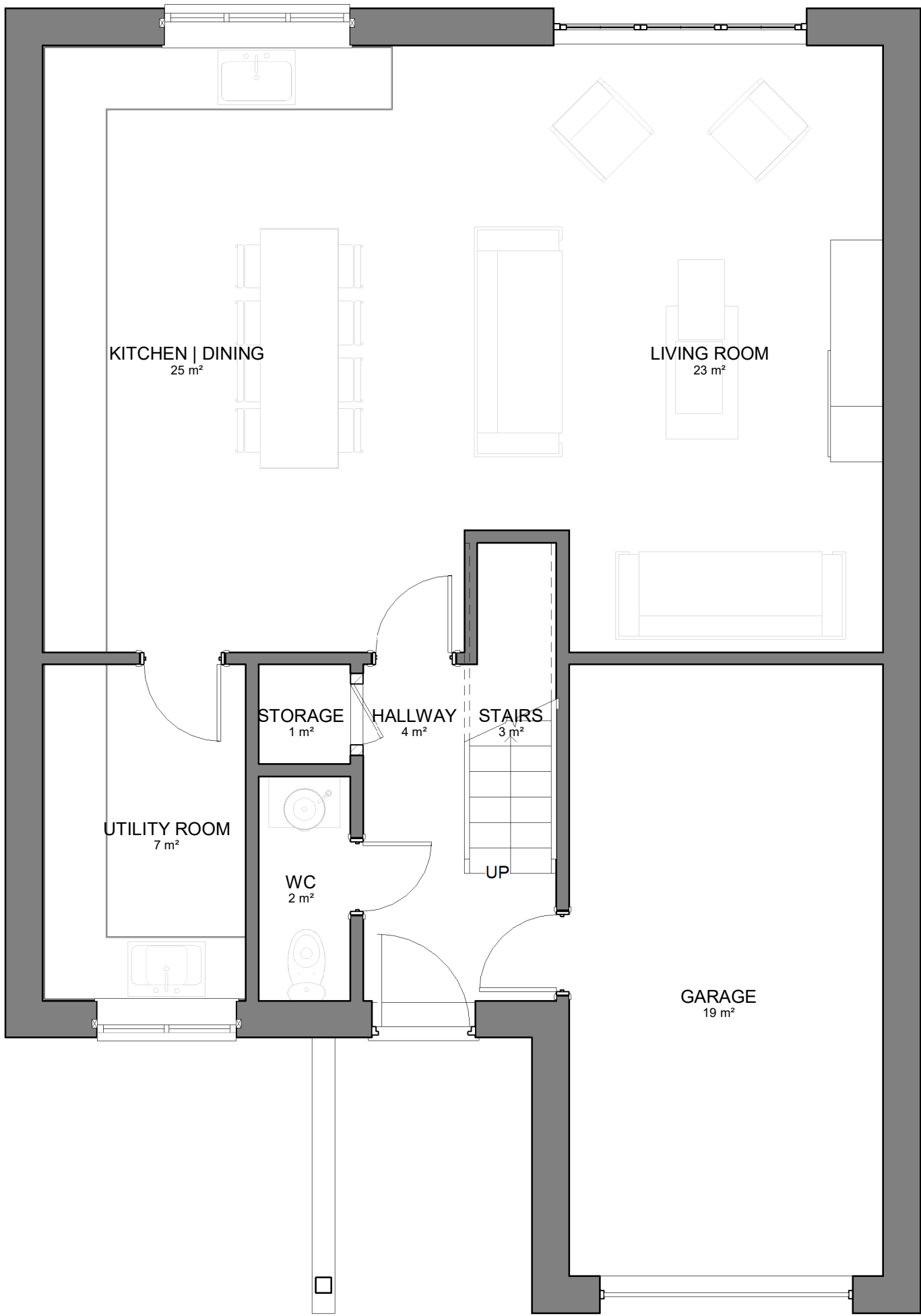
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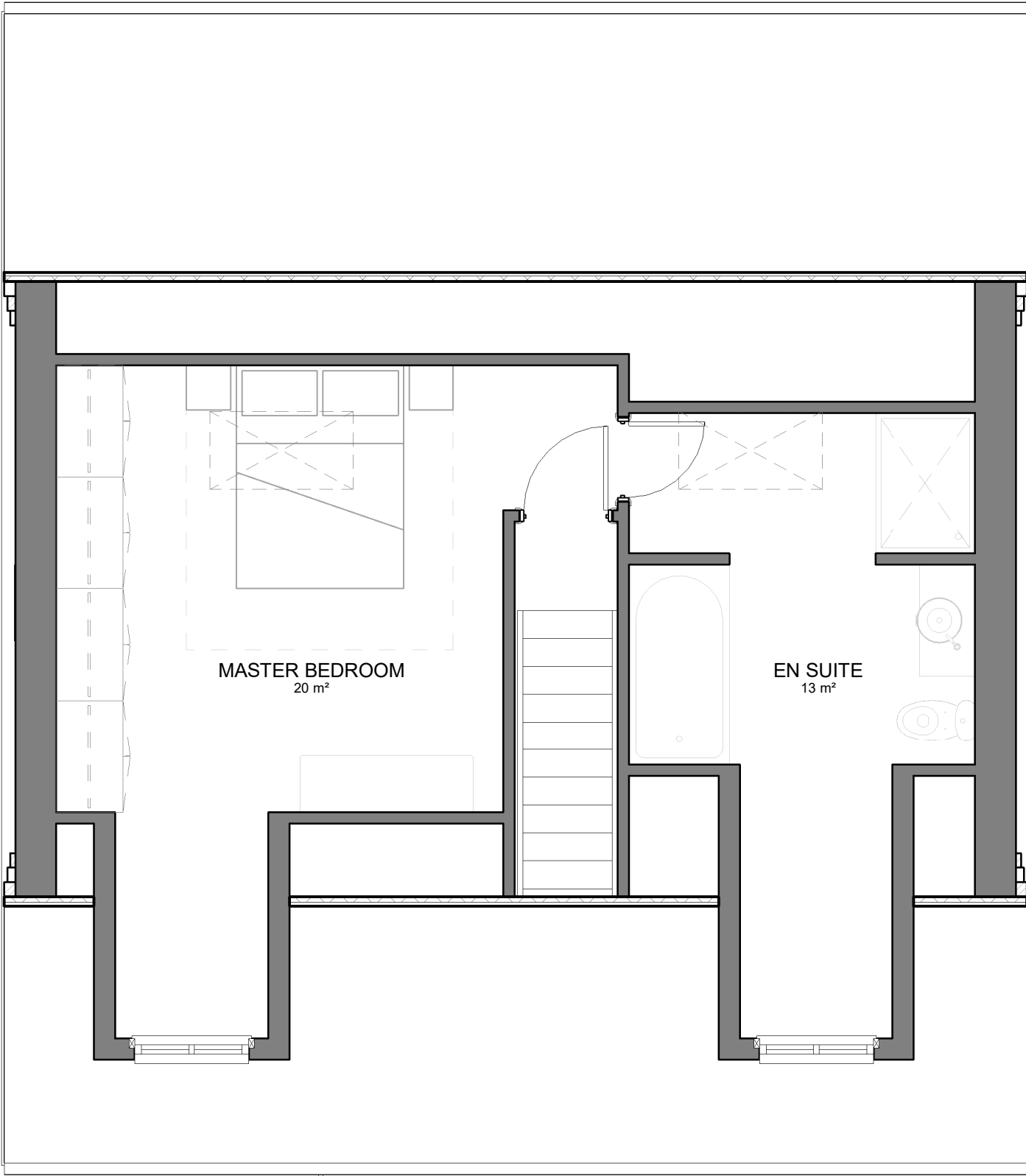
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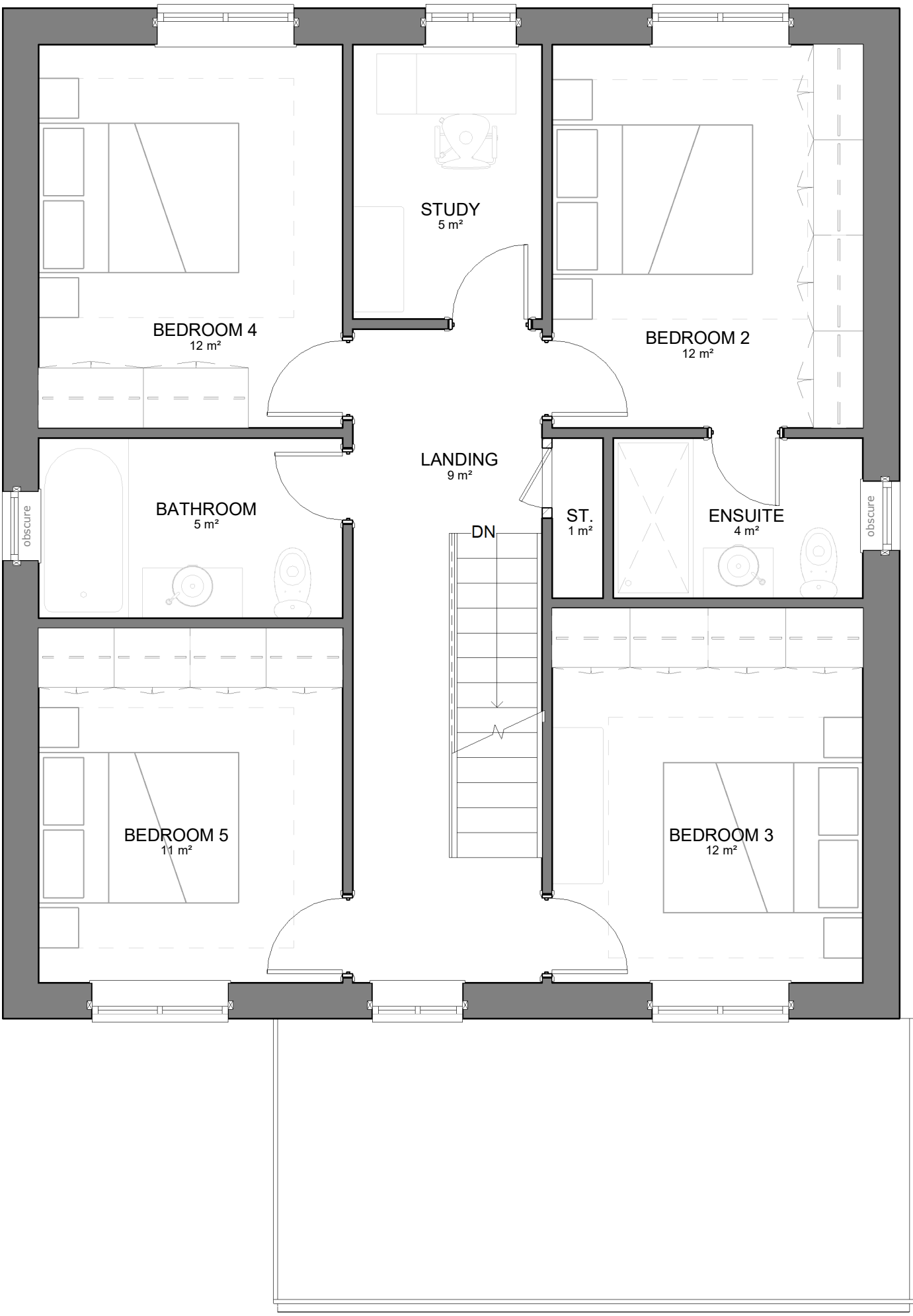
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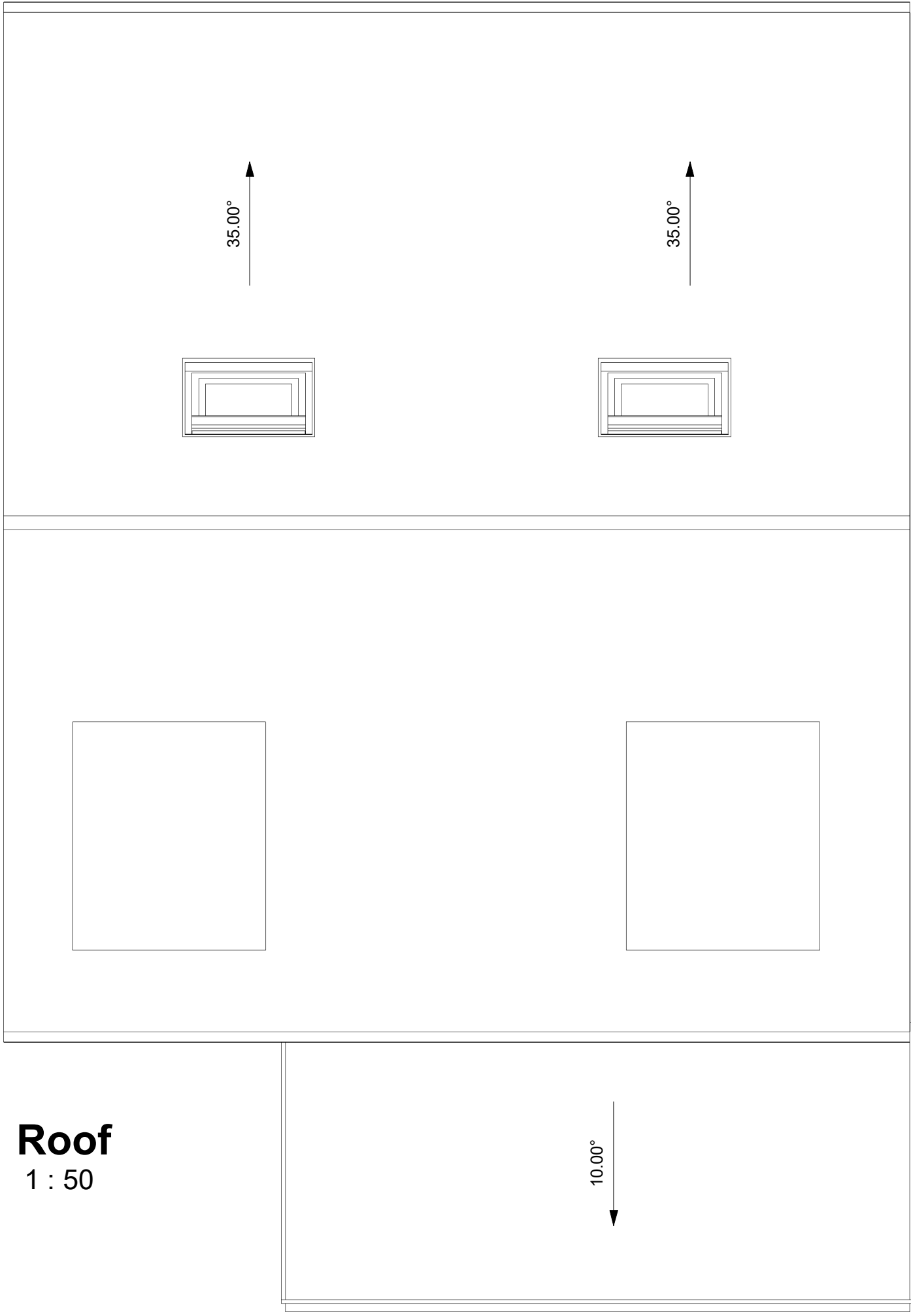
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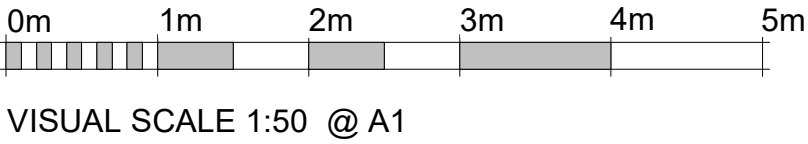
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01 FFL First Floor
1 : 50



Roof
1 : 50



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STRUCTURAL

All Structural Design and Calculations to be provided by Structural Engineer

NOTES:

REVISION NOTES

Rev	Date	Description

The Barn
Hopwell Hall
Ockbrook
Derbyshire
DE72 3RW

PROJECT NAME

SANDBACH

TPOLOGY

5 Bedroom Detached House | Plots 1 & 2

PROJECT ADDRESS

Land to the Rear of 24 Church Lane,
Sandbach, East Cheshire, CW11 2LQ

CLIENT / USER NAME

Dr J. Richardson

DRAWING NAME

FLOOR PLANS

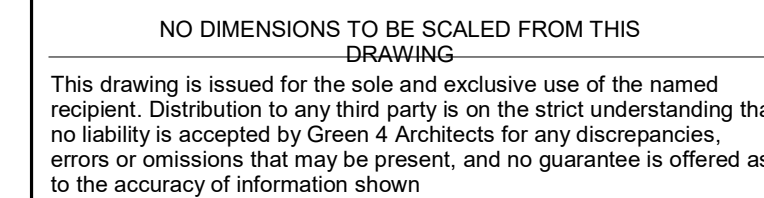
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Originator Project Number	Series	Drawing No.	Date
G40061	5A	A100	14/03/22

