

Application No: 22/4466C
Location: Glebe Farm, KNUTSFORD ROAD, CRANAGE, CW4 8EF
Proposal: Application seeks approval of B8 use classification on commercial employment site at Glebe Farm
Applicant: Mr Craig Wardle, Holmes Chapel Fencing and Timber
Expiry Date: 09-Jan-2023

SUMMARY

The proposal comprises inappropriate development within the open countryside that should be sited within a designated centre and a countryside location is not essential for the operation of the business. To allow a B8 use in the open countryside would lead to significant harm to the character and appearance of the open countryside.

RECOMMENDATION

Refuse

REASON FOR REFERRAL

The application was called in by former Cllr Les Gilbert on the following grounds:

“To consider whether the site is suitable for B8 use having regard to the limited availability of on-site parking and if so, what mitigation might be required to prevent the regular churning up of the highway verge.

Also to consider any representations from Highways regarding the suitability of access to and egress from the site which is located on a fast stretch of the A50.

As the site is currently used for the sale by retail of fencing and sheds, consideration is required of any appropriate conditions which should be attached if B8 use is approved.”

DESCRIPTION OF SITE AND CONTEXT

The application site is a business which sells garden sheds and fencing equipment and situated adjacent to the main A50 Knutsford Road within open countryside north of Holmes Chapel.

Cranage Footpath 3 runs adjacent to the northern boundary of the site.

DETAILS OF PROPOSAL

The application seeks approval for the principle of a B8 use classification at the site. Should this application be approved, an application for the existing structures on the site would be submitted.

RELEVANT HISTORY

22/1166C Certificate of lawful existing use as E(g)(iii) Light Industrial – Withdrawn 23rd September 2023

19/2939C Extend dropped kerb lengths to widen two existing access/egress points – Approved 20th August 2019

16/5890C Certificate of existing lawful development for a static caravan – Negative certificate 8th March 2017 – Appeal dismissed 6th March 2018

16/6149C Lawful Development Certificate for an existing use - Change of use to mixed agricultural and sui generis use – Negative certificate 22nd February 2017

POLICIES

Cheshire East Local Plan Strategy (CELPS)

SD 1 Sustainable Development in Cheshire East

SD 2 Sustainable Development Principles

PG 6 Open Countryside

EG 1 Economic Prosperity

EG 2 Rural Economy

EG 3 Existing and Allocated Employment Sites

SE 3 Biodiversity and Geodiversity

SE 4 The Landscape

SE 5 Trees, Hedgerows and Woodland

SE 12 Pollution, Land Contamination & Land Instability

SE 13 Flood Risk and Water Management

CO 1 Sustainable Travel and Transport

Site Allocations and Development Policies Document (SADPD)

GEN 1 Design Principles

ENV 3 Landscape Character

ENV 5 Landscaping

ENV 6 Trees, Hedgerows and Woodland Implementation

ENV 14 Light Pollution

ENV 15 New Development and Existing Uses

ENV 16 Surface Water Management and Flood Risk

HER 9 Jodrell Bank World Heritage Site

RUR 5 Best and Most Versatile Agricultural Land

RUR 10 Employment Development in the Open Countryside

HOU 12 Amenity

INF 3 Highway Safety and Access

Neighbourhood Plan

The Cranage Neighbourhood Plan has only reached Regulation 7 stage and therefore carries no weight.

Material Planning Considerations

National Planning Policy Framework

CONSULTATIONS (External to Planning)

Environmental Protection: No objection subject to an informative relating to hours of noise generative works.

Highways: No objection.

Public Rights of Way: No objection subject to an informative reminding the applicant of their obligations relating to Crange FP3.

Flood Risk: No objection.

Cranage Parish Council: Comment as follows:

1. The application lacks detail, especially regarding operation and use of the site. More detail of this nature needs to be provided in support of the application.
2. The Council has serious concerns about the safety of entry and egress at the site.
 - a. A full traffic management strategy for the site is required.
 - b. To enable the site to operate since 2016, a new highway access has been created but this does not prevent HGVs parking on the A50 to offload deliveries.
 - c. There is no space within the site to allow the waste disposal skip change-over to happen. Presently, the replacement skip and vehicle are parked on the verge of the A50 during the change-over.
 - d. The position of the entrance/exit to the site on a bend on the A50 trunk road is dangerous due to limited visibility both for those leaving the site and oncoming vehicles travelling on the A50.
3. A full drainage strategy for the site is required. In addition, the supplied statement under "Assessment of Flood Risk" is inaccurate - the site is situated OVER a watercourse that has been culverted. When there is excessive rain the feeder stream floods onto the neighbouring public right of way and into the site.
4. The supplied statement under "Industrial or Commercial Processes and Machinery" is inaccurate as wooden sheds and log stores are made on site with machinery being used to cut timber to size.
5. A condition of use is required of NO PARKING/WAITING on the A50 or the verge adjacent to the site to restore the green sward that once existed there.

OTHER REPRESENTATIONS

No representations received at the time of report writing.

OFFICER APPRAISAL

Principle of Development

The application site is designated as being within the Open Countryside. From viewing the historic aerial photographs for the site, it is clear that the use of the site commenced after 2010. By 2015-2017 it covered part of the site and had then extended further by 2019-2021. It is noted that a negative Certificate of Lawful Existing Use or Development (CLEUD) was issued as part of application 16/6149