STATUS

PLANNING

Sheet size	Scale	Revision
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Rev	Date	Description



G4
ARCHITECTS

SANDBACH

5 Bedroom Detached House | Plots 1 & 2

Land to the Rear of 24 Church Lane,
Sandbach, East Cheshire, CW11 2LQ

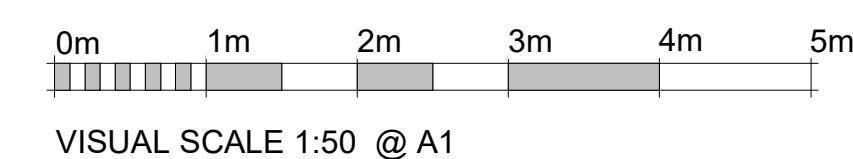
Dr J. Richardson

ELEVATIONS

Originator Project Number	Series	Drawing No	Date
G40061	5A	A200	14/03/22

PLANNING

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REVISION NOTES

Rev	Date	Description

The Barn
Hopwell Hall
Ockbrook
Derbyshire
DE72 3RW



PROJECT NAME

SANDBACH

TYPOLOGY

5 Bedroom Detached House | Plots 3, 4 & 5

PROJECT ADDRESS

Land to the Rear of 24 Church Lane,
Sandbach, East Cheshire, CW11 2LQ

CLIENT / USER NAME

Dr J. Richardson

DRAWING NAME

ELEVATIONS

FULL DOCUMENT REFERENCE

Originator Project Number	Series	Drawing No	Date
G40061	5B	A200	14/03/22

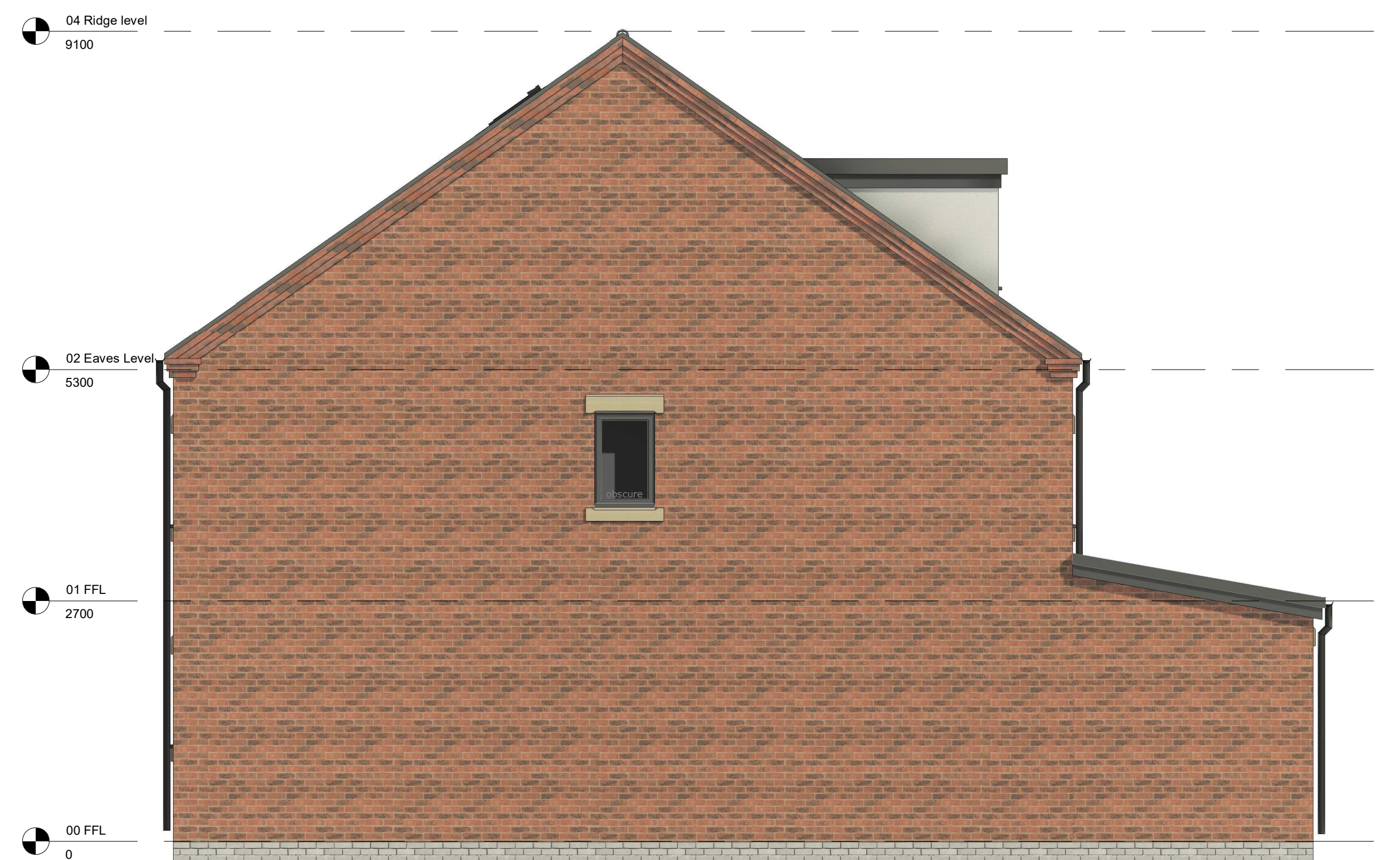
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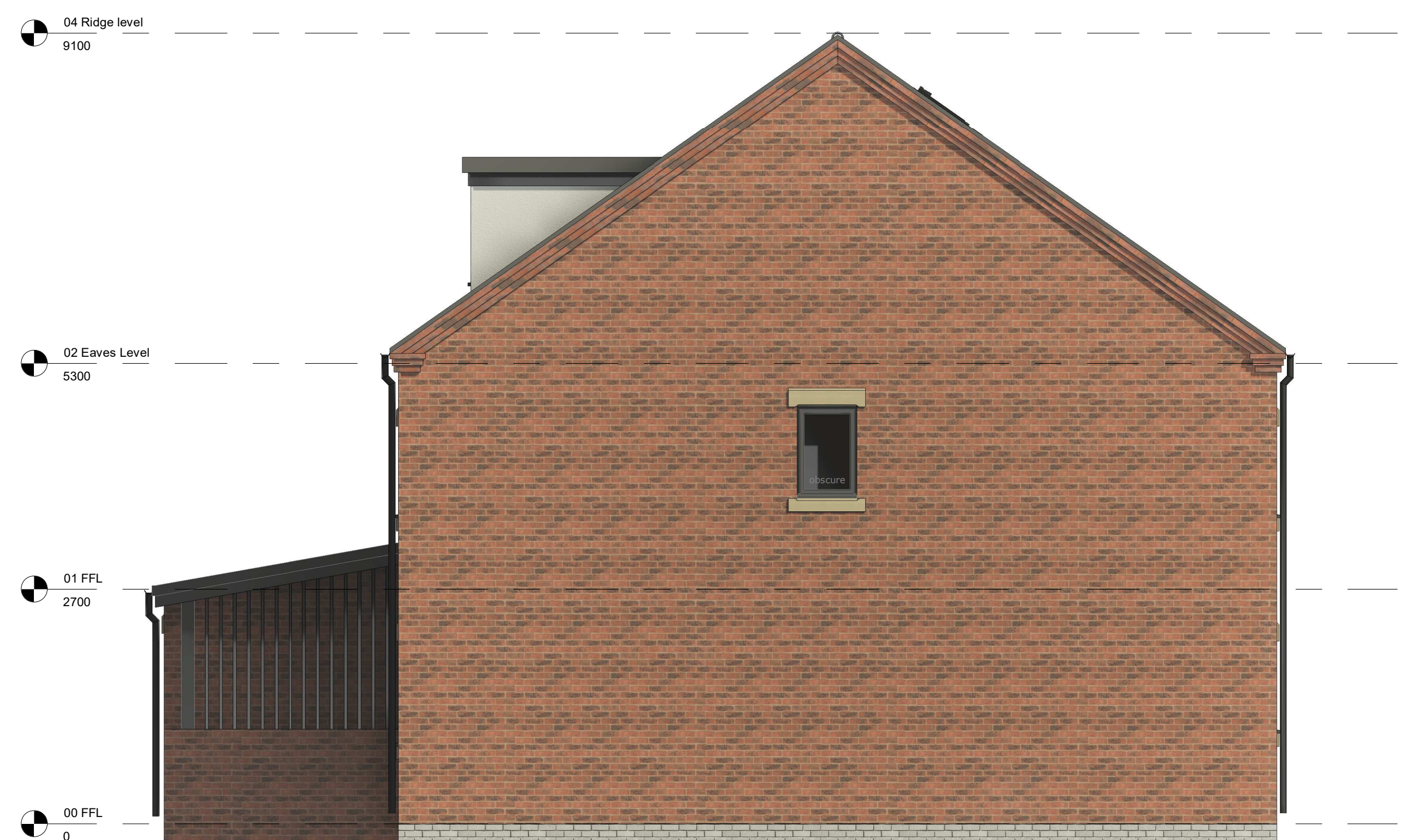
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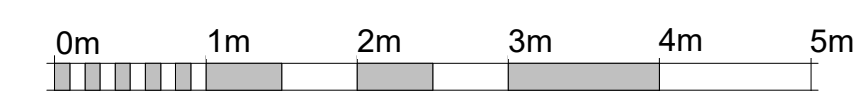
Right Side Elevation



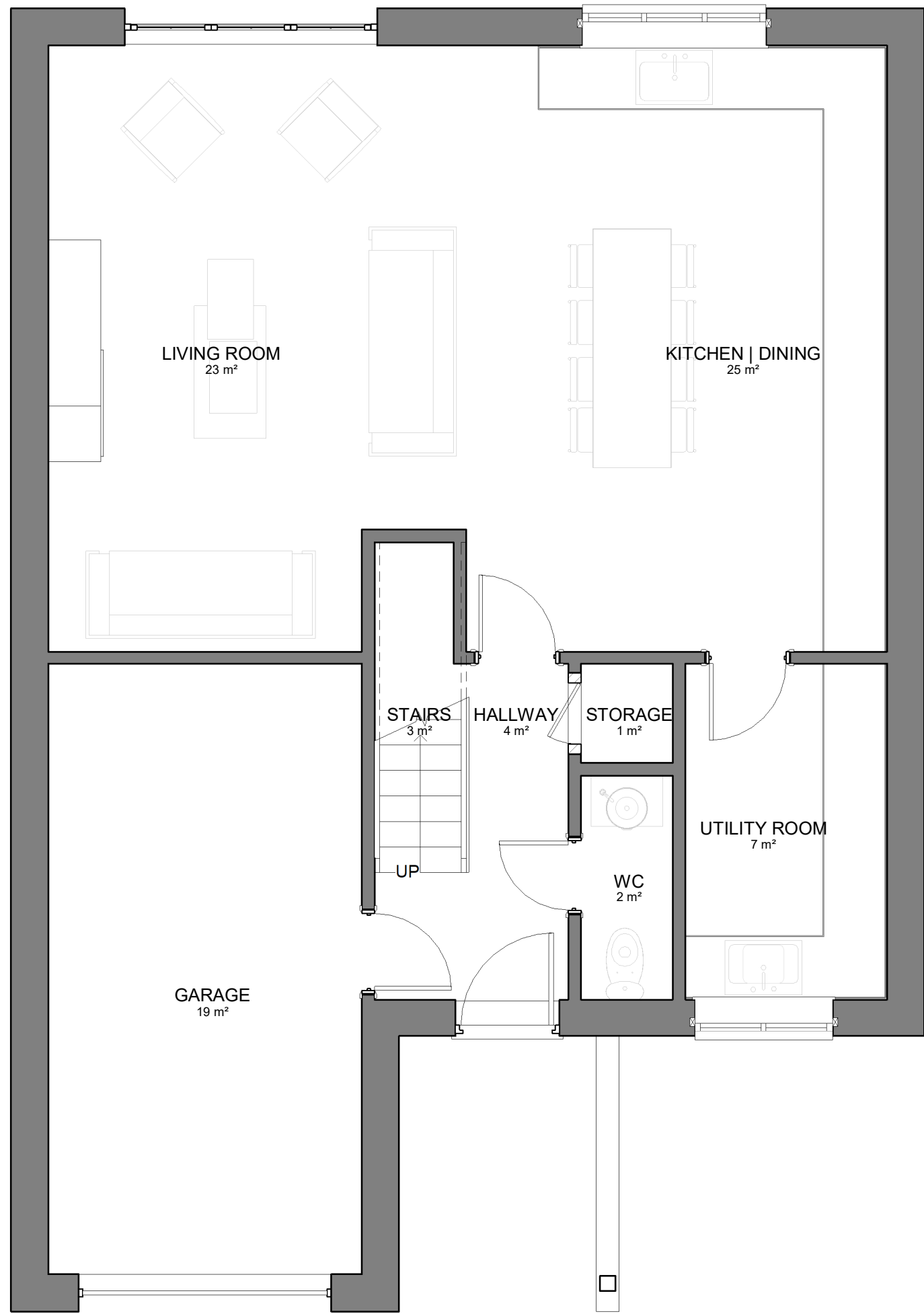
Rear Elevation



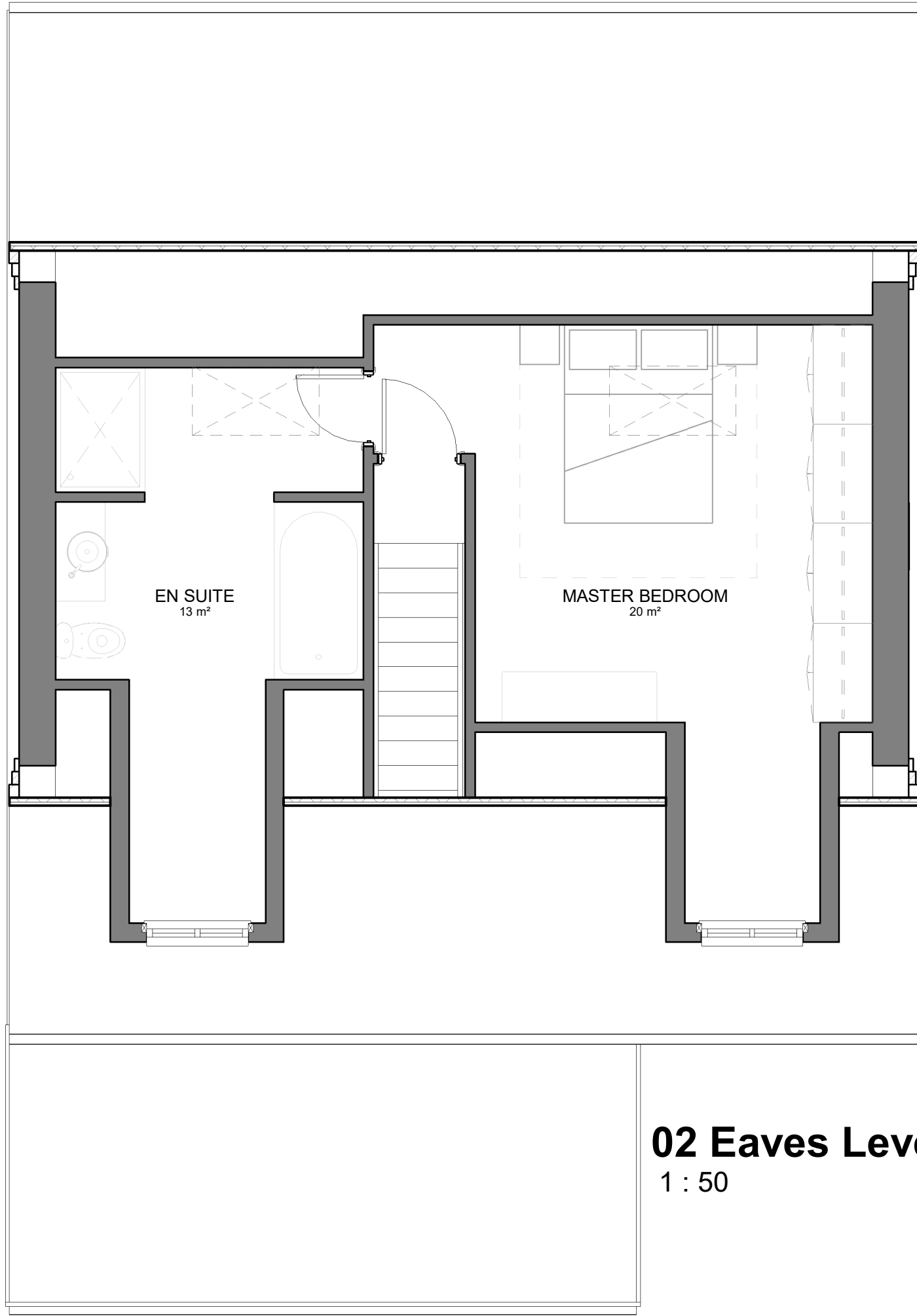
Left Side Elevation



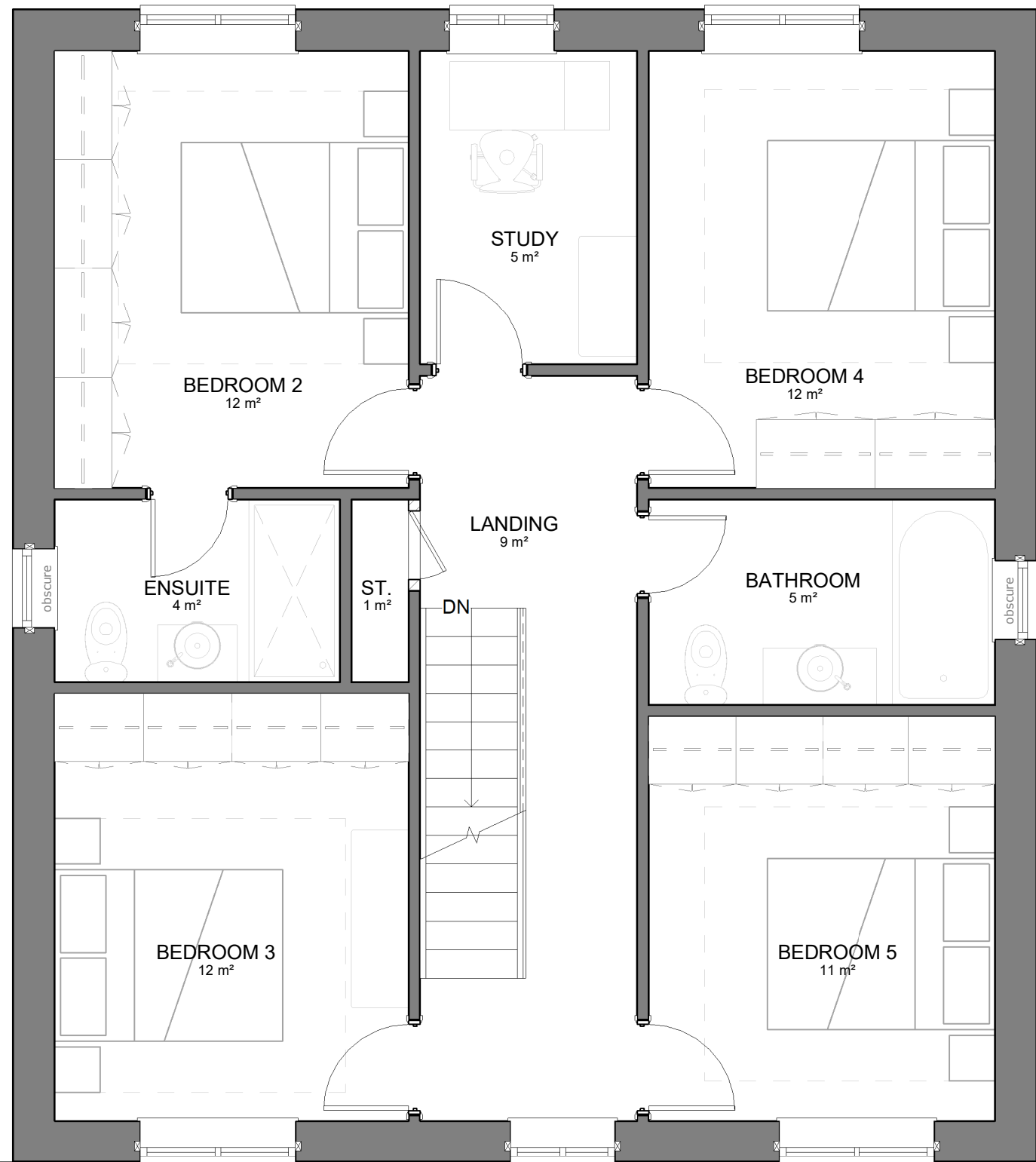
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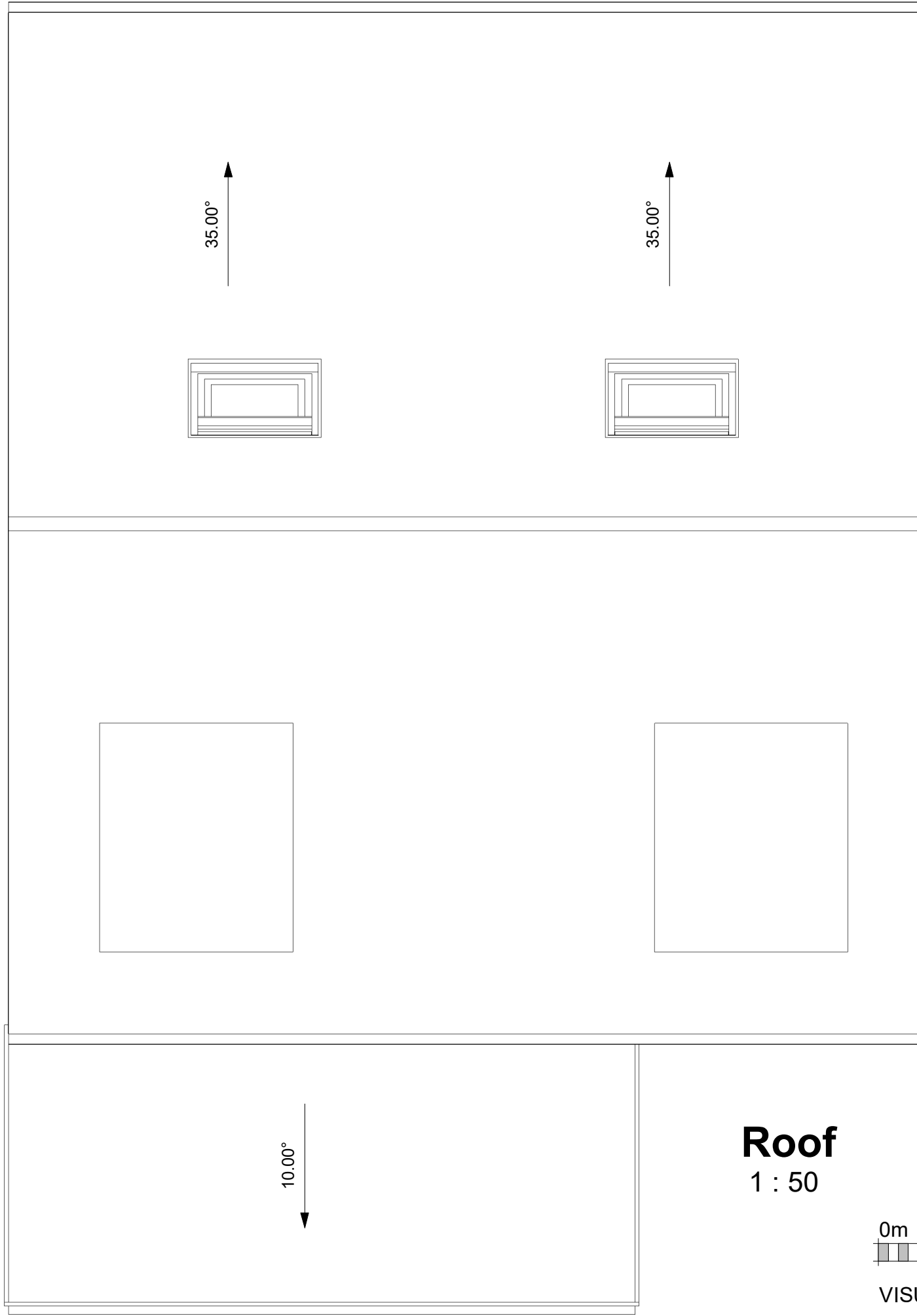
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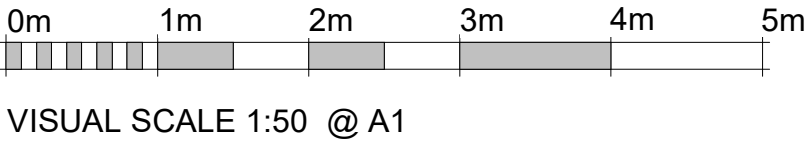
02 Eaves Level
1 : 50



01 FFL First Floor
1 : 50



Roof
1 : 50



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REVISION NOTES

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Ockbrook
Derbyshire
DE72 3RW

PROJECT NAME

SANDBACH

TYPOLGY

5 Bedroom Detached House | Plots 3, 4 & 5

PROJECT ADDRESS

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Sandbach, East Cheshire, CW11 2LQ

CLIENT / USER NAME

Dr J. Richardson

DRAWING NAME

FLOOR PLANS

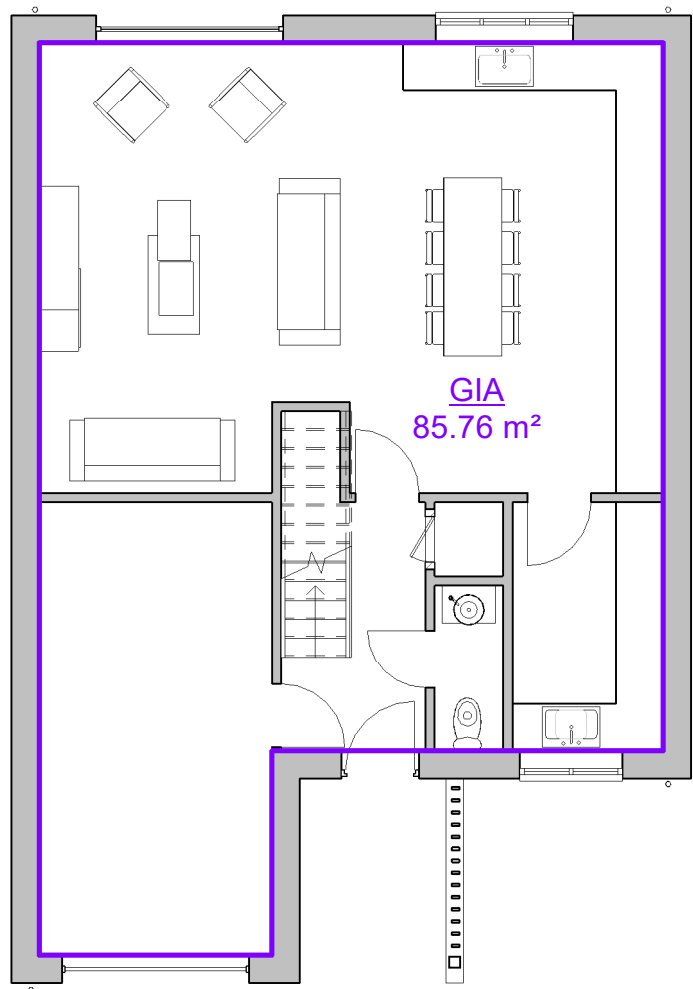
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Originator Project Number	Series	Drawing No.	Date
G40061	5B	A100	14/03/22

STATUS

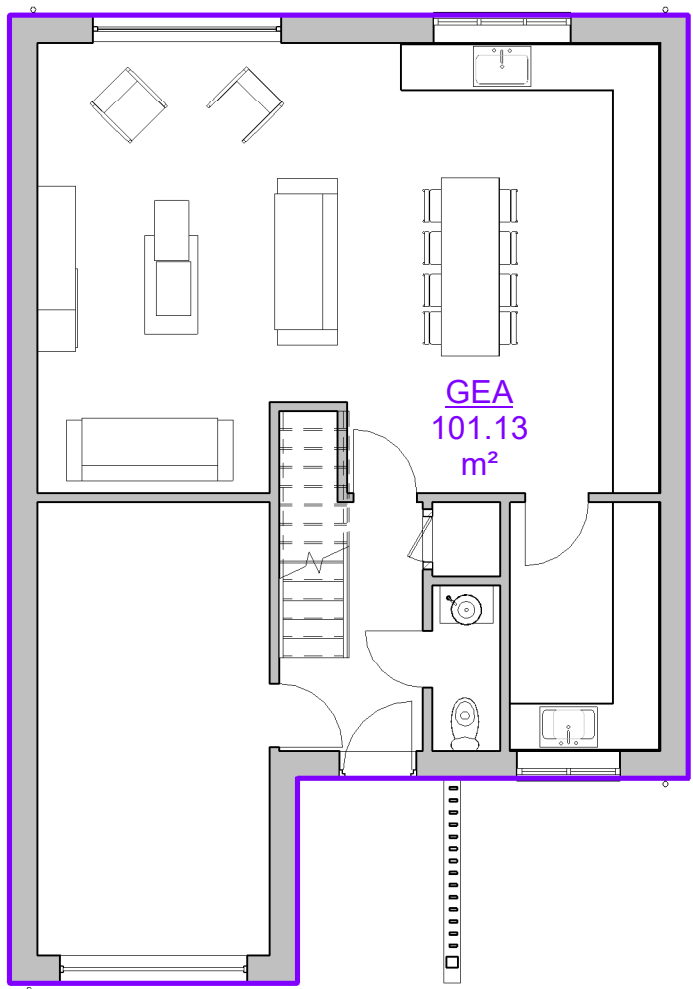
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Sheet size	Scale	Revision
A1L	1 : 50	



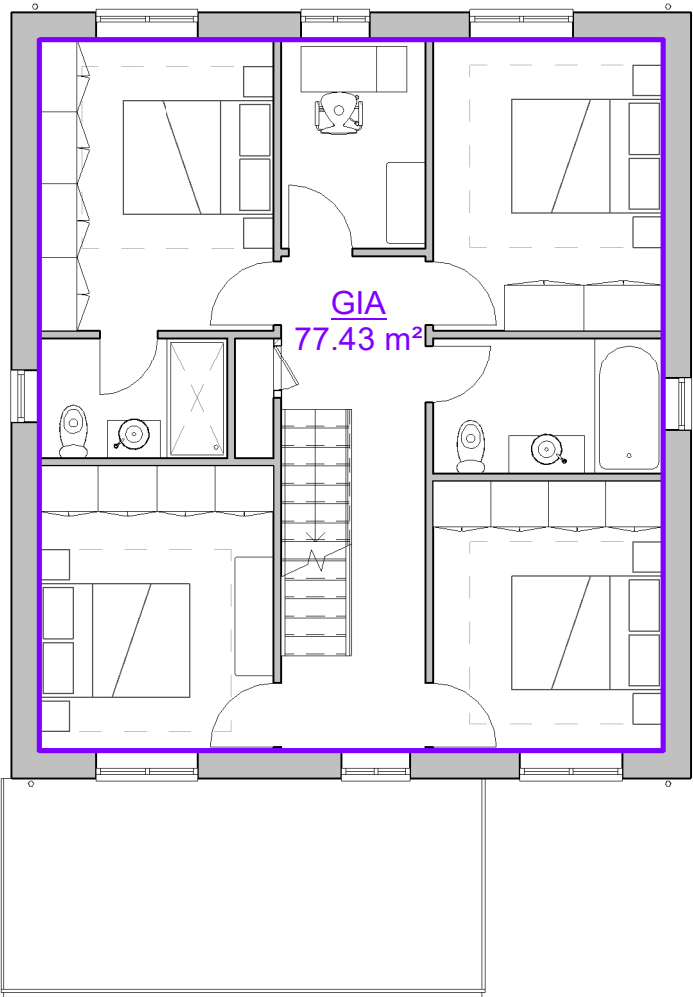
Area Schedule (GIA)		
Level	Area (SF)	Area (m2)
00 FFL	923.1 SF	86 m²
01 FFL	833.4 SF	77 m²
02 Eaves Level	594.6 SF	55 m²
Grand total: 3	2351.1 SF	218 m²

00 FFL
1 : 100

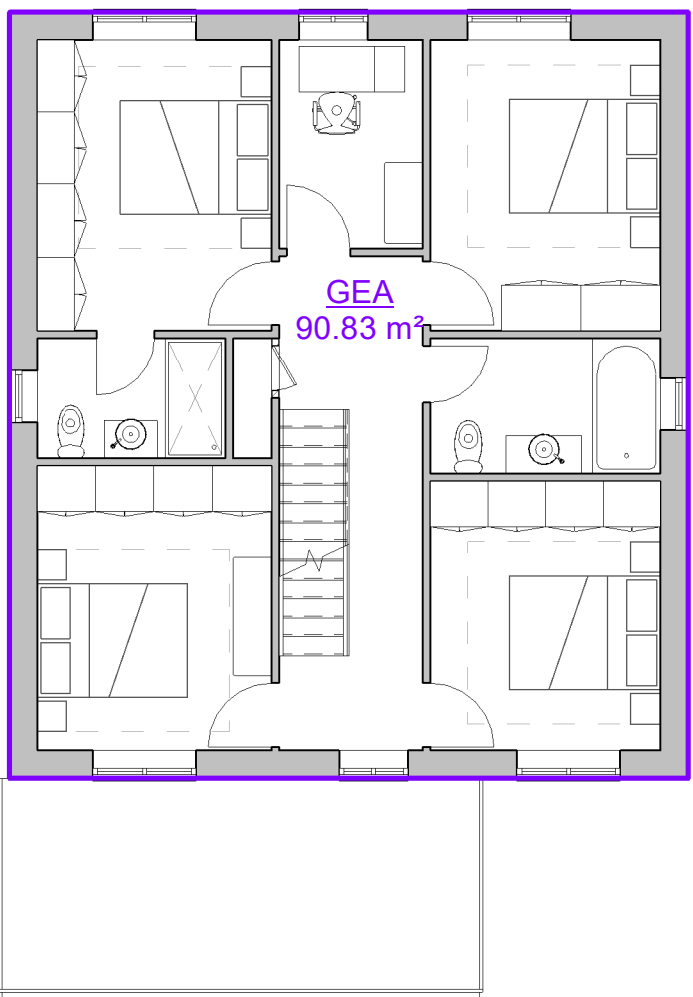


Area Schedule (GEA)		
Level	Area (SF)	Area (m2)
00 FFL	1088.6 SF	101 m²
01 FFL	977.7 SF	91 m²
02 Eaves Level	997.0 SF	93 m²
Grand total: 3	3063.4 SF	285 m²

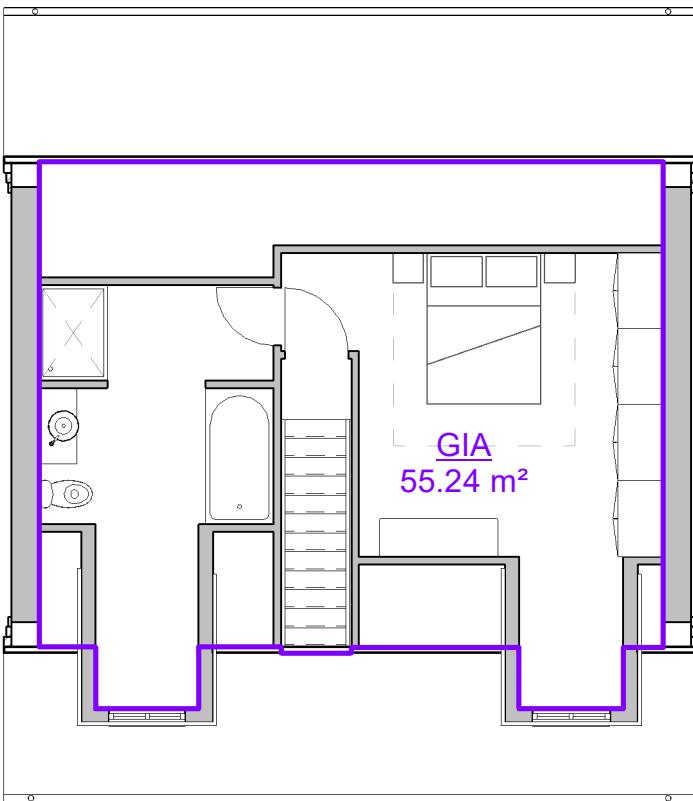
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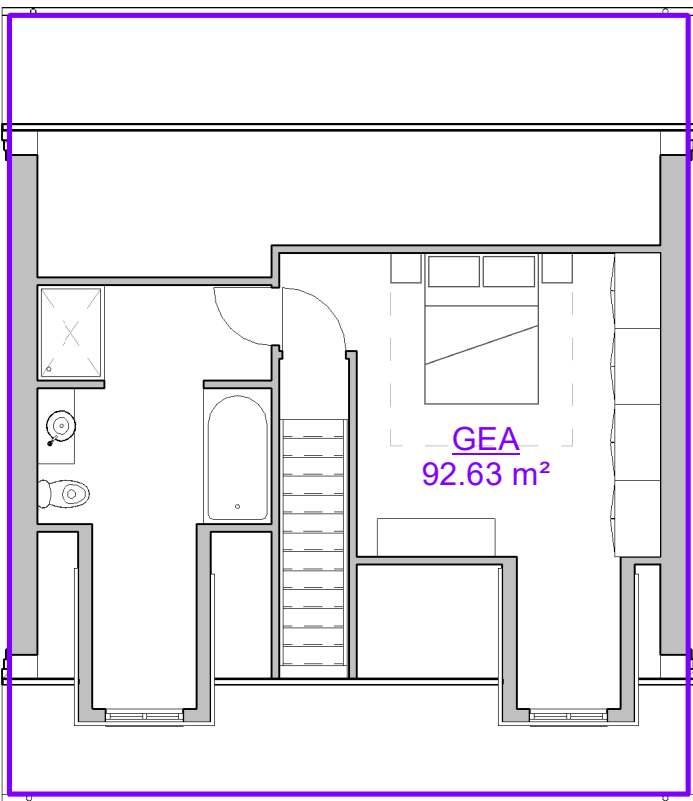
01 FFL
1 : 100



01 FFL
1 : 100



02 Eaves Level
1 : 100



02 Eaves Level
1 : 100



VISUAL SCALE 1:100 @ A1

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NOTES:

REVISION NOTES

Rev	Date	Description

The Barn
Hopwell Hall
Ockbrook
Derbyshire
DE72 3RW

ARCHITECTS

PROJECT NAME

SANDBACH

TPOLOGY

5 Bedroom Detached House | Plots 3, 4 & 5

PROJECT ADDRESS

Land to the Rear of 24 Church Lane,
Sandbach, East Cheshire, CW11 2LQ

CLIENT / USER NAME

Dr J. Richardson

DRAWING NAME

AREAS

FULL DOCUMENT REFERENCE

Originator Project Number	Series	Drawing No.	Date
G40061	5B	A500	14/03/22

STATUS

PLANNING

Sheet size
A1L

Scale
1 : 100

Revision

Page 89

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Application No: 23/0306N

Location: Doddington Mill House, MILL LANE, DODDINGTON, CW5 7NN

Proposal: Proposal to convert part of an outbuilding to commercial use for Pet and Equine cremations including the installation of 2no Incinerators.

Applicant: Georgina Carter, Nantwich Pet and Equine Crematorium

Expiry Date: 28-Mar-2023

SUMMARY

This proposal seeks permission to convert the use of an existing rural building to use partly for Pet and Equine cremations, including the use of two incinerators. The remaining section of the building will be retained for general storage for the site.

The application site is located in the open countryside as defined in the Local Plan Strategy (LPS). Policy PG6 of the LPS seeks to protect the open countryside from inappropriate development unless it 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. The policy goes on to set out exceptions which are acceptable, such as re-use of an existing rural building where the buildings is permanent, substantial and would not require extensive alteration, rebuilding or extension.

The conversion of a building within the open countryside is acceptable within the countryside. Whilst the proposed use is appropriate within the open countryside. The principle of the development is considered to be acceptable.

The applicant has set out in their submission that the development would initially create two jobs with an additional 2 part time jobs expected as the business progresses. The applicant states that there are no local pet cremation facilities in the local area, and it will fill a need in the rural area linked with local vet practices, and equestrian facilities. There is therefore a rural link to the need to be located in a rural area to reduce vehicle movements to the wider area where other facilities may be available. Whilst the site is located off Mill Lane which is a relatively narrow lane, a number of farms use the lane and it is only located approximately 300m off the A51 which would offer easy access to Nantwich and Crewe relatively quickly.

There are no significant issues raised in terms of Ecology, Highways, Amenity or design, subject to conditions set out below.

It is therefore considered that given the small scale of the development, the re-use of existing building on site that the development is broadly in accordance with the Development Plan.

Recommendation

Approve with conditions

REASON FOR REFERRAL

The application is referred to Southern Planning Committee at the request of Councillor Clowes for the following reasons;

'I have a number of concerns regarding this application. First of all, Doddington Mill House is NOT a farm and has not operated as a farm in any respect for many decades. The location plan clearly identifies that this land-holding is located along the Forge Brook and is part of a recognised wildlife corridor of importance (Cheshire Wildlife Trust 2018).

This application therefore is not a change of use from agricultural to commercial, but a new commercial business classification. (Any farm machinery stored on site may be related to businesses outside the site or to recent earth modification activity on what is now exposed garden to the property alongside the brook.)

This application was first submitted last year and withdrawn as it does not comply with prior approval conditions and a full application is required (hence this full resubmission).

a) The application does not comply with CELPS Policy EG2. The opportunity for rural employment in this unsustainable site is extremely limited and makes no contribution to rural vitality in this area.

b) This proposal does not represent the retention or diversification of an existing business.

c) It does not meet the sustainable development objectives of CELPS Policies MP1, SD1, or SD2

d) This proposal has very limited potential to support the rural economy BUT importantly this service may reasonably be expected to locate in more sustainable, designated centres. (Indeed, it may be argued that crematoria should be in areas that are more accessible to customers and emergency services.

e) The SADPD - This proposal does not comply with Policy RUR2 as this is NOT a farm diversification of an agricultural business. This is a stand-alone proposal in an unsustainable location at what will be a significant distance from any proposed customer base.

f) The Wybunbury Combined Parishes Neighbourhood Plan. This proposal does not comply with WCPNP Policy LE1. Whilst the application does seek to re-use an existing building, the proposal does not comply with other relevant planning policies.

g) There is statutory guidance for Animal Carcass Incineration issued by DEFRA Guidance Note 5/03(13) and there may be other regulations. There is no mention of proximity to dwellings (what are the distances to nearby dwellings) nor is there any mention of fire regulations. This is a complex activity where appropriate statutory consultees (Environmental Protection) and Industrial Standards must be notified and addressed.

h) The access to the site is via a narrow, single lane track which would not enable two cars to pass (let alone horse boxes or fuel tankers.)

i) I note that the Highways approve the access as acceptable as there were no accidents on Mill Lane in the prior three years. This fails to recognise that the preceding three years were impacted by Covid lock-downs and the fact that Mill Lane was closed for the majority of that time due to other major engineering works on the lane requiring road closures. These included:

- A six months closure due to the instable structure of the Doddington Mill Bridge adjacent to

the access track to the application site on Mill Lane from May ◊ November 2021.
- Intermittent lane closures due to flooding and replacement drainage engineering at Yew Tree Farm during 2019 and 2020

- A two months closure on Mill Lane End for further reconfiguration of road drains and culverts to prevent repeated flooding of Mill Lane and the Mill Lane End cottages.
- Intermittent closures on Mill Lane End as the result of HS2a mitigation surveys (this is an on-going programme currently with Balfour Beatty, National Grid Gas and Kier)

j) The Highways report suggest that visibility splays are good on accessing and egressing the track entrance. This is not the case. (Has this property been mistaken for the adjacent Doddington Mill Farm?) On exiting the track onto Mill Lane, right-hand egress is impaired by the steep incline down to the bridge and woodland. It is suggested that highways officers conduct a thorough site visit to assess the visibility splays and capacity of the access track for the type of vehicles that this business proposal will require to be accommodated.

k) The Highways Report does not take into account the high levels of HGV and farm traffic accessing the next door (unrelated) Doddington Mill Farm at the top of the hill. (The difference is that the access to this property is much wider, is highly engineered with passing places and wide grass verges at the junction with Mill Lane permitting good visibility in both directions. These advantages are not available to the Doddington Mill House applicants).

l) The National Mill Dale Scout Association Campsite is located a short distance from the access junction and on the same Mill Brook. This is a well-used site attracting high levels of traffic, activity and other agencies (including the Police) throughout the week and over the course of the year. It should be recognised that the principal access route to Mill Lane (and the application site) will be via the A51 and past the Milldale Site.

m) Two crematoria for large and small animals will require significant levels of stored fuel (in addition to that required for domestic use). There is no piped gas supply to this rural area and so LPG or oil will have to be sourced, delivered and stored for use.

n) There is no analysis in the detail provided regarding the crematoria burners regarding management of noise, emissions or air-borne particulate matter which may create potential problems in this quite elevated position. These will have negative impacts on two dwellings that are situated below the application site on the other side of the brook.

o) The building proposed is a substantial new-build storage unit: 6m x 18m x 4m (5m to the ridge) at the top of the site overlooking the Mill Brook and the two neighbouring properties; Eveley Mill Cottage and Doddington Mill. Extensive clearing of trees and remodelling of the lower tiers of the site in 2020 have further exposed the site in this important wildlife corridor (as identified in the Wybunbury Combined Parishes Neighbourhood Plan by the Cheshire Wildlife Trust in 2019.)

p) there are no details of drainage proposals for this building. In an area with no main drains and situated an important main rivers watercourse, this is essential. In the light of the above concerns and non-compliance with important planning policies, I politely request that this application is refused'.

DESCRIPTION OF SITE AND CONTEXT

The application site relates to a building within the ownership of Doddington Mill House, off Mill Lane, Doddington which is located within the Open Countryside.

DETAILS OF PROPOSAL

This application seeks permission to convert an existing building on the site for pet and equestrian cremations. This will include the use of two incinerators. The remaining section of the building will be retained for general storage for the site.

RELEVANT HISTORY

22/1430N – Prior Approval for a proposed change of use – Withdrawn 22/6/22

21/0770N – Proposed garage extension to front of home, proposed rear summer house extension – Refused 24th May 2021

POLICIES

Cheshire East Local Plan Strategy

MP 1 - Presumption in Favour of Sustainable Development

PG 2 - Settlement Hierarchy

PG 6 - Open Countryside

SD 1 - Sustainable Development in Cheshire East

SD 2 - Sustainable Development Principles

EG2 - Rural Economy

EG 5 – Promoting a Town Centre First Approach to Retail and commerce

SE 1 - Design

SE3 - Biodiversity and Geodiversity

SE4 - The Landscape

SE13 - Flood Risk and Water Management

SE12 - Pollution, Land Contamination and Land Instability

CO 2 - Enabling Business Growth Through Transport Infrastructure

Appendix C: Parking Standards

Site Allocation and Development Policies Document

GEN 1 Design principles

ENV1 Ecological network

ENV2 Ecological implementation

ENV 3 Landscape character

ENV 5 Landscaping

ENV 15 New development and existing uses

ENV 16 Surface water management and flood risk

RUR 2 Farm diversification

RUR 10 Employment development in the open countryside

RUR 13 Replacement buildings for residential use

RUR 14 Re-use of rural buildings for residential use

HOU 12 Amenity

INF 3 Highway safety and access

Wybunbury Combined Neighbourhood Plan

H4 Design

E5 Landscape Quality, Countryside and open views

LE1 New and Existing businesses

LE3 Use of rural buildings

TI1 Traffic Management

Other Material Considerations

National Planning Policy Framework (NPPF)

CONSULTATIONS (External to Planning)

Environmental Protection – No objections subject to condition for stack height to be at least 7m (total height)

Highways – No objections

Flood Risk – No objections

Environment Agency – No objections

Natural England – No objections

VIEWS OF THE PARISH / TOWN COUNCIL – None received at time of writing this report

OTHER REPRESENTATIONS

Two letters of representation have been submitted, including one submitted on behalf of two neighbours. The issues raised are summarised below (full comments available on the website);

- Concerns raised over the access, driveway width and use of the lane, and its potential impact on Highway Safety
- The building is a new building which has recently been constructed
- The site has never been in agricultural use – it is not a farm
- Concerns raised over other potential commercial uses in the future
- Concerns raised over potential health implications from pollutants into the air from the incinerators
- Concerns raised over potential impact on house values
- Unhappy that applicants appear to have assumed they would get permission prior to speaking to neighbours about proposed development
- Concerns raised over the limited amount of information supplied with the application, eg. Information re the operation of the incinerators, Lack of Ecological Assessment, No drainage details supplied, no floor plans,
- No parking / delivery information
- The development is contrary to policy PG6, MP1, SD1 and SD2
- Site is unsustainably located

- Use is not acceptable in rural area contrary to Policy ENV3
- Potential impact on neighbouring amenity
- Development will have a detrimental impact on local wildlife and biodiversity

OFFICER APPRAISAL

Principle of Development

The application site is located in the open countryside as defined in the Local Plan Strategy (LPS). Policy PG6 of the LPS seeks to protect the open countryside from inappropriate development unless it 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.

Policy PG6 then goes on to set out exceptions which are acceptable, such as re-use of an existing rural building where the buildings is permanent, substantial and would not require extensive alteration, rebuilding or extension (exception ii) and the replacement of existing buildings by new buildings which are not materially larger than the building they replace (exception iii).

Policy RUR10 of the SADPD sets out where employment development may be appropriate within the open countryside and the requirements it should meet. It is noted that this policy sets out that additional buildings, structures and ancillary development are restricted to the minimum level reasonably required for the existing or planned operation of the business; are well-related to each other and existing buildings and do not form isolated or scattered development.

Policy EG2 (Rural Economy) of the LPS sets out that in rural area development which meets the following criteria will be supported provided the development also accords with other relevant policies of the development plan;

1. *Provided opportunities for local rural employment development that supports vitality of the rural settlements;*
2. *Creates or extend rural based tourist attractions, visitor facilities and recreational uses*
3. *Encourage the retention and expansion of existing businesses particularly through the conversion of existing buildings and farm diversification;*
4. *Encourage the creation and expansion of sustainable farming and food production businesses and allow for the adaption of modern agricultural practices;*
5. *Are considered essential to the wider strategic interest of the economic development of Cheshire East as determined by the Council*
6. *Supports retention and delivery of community serves such as shops and public houses, and village halls*

Policy LE1 of the W&CPNP is more supportive of new buildings and sets out the proposals for new appropriate rural employment will be supported where it can be demonstrated that the development will positively benefit the local economy and provide opportunities for local employment. Policy LE3 then supports the re-use of rural buildings provided that they meet a number of criteria.

The development proposes to convert an existing building. Some works have taken place to this building in the form of new cladding materials. The evidence available is in the form of aerial

photographs and those from 2019-21, 2015-17, 2010 and 1999-2003 all do show buildings on the site. If the proposal was not considered a conversion then the replacement would be allowable under exception iii of PG6, providing that the building is not materially larger (in terms of footprint the proposal would not be materially larger, as evidenced by viewing the historic aerial photographs).

This development would be for a small-scale operation and the business is therefore likely to serve a fairly localised market and rural customer base such as local vets and private individuals. Given the rural location, this facility would therefore appear to be well located to serve its intended market, and it is accepted that the proposal could also be considered to be an appropriate use within the countryside.

The use of the building is for pet and equine cremations using two incinerators. This is a sui generis use which would have no permitted changes of use to any other type of commercial use. The location in a rural area is relatively acceptable due to the low limit of expected movements. The applicant is intending to provide a collection and delivery service for most cremations from vet surgeries in the area, with an estimated up to 4 cars per week from customers with small pets, and up to 2 equine cremations per week which would include horse boxes. Furthermore, the generally small footprint of the building floor plan would limit the numbers.

The applicant has set out in their submission that the development would initially create two jobs with an additional 2 part time jobs expected as the business progresses. The applicant states that there are no local pet cremation facilities in the local area (the nearest sites are at Moston, or Shropshire (locations south of Whitchurch and Market Drayton and north of Eccleshall), and it will fill a need in the rural area linked with local vet practices, and equestrian facilities. There is therefore a rural link to the need to be located in a rural area to reduce vehicle movements to the wider area where other facilities may be available.

Whilst the site is located off Mill Lane which is a relatively narrow lane, a number of farms use the lane and it is only located approximately 300m off the A51 which would offer easy access to Nantwich, Crewe and Woore relatively quickly.

It is therefore considered that given the small scale of the development, the re-use of existing building on site that the development is broadly in accordance with the Development Plan.

Design and Character of the Area

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 SE4 of the CELPS sets out that the high quality of the built and natural environment is recognised as a significant characteristic of the borough and that all development should conserve the landscape character and quality, and should where possible, enhance and

effectively manage the historic, natural and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes.

The proposed development will be largely internal alterations within the building with only 2no flues being visible externally. The existing building has recently been reconstructed with green coloured metal sheets. The Flues are required to be a total of 7m in height to ensure they meet Environmental Protection legislation, which requires flues of 2.5m protruding above the roof line. The flues are relatively thin and due to the sloping nature of the site will be largely hidden in view from around the site.

For the reasons noted above, it is considered that the development would have only a limited impact upon the character and appearance of the open countryside location, and therefore complies with the relevant policies of the development plan.

Amenity

Policies SD2 and SE1 of the CELPS seek to ensure an appropriate level of privacy for new and existing residential properties. Policy HOU 12 of the SADPD similarly sets out that development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses or future occupiers of the proposed development.

The nearest neighbouring property (other than the applicants) is located over 100m away from the buildings. Environmental Protection have assessed the proposal and have raised no objections to the use subject to the incinerators proposed in the application being used and the external flues being of a height of at least 2.5m. Furthermore, the Environmental Protection Officers have confirmed that the operation of the animal incinerator will fall under the Environmental Permitting Regulations and the applicant will need to apply for a Permit from the Council's Environmental Protection Team. Permits are a proactive means of controlling emissions to atmosphere by the imposition of specific conditions which are then subject to ongoing monitoring and inspection by the Environmental Protection Team. Applications are assessed in full, and conditions are imposed in line with statutory guidance issued by central government. The applicant has been advised of this specific requirement, therefore the impact on neighbouring amenity will be controlled by Environmental Protection legislation.

The scale of the development is therefore considered to be acceptable and would not adversely impact on neighbouring amenity and is subject to strict restrictions under Environmental Protection legislation.

Highways / Access

The Strategic Highways Officer has considered the proposal and notes that the existing access onto the public highway. Access is from Mill Lane which itself is primarily accessed from A51 London Road. The Mill Lane access, off London Road, is wide and provides sufficient width for 2 cars to pass each other, or for a car to pass an HGV. Mill Lane then narrows but there is a large passing bay at the scout campsite entrance. Mill Lane then narrows again to single car width but background traffic levels here are low.

The Strategic Highways officer states that there have been no recorded traffic accidents along Mill Lane or at its access with London Road over the last 3 years. Comments have been

submitted regarding more limited use of the lane over these 3 years relating to road works or Covid restrictions, but access would have still been available at these times. Nevertheless, extending back 5 years there have still been no recorded traffic accidents.

Regarding vehicle movements, the applicant has stated they will provide a collection and delivery service to and from the site in our own vehicles, including collecting in bulk from local veterinary practices once or twice per week. When running at full capacity they also expect up to 4 cars per week from customers dropping off. They expect 1 to 2 equine cremations per week for which they would use a horsebox and trailer.

The Strategic Highways Officer states that access visibility is acceptable and given the limited scale of the development, which has a floor area little more than a half dozen garages, and the number of vehicles that would be generated the proposal is considered to be acceptable and no objection is raised.

Ecology

The Councils Ecologist has been consulted on this application and the following comments have been made.

Statutory Designated Sites

The application site falls within Natural England's SSSI impact risk zones. The Officer advises that Natural England must be consulted to advise upon the potential impacts of the proposed development upon statutory designated sites.

Ecological Network and Biodiversity Net Gain

The application site falls within a Core Area and Restoration Area of the CEC ecological network which forms part of the SADPD. Policy ENV1 therefore applied to this application. This policy requires developments in Core Areas to lead to enhancements of priority habitat and developments in Restoration Areas to contribute to the enhancement of the network.

Policy SE3 of the core strategy and ENV2 also require development proposals to deliver a gain for biodiversity.

As the application site is relatively small opportunities for ecological enhancement are limited, it is suggested that the applicant submits a biodiversity enhancement strategy which includes proposals such as the incorporation of features for nesting birds such as house sparrow and native hedgerow planting.

Other matters

The Ecologist has advised that they do not anticipate there being any other ecological issues associated with the proposed development.

Natural England have been consulted on the application and have raised no objection to the development.

Flood Risk and Drainage

The LLFA have assessed the application and whilst the site possesses some local surface water risk which is in close proximity to the site boundary and is in close proximity to Flood Risk Zone 3, due to the scale and nature of this application have raised no objections to the proposal.

CONCLUSIONS AND REASON(S) FOR THE DECISION

This proposal seeks permission for the change of use of an existing rural building to use partly for Pet and Equine cremations, including the use of two incinerators. The remaining section of the building will be retained for general storage for the site.

The application site is located in the open countryside as defined in the Local Plan Strategy (LPS). Policy PG6 of the LPS seeks to protect the open countryside from inappropriate development unless it 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. The policy goes on to set out exceptions which are acceptable, such as re-use of an existing rural building where the buildings is permanent, substantial and would not require extensive alteration, rebuilding or extension.

The conversion of a building within the open countryside is acceptable within the countryside. Whilst the proposed use is appropriate within the open countryside. The principle of the development is considered to be acceptable.

The use of the building is for pet and equine cremations using two incinerators. This is a sui generis use which would have no permitted changes of use to any other type of commercial use. The location in a rural area is considered to be relatively acceptable due to the low limit of expected movements. The applicant is intending to provide a collection and delivery service for the majority of cremations from vet surgeries in the area, with an estimated up to 4 cars per week from customers with small pets, and up to 2 equine cremations per week which would include horse boxes. Furthermore, the generally small footprint of the building floor plan would limit the numbers.

The applicant has set out in their submission that the development would initially create two jobs with an additional 2 part time jobs expected as the business progresses. The applicant states that there are no local pet cremation facilities in the local area, and it will fill a need in the rural area linked with local vet practices, and equestrian facilities. There is therefore a rural link to the need to be located in a rural area to reduce vehicle movements to the wider area where other facilities may be available. Whilst the site is located off Mill Lane which is a relatively narrow lane, a number of farms use the lane and it is only located approximately 300m off the A51 which would offer easy access to Nantwich, Crewe and Woore relatively quickly.

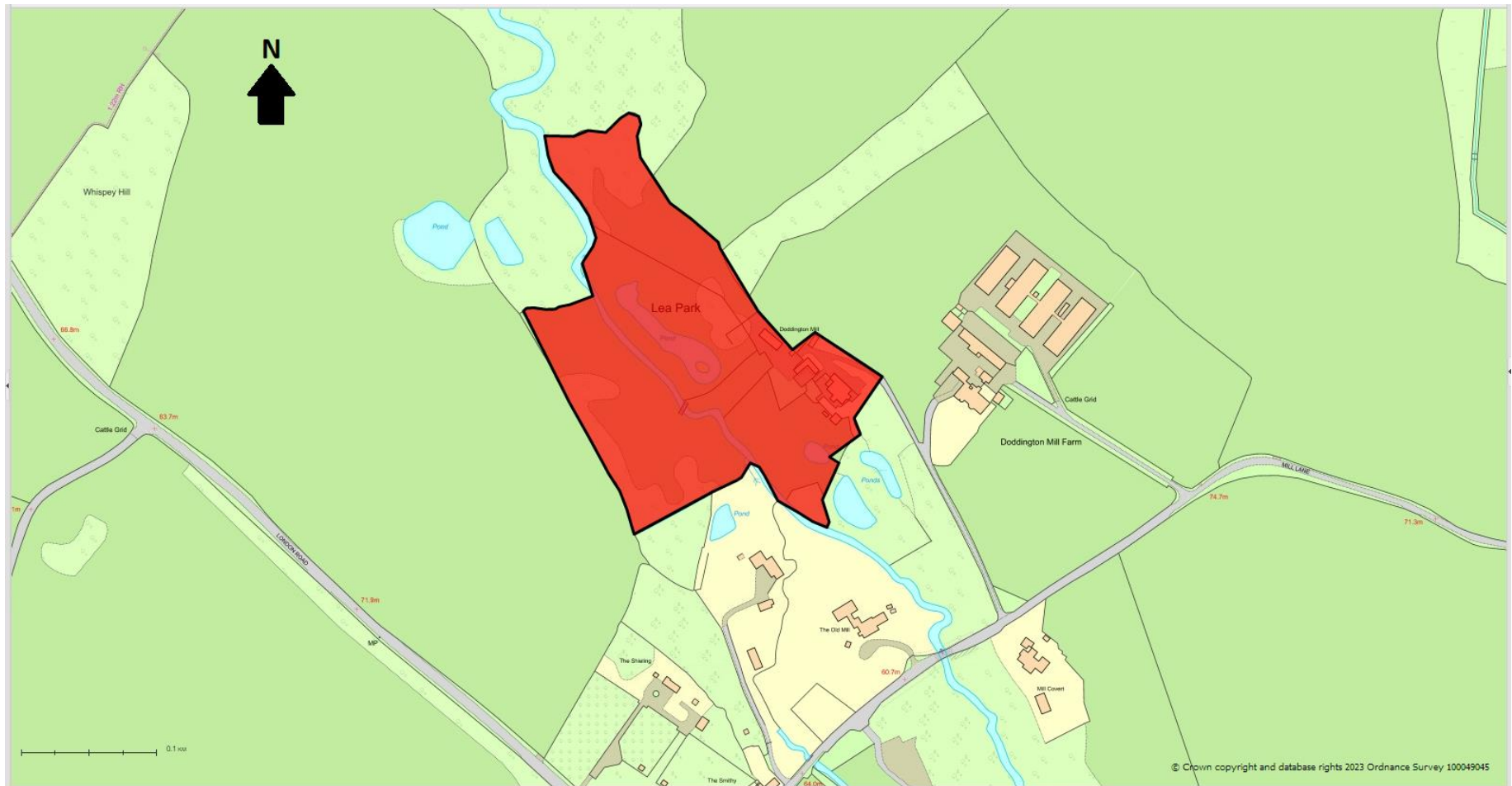
There are no significant issues raised in terms of Ecology, Highways, Amenity or design, subject to conditions set out below.

It is therefore considered that given the small scale of the development, the re-use of existing building on site that the development is broadly in accordance with the Development Plan.

Recommendation: Approve with conditions

- 1. Standard time**
- 2. Approved Plans**
- 3. Materials as set out**
- 4. Stack height of at least 7m**
- 5. Biodiversity Enhancement strategy**

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



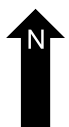
23/0306N

DODDINGTON MILL HOUSE,
MILL LANE, DODDINGTON,
CW5 7NN

Doddington Mill House - Change of Use



0 50
Metres



Plan Produced for: G Carter

Date Produced: 25 Jan 2023

Plan Reference Number: TQRQM23025133611557

Scale: 1:1250 @ A4

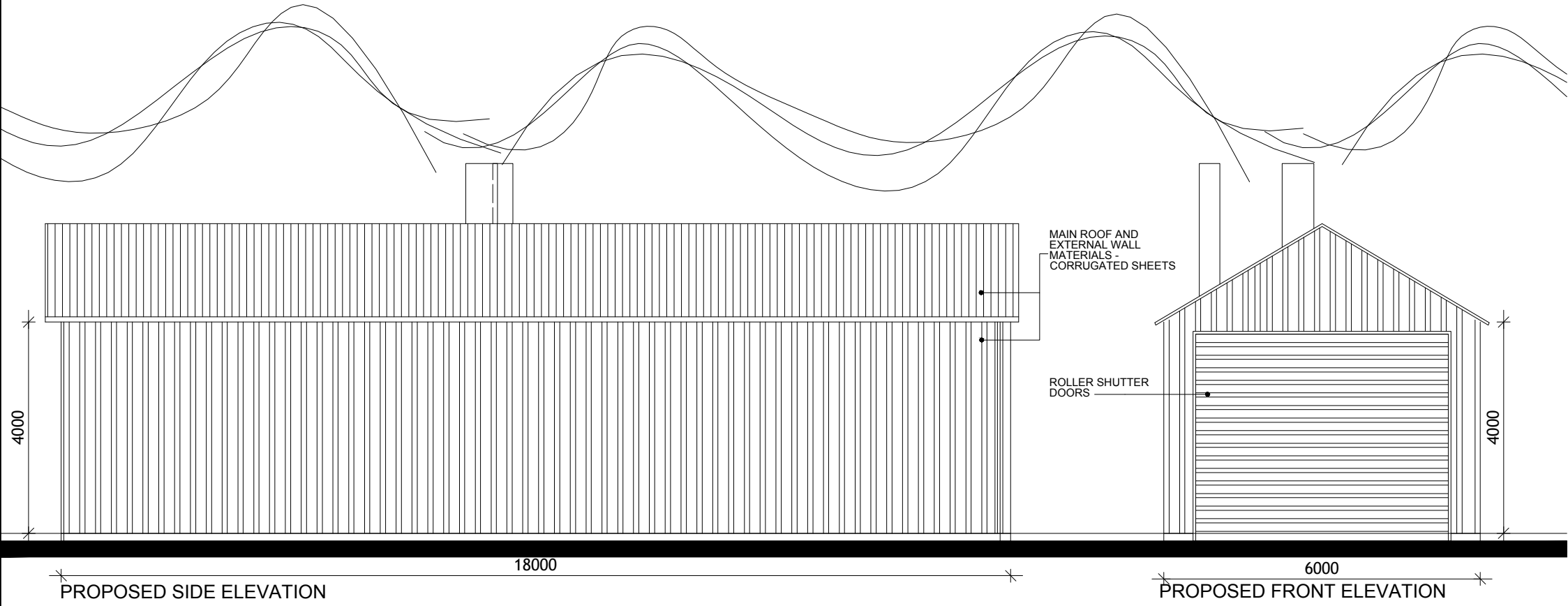
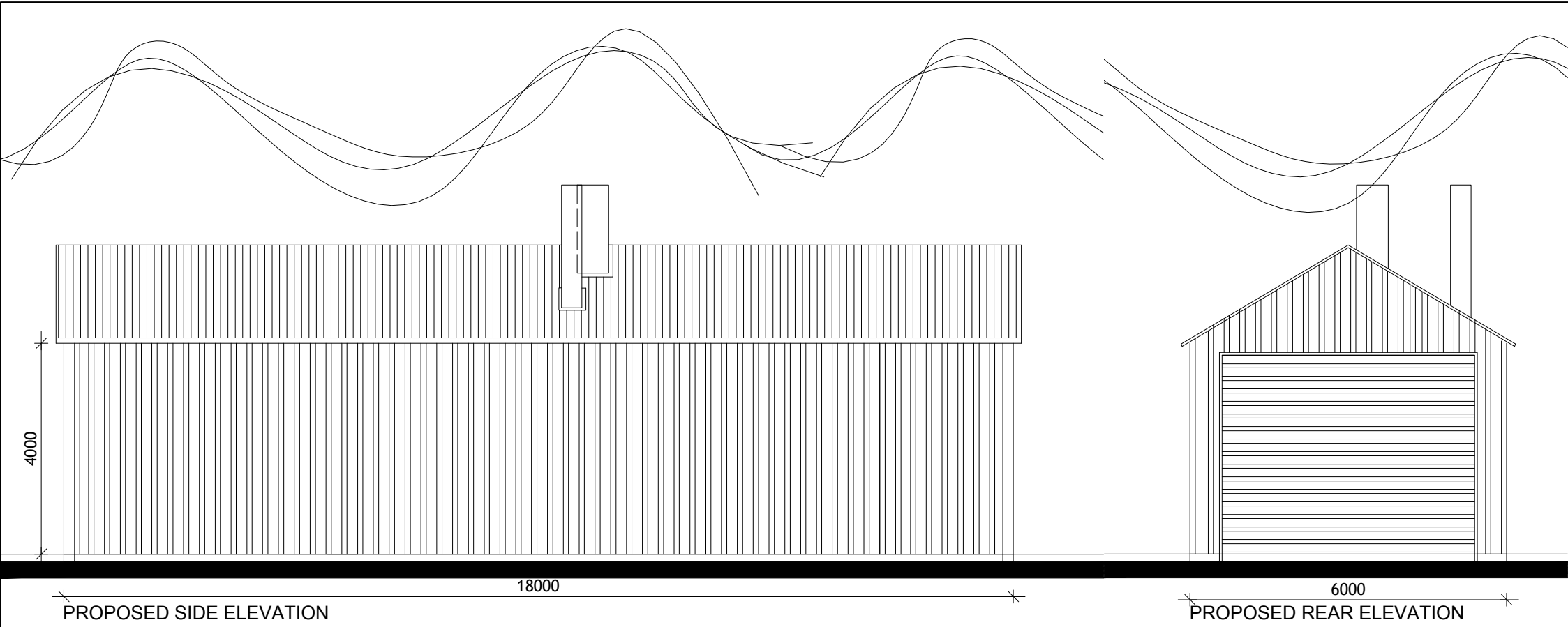


Plan prepared on 07/02/2011 at 00:00:01.

This Plan should be read in conjunction with result NS4RUJB.

This plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - Title Plans and Boundaries.

 proposed site



GENERAL NOTES.


ALL CONTRACTORS MUST VISIT THE SITE AND BE RESPONSIBLE FOR FAMILIARISING THEMSELVES WITH THE FULL EXTENT OF THE WORKS AS INDICATED AND / OR TAKING AND CHECKING DIMENSIONS RELATIVE TO THE WORKS SHOWN.

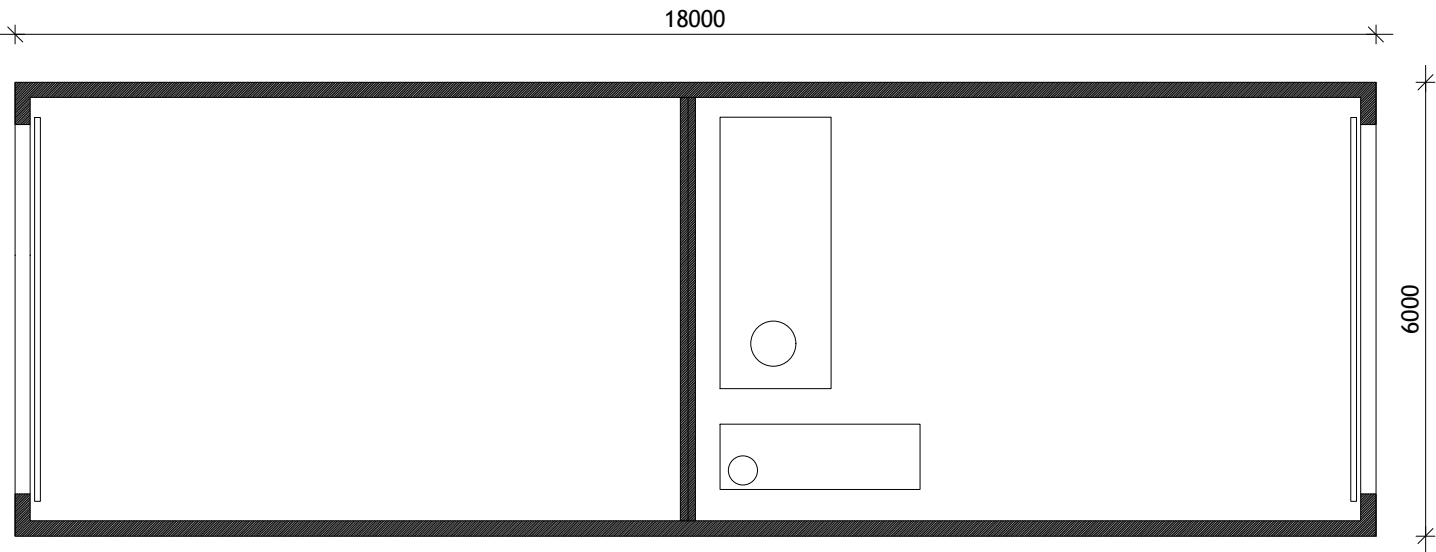
DO NOT SCALE FROM THIS DRAWING, USE FIGURED DIMENSIONS ONLY.

ALL DIMENSIONS TO BE AGREED WITH CLIENT ON SITE.

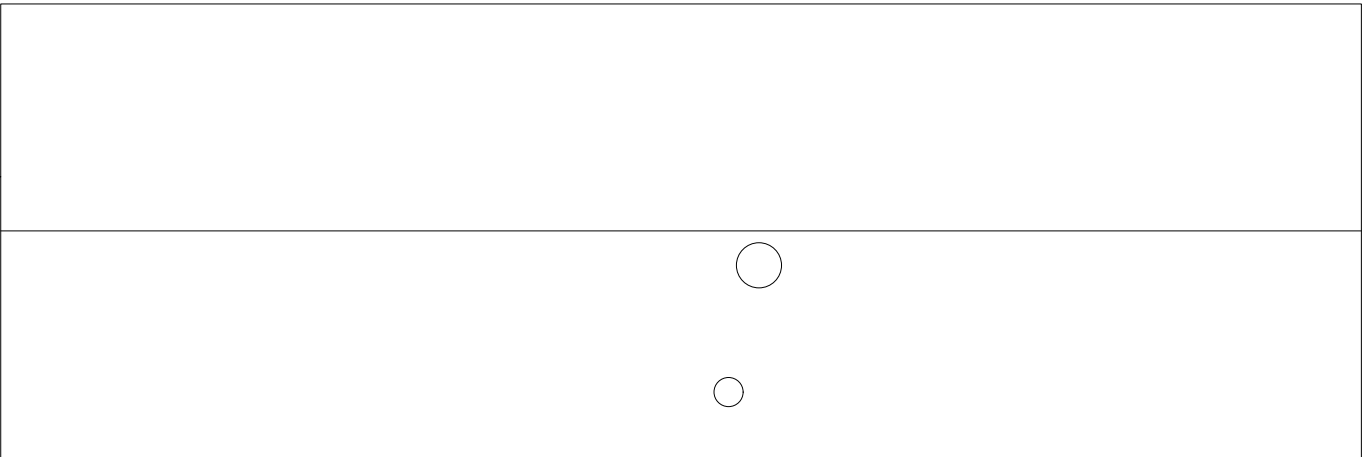
SPECIFICATION.

REFER TO PLANNING APPLICATION.

CLIENT G CARTER	
PROJECT Doddington Mill House Mill Lane Nantwich CW5 7NN	
DESCRIPTION OF WORKS PROPOSED STORAGE SHED	
SHEET TITLE PROPOSED ELEVATIONS	
SCALE 1:100@A3	
DATE JUNE 2022	DWG No. 003
<div><div>ACS88 ARCHITECTURE Tel: 07414145345 Website: www.ACS88.co.uk</div></div> <p>© THIS DRAWING IS COPYRIGHT. WORKING UNDER THE REGISTERED NAME CW9 CAD Services LTD, REGISTERED COMPANY THIS DRAWING AND THE BUILDING WORKS DEPICTED ARE THE COPYRIGHT OF CW9 CAD SERVICES LIMITED AND MAY NOT BE REPRODUCED OR AMENDED EXCEPT BY WRITTEN PERMISSION. NO LIABILITY WILL BE ACCEPTED FOR AMENDMENTS MADE BY OTHER PERSONS.</p>	



PROPOSED FLOOR PLAN



ROOF PLAN

GENERAL NOTES.

ALL CONTRACTORS MUST VISIT THE SITE AND BE RESPONSIBLE FOR FAMILIARISING THEMSELVES WITH THE FULL EXTENT OF THE WORKS AS INDICATED AND / OR TAKING AND CHECKING DIMENSIONS RELATIVE TO THE WORKS SHOWN.

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ALL DIMENSIONS TO BE AGREED WITH CLIENT ON SITE.

SPECIFICATION.

REFER TO PLANNING APPLICATION.

CLIENT G CARTER	
PROJECT Doddington Mill House Mill Lane Nantwich CW5 7NN	
DESCRIPTION OF WORKS PROPOSED STORAGE SHED	
SHEET TITLE PROPOSED FLOORPLANS	
SCALE 1:100@A3	
DATE JUNE 2022	DWG No. 004



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Application No: 23/0596C

Location: Hermitage Turkey Farm, HERMITAGE LANE, CRANAGE, CW4 8HA

Proposal: Demolition of the existing poultry units, followed by the erection of a replacement poultry unit with associated feed bins, hardstanding's, and a dirty water tank.

Applicant: Mr Sam Jones, Aviagen Turkeys Ltd

Expiry Date: 04-Aug-2023

SUMMARY

The application site lies entirely within the Open Countryside where Policy PG 6 (Open Countryside) of the CELPS sets out the exceptions for development in the Open Countryside which includes development which is essential for the purpose of agriculture.

The design is acceptable and the impact on the surrounding amenity, trees & hedgerows, ecology and the highway network will not be significant.

While there will be less than substantial harm in relation to existing heritage assets it is considered the public benefit would out way the harm caused and on its own would not warrant a refusal of the application.

On the basis of the above, it is considered that the proposals represent sustainable development, and it is recommended for approval.

RECOMMENDATION

APPROVE with conditions

REASON FOR REFERRAL

This application is referred to Southern Planning Committee as it is a small-scale major development (floorspace of between 5,000 –9,999 square metres).

DESCRIPTION OF SITE AND CONTEXT

The application site comprises of an existing turkey farm located off Hermitage Lane. The site currently comprises six poultry houses, a cluster of outbuildings located beside the entrance to the site, and a large grassed arear surrounding the turkey sheds.

To the east of the site lies Hawthorne Cottage, a small Grade II listed building.

The site lies within the Open Countryside and Jodrell Bank Radio Telescope Consultation Zone as defined by the Local Plan Policies Map.

DETAILS OF PROPOSAL

Full planning permission is sought for the demolition of the existing poultry units, followed by the erection of a replacement poultry unit with associated feed bins, hardstanding's, and a dirty water tank.

The proposed replacement poultry unit would consists of 3 No. linked buildings, each 104m by 18m, eaves height of 2.4m and ridge height of 6.481m. The 2. No. link corridors connecting the 3 No. units would measure 8m by 4m.

The proposed replacement buildings would house up to 7500 hen and 540 stag turkeys, a reduction compared to the existing operation (9000 hen and 600 stag turkeys)

The site would operate a 36-week production cycle, 28 weeks of laying, removal of the birds after 28 weeks and 4 - 6 weeks of cleaning and preparation between each flock.

The site currently employs 8 full-time workers, which would remain following development.

RELEVANT HISTORY

07/0887/FUL - Building to house upgraded milking facilities, cattle handling dairy, office, machine room in portal frame building
Approved with conditions / 13-Nov-2007

06/0022/FUL - Single storey building for egg wash rooms and staff showers and wc's.
Approved with conditions / 20-Feb-2006

24712/3 - Installation of feed bins to serve existing poultry houses.
Approved with conditions / 20-Oct-1992

15573/3 - Dismantle 3 barns & erect 6 new barns for breeding turkeys.
Approved with conditions / 07-Feb-1984

POLICIES

Cheshire East Local Plan Strategy 2017 (CELPS)

PG1 – Overall Development Strategy
PG 6 - Open Countryside
EG2 – Rural Economy
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE 1 - Design
SE 2 - Efficient Use of Land
SE 3 - Biodiversity and Geodiversity
SE 4 - The Landscape

SE 5 - Trees, Hedgerows and Woodland
SE 7 - The Historic Environment
SE 12 - Pollution, Land Contamination and Land Instability
SE 13 - Flood Risk and Water Management
SE14 - Jodrell Bank
IN1 – Infrastructure
CO1 - Sustainable Travel and Transport

Site Allocations and Development Policies Document (SADPD)

GEN 1 - Design principles
ENV 1 - Ecological network
ENV 2 - Ecological implementation
ENV 5 - Landscaping
ENV 6 - Trees, hedgerows and woodland implementation
ENV 7 - Climate change
ENV 12 - Air quality
ENV 14 - Light pollution
ENV 16 - Surface water management and flood risk
HER 1 - Heritage assets
HER 4 - Listed buildings
HER 9 - Jodrell Bank World Heritage Site
RUR 1 - New buildings for agriculture and forestry
HOU 12 - Amenity
INF 3 - Highway safety and access

Cranage Neighbourhood Plan

Regulation 7 - no weight afforded

Other Material Policy considerations

- National Planning Policy Framework (NPPF) (2021)
- Cheshire East Design Guide SPD

CONSULTATIONS (External to Planning)

Jodrell Bank: No comments received.

Environmental Health: No objection, informatives suggested regarding noise generative works, site specific dust management and floor floating.

Environment Agency: No objection

Natural England: No comments received at the time of writing.

Flood Risk: No objection

United Utilities: No objection raised, applicant/ developers attention to be drawn to the comments provided.

Cadent Gas Ltd: No comments received at the time of writing.

Public Rights of Way (PROW): It appears unlikely that the proposal would affect the public rights of way, although the PROW Unit would expect the planning department to add an advice note to any planning consent to ensure that developers are aware of their obligations.

Head of Strategic Transport: No objection.

VIEWS OF THE PARISH / TOWN COUNCIL

Cranage Parish Council: Cranage parish Council have considered this planning application and wish to make NO COMMENT.

OTHER REPRESENTATIONS

None received at time of report writing

OFFICER APPRAISAL

Environmental Impact Assessment

The development does not require an environmental impact assessment. The development is not of a type described in Schedule 1 of the 2017 Regulations.

The development is described in column one of Schedule 2 of the 2017 Regulations; however, it is not located in a sensitive area, and it does not meet any of the relevant thresholds and/or criteria in column two of Schedule 2.

Principle of Development

Policy PG 6 (Open Countryside) of the CELPS sets out that only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.

This is further supported by Policy RUR 1 of the SADPD which states "proposals for new agricultural and forestry buildings in the open countryside will only be permitted where they accord with other policies in the development plan and:"

- i. it is demonstrated that there is a clear long-term need for the development in connection with the agricultural or forestry enterprise;
- ii. the proposals make best use of existing infrastructure, such as existing buildings, utilities, tracks and vehicular access;
- iii. new buildings are restricted to the minimum level reasonably required for the efficient existing or planned operation of the enterprise; are well-related to each other and existing buildings and do not form isolated or scattered development;

- iv. do not unacceptably affect the amenity and character of the surrounding area or landscape (including visual impacts, noise, odour, design and appearance), either on its own or cumulatively with other developments; and
- v. provide appropriate landscaping and screening.

The proposals relate to an existing poultry enterprise and from the supporting statement it advises that '*the existing farm is around 40 years old and is dated and inefficient and not suited for modern poultry production. As a result, the applicants propose to demolish the existing farm and erect replacement buildings on the same footprint*'.

The new buildings would be located on a similar footprint as to the existing buildings, though the new development would be noticeably smaller, resulting in a reduced floorspace of approx. 402 m².

The buildings would be well screened from public views by the existing mature vegetation bordering the site; however, it would still be visible from certain vantage points, but would be set within the context of a long-established existing poultry enterprise.

The building is justified as for agricultural use and its location is considered acceptable taking into consideration the above factors. For a combination of the above reasons, the proposals are deemed to adhere with Policy PG6 of the CELPS and RUR 1 of the SADPD and would be deemed acceptable in principle.

Design, Character & Appearance of the Area

Policy SD1 states that wherever possible development should 'provide a locally distinct, high quality, sustainable, well designed and durable environment'.

Policy SD2 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

SADPD design Policy GEN1 is also a consideration.

The proposed design is typical of an agrarian nature and would reflect the existing use of the site within a rural area. The proposed steel portal frame units would consist of walls formed of concrete with mesh above to the north and south facing elevations, to the west and east elevations the units would be clad in timber weatherboard. The roof covering would be polyester profile sheeting, goosewing grey in colour. In terms of the external No. 8 feed bins to the east and west elevation they would be plastic, olive green in colour.

The structures, feed bins are of a standard, functional design and it is not considered that there would be any significant impact on the character of the area over and above the existing scenario.

The proposed development would not result in detrimental impact upon the character of the surrounding area in accordance with policies SE1 and SD2 of the Cheshire East Local Plan and policy GEN 1 of the Site Allocations and Development Policies Document.

Impact of the Proposal Upon Designated Heritage Assets

The starting point for the consideration of the proposal is the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Act"). Sections 16(2), 66, 72 require that special regard is had to the desirability of preserving a listed building, or its setting, or any features of special architectural or historic interest it possesses. The statutory duty to consider the impact of proposals upon the setting of a listed building carry great weight.

The adopted development plan comprises of the Cheshire East Local Plan Strategy ("CELPs") and the Site Allocations and Development Policies Document (SADPD). The policies most relevant to the consideration of the proposal include CELPS Policies SE 1 (Design) SE 7 (The Historic Environment) and SADPD Policies HER 4 (Listed buildings) and HER 9 (Jodrell Bank World Heritage Site).

Policy SE7 states proposals for development shall be assessed and the historic built environment actively managed in order to contribute to the significance of heritage assets and local distinctiveness. The Council will support proposals that do not cause harm to heritage assets and will seek to avoid or minimise conflict by considering the level of harm in relation to the public benefits that may be gained.

SADPD Policy HER 4 (Listed buildings) states that development proposals affecting a listed building or its setting will be expected to preserve and enhance the asset and its setting wherever possible. As such new development affecting the setting of listed buildings should preserve and enhance the setting.

SADPD Policy (Jodrell Bank World Heritage Site) states development proposals within the Jodrell Bank World Heritage Site, its buffer zone or its setting will be supported where they preserve those elements of significance that contribute to Jodrell Bank's Outstanding Universal Value, including its authenticity and integrity.

In terms of other material planning considerations, guidance within the National Planning Policy Framework ("NPPF") is relevant particularly Section 14 'Meeting the challenge of climate change, flooding and coastal change' and Section 16 'Conserving and enhancing the historic environment'.

In relation to Jodrell Bank the proposed replacement units are located approx. 3.5km from the site and reside within the 'inner-zone', due to residing within the inner-zone Jodrell Bank were consulted; however, Jodrell Bank have provided no comments in relation to the development at the time of writing. As no comment have been received by Jodrell Bank it is deemed there is no objection. Given the development relates to an existing farm and will replace the existing units, as such the impact is considered to be neutral.

To the east of the site lies Hawthorne Cottage, a small Grade II listed building. The separation between the existing units is approx. 120m and the replacement units would continue to respect this.

Following consultation with the Council's Conservation Officer they acknowledge while the scale of development would be reduced the eaves and ridge height would be increased by 0.6m and 2.081m respectfully. Due to the increased height, the Built Heritage Officer is of the view that this would have a negative impact on the setting of the existing heritage assets. As such there would be some harm to the setting, this is towards the be to the low end of less than substantial. While towards the low end, there would still be an appreciable loss of significance which is contrary to CELPS Policy SE 7 and Policy HER4 of the SADPD

Where there is less than substantial harm to the significance of a designated heritage asset, paragraph 202 of the Framework requires the harm to be balanced against the public benefits of the proposal, including securing its optimum viable use. Given existing operational turkey farm the public benefit of the proposal lies in the economic contribution of potential employment during the construction phase and continuation of providing 8 full time employees on site.

As aforementioned the supporting statement advises that '*the existing farm is around 40 years old and is dated an inefficient and not suited for modern poultry production*'. While there would be an overall increase in height of the units, given the opportunity to modernise the site and the public benefits accruing from the construction phase, permanent provision for employment and continuation of the poultry enterprise, it is considered the public benefit outweigh the harm caused.

Amenity

Policy HOU 12 (Amenity) of the SADPD, requires that new development should not have an unduly detrimental effect on the amenities of nearby residential properties from loss of privacy, loss of sunlight or daylight, the overbearing and dominating effect of new buildings, environmental disturbance or pollution and traffic generation access and parking.

The nearest residential dwellings are located over 100m away, these being Birchwood to the west, Gorsefield to the north and Hawthorn House to the east.

Given separation distances to the nearest neighbouring properties, the existing established enterprise and overall reduction in accommodation of hens and stags, there would be no significant impact to the neighbouring dwellings above and beyond the existing scenario.

As such the development complies with the principles of policies SE1 CELPS and policy HOU 12 of the SADPD.

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)*'

Policy INF3 of the emerging SADPD states amongst others that the development provides '*safe access to and from the site for all highway users and incorporate safe internal movement in the site to meet the requirements of servicing and emergency vehicles*'

The proposal will be a redevelopment to an existing operation on site and there will be no amendments to the access onto Hermitage Lane. The increase in daily traffic generation is considered to be limited and there is an existing provision for off-street parking, which is sufficient.

In addition, the Head of Strategic Transport has no objection to the planning application.

The proposal is deemed to adhere with Policies SD1 and CO2 of the CELPS with regards to highways matters, Policy INF 3 of the SADPD.

Landscape and Trees

The site is located in the open countryside. It has no local or national landscape designations or trees afforded protection via a TPO within or near the immediate site.

The site is relatively flat with areas surrounding the complex laid to grass with a belt of mature trees located to the north and east, woodland to the west and a mature hedgerow to the south.

Given the proposals would replace the existing buildings on a similar footprint to the existing and the screening to the boundary being retained there would be no significant impact to the landscape and trees within the site.

Ecology

The application site falls within Natural England's SSSI Impact Risk Zones, due to residing within the zone Natural England were consulted. However Natural England have provided no comments in relation to the development at the time of writing.

Ecological Enhancement

In addition to the SSSI Impact Risk Zones the site forms part of the Ecological network as outlined in policy ENV 1 of the SADPD, which seeks to deliver benefits for biodiversity from development.

Following consultation with the Councils Ecologist due to the nature of the site and proposal, though limited the proposals present any opportunities for ecological enhancement in relation to birds, bats, hedgehogs and native species planting.

If the committee is minded approving a condition will be attached to secure an ecological enhancement to the site prior to commencement.

External Lighting

The Councils Ecologist notes that while the site offers limited roosting potential for bats, some foraging and commuting is likely around the site. While no external lighting is indicated as part

of the proposals, to mitigate any adverse impacts on bats it is recommended any additional external lighting should be agreed with the LPA prior to installation.

Japanese Knotweed

Japanese Knotweed (*Fallopia japonica*) is present on the proposed development site. Due to the nature of Japanese Knotweed an informative is recommended to be attached to any decision

Flood risk

The site is located within flood zone 1 (lowest risk) and drainage proposals are included in the supporting Flood Risk and Drainage Assessment (FRDA). The drainage proposals include an infiltration basin, bioretention basin and dirty water system.

The LLFA have reviewed application and have no objection in principle. Therefore, it is considered the flood risk and drainage proposals are acceptable.

Waste Disposal

At the end of each flock cycle the buildings are cleaned out and the manure removed via mechanical loader. The supporting statement advises that *'the manure is loaded directly into waiting trailers, which are sheeted when full and removed from site for disposal'*. The buildings are then washed out with drainage via sealed drains to a certified dirty water containment tank. The dirty water is removed from the site by tanker at the end of each washing period.

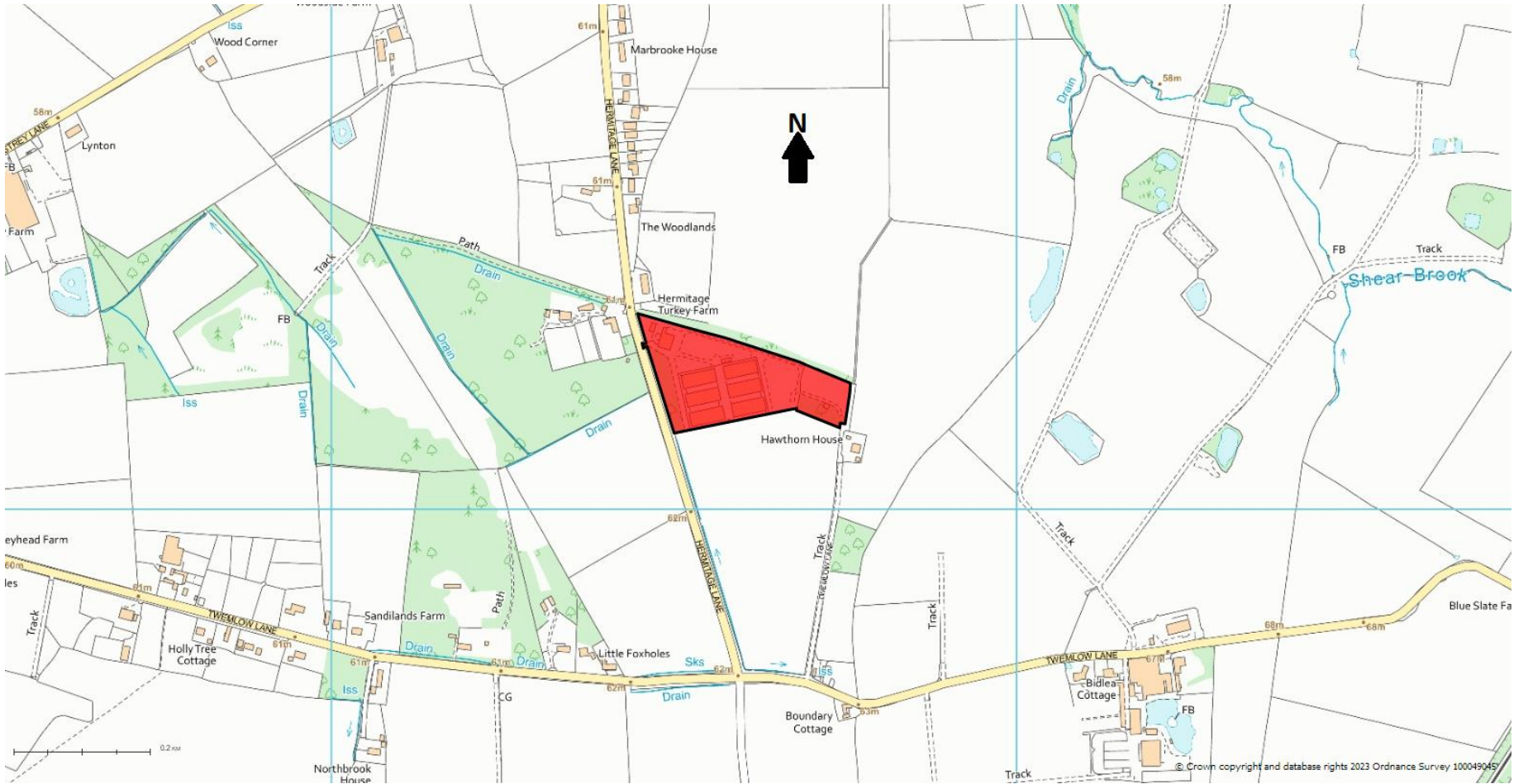
CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed development is the redevelopment of an existing poultry enterprise. The proposals are considered to be in accordance with National and Local Plan Policy and appropriate to this rural location. The proposed development would not cause adverse impacts upon residential amenity, highway safety, and the location of the poultry sheds would be acceptable in the open countryside. The less than substantial heritage harm would be outweighed by the benefits of the proposed development. The application complies with the Development Plan as a whole and is recommended for approval.

Approve subject to the following conditions;

- 1. Standard Time**
- 2. Approved Plans**
- 3. Materials as Application**
- 4. Ecological Enhancement**
- 5. External Lighting**
- 6. Flood Risk and Drainage Assessment**

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their 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.

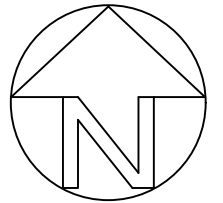


23/0596C

HERMITAGE TURKEY FARM

HERMITAGE LANE

CRANAGE



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Cheshire
CH3 9GA

JOB TITLE
Redevelopment of Hermitage
Turkey Farm, CW4 8HA

DWG. TITLE
Location Plan

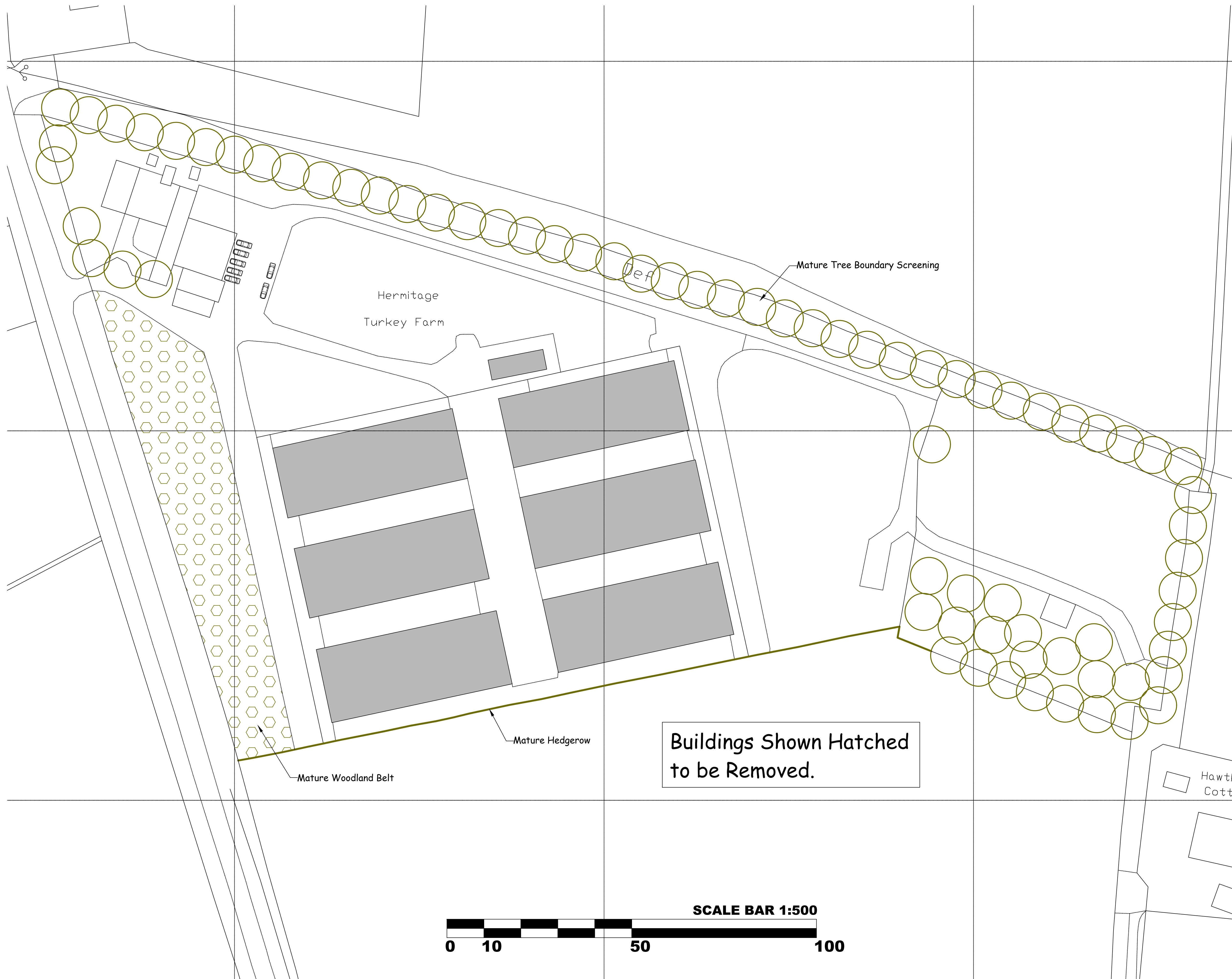
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DATE
Jan 23

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DWG. TITLE

Existing Site Plan A1

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DRN

IP

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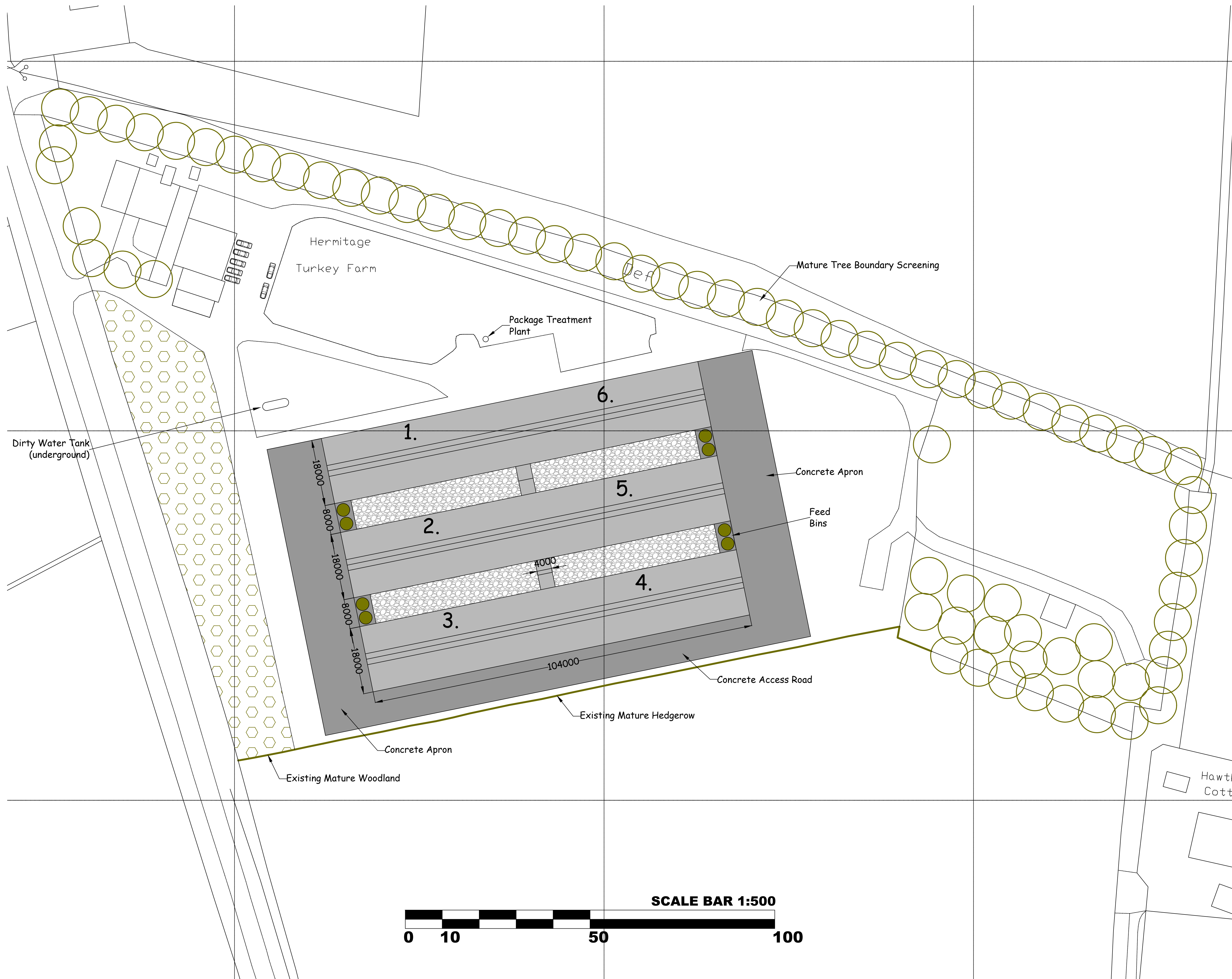
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DATE

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Proposed Site Plan A1

SCALE

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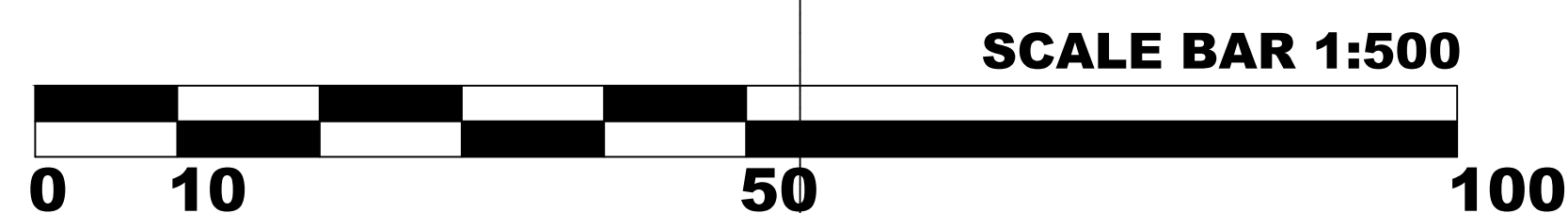
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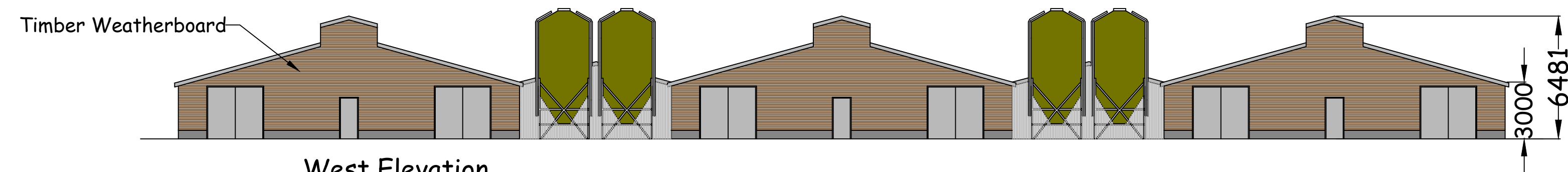
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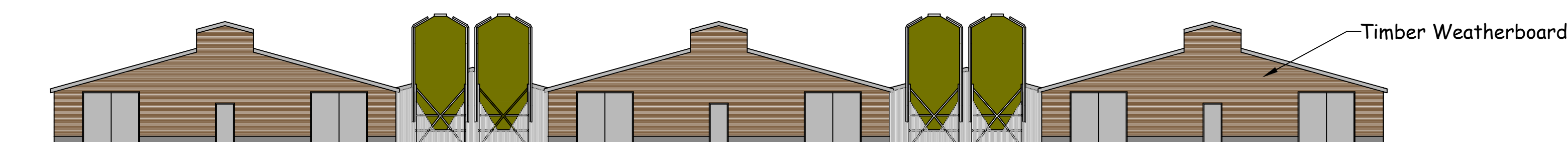
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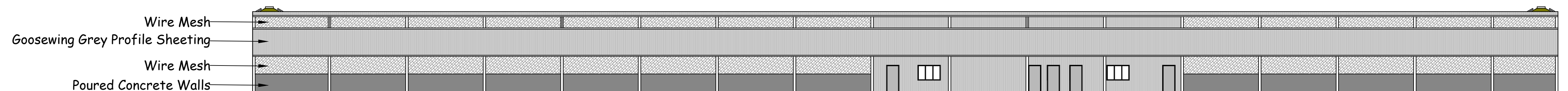




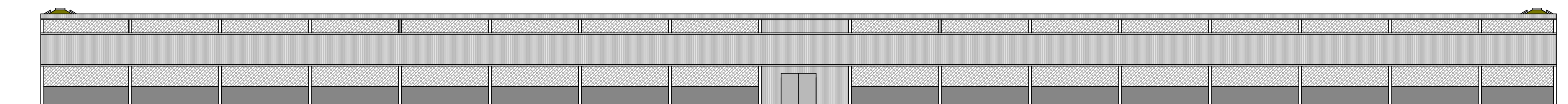
West Elevation



East Elevation



North Elevation



South Elevation



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DWG. TITLE

Proposed Elevations A1

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DWG. NUMBER

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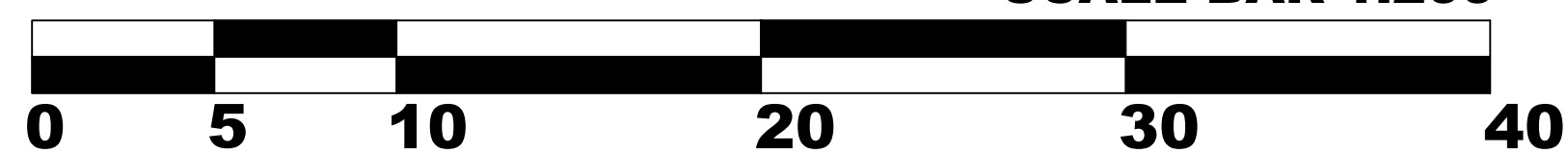
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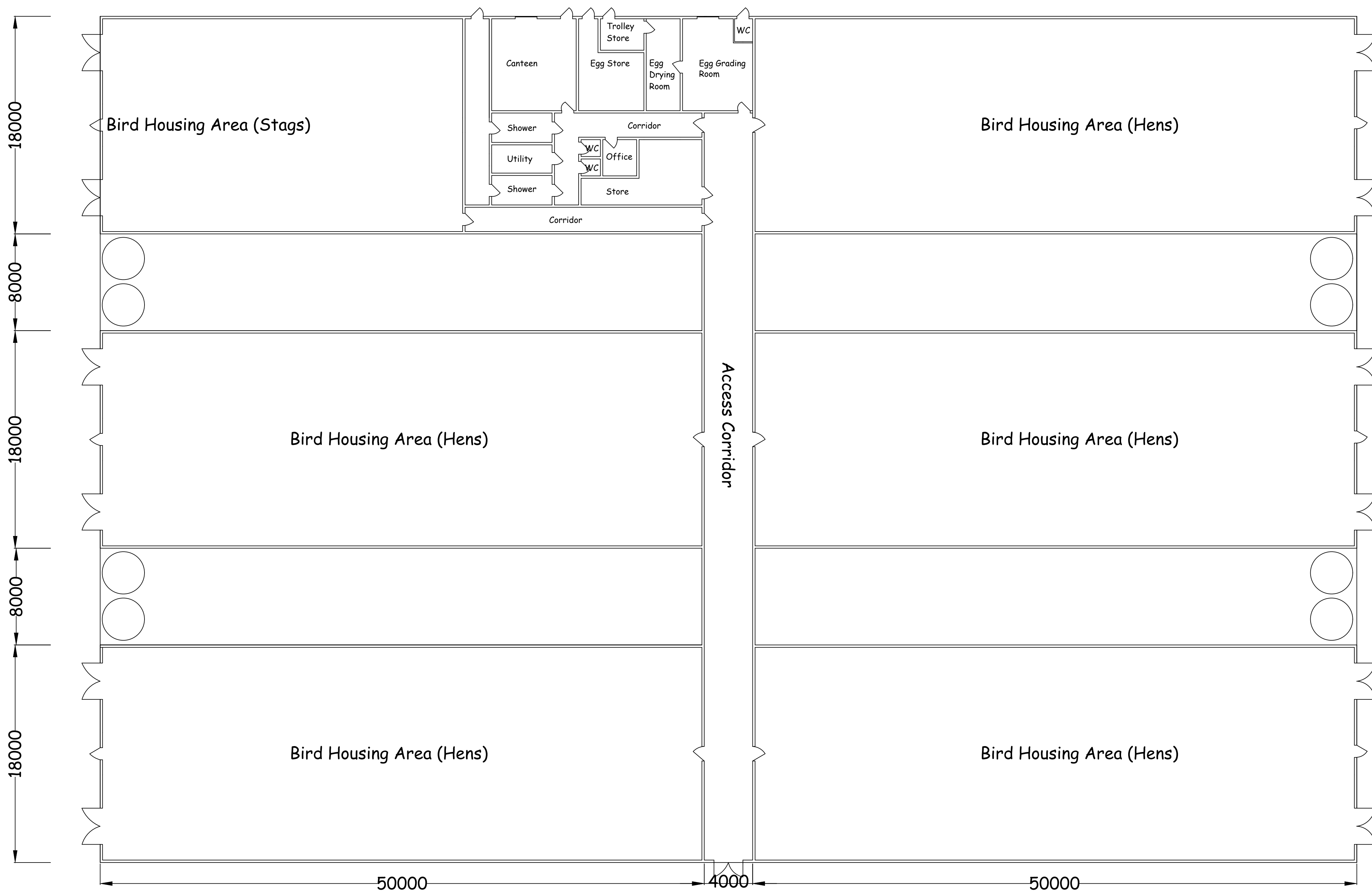
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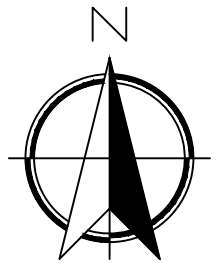
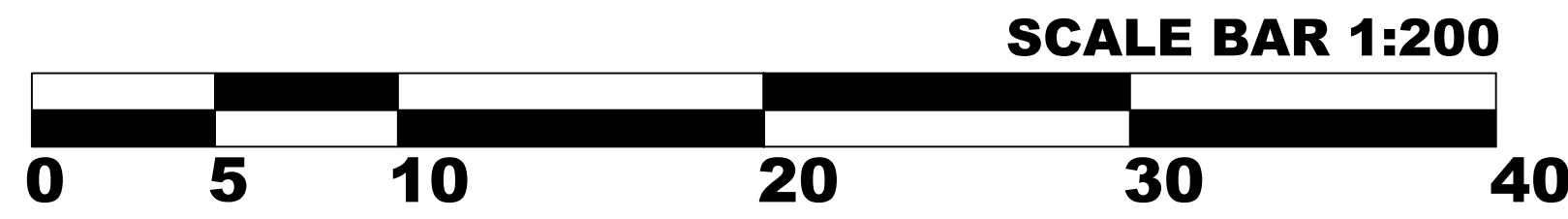
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Floor Plan



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SCALE 1=200

DRN IP

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IP/ATL/05

DATE Feb 23

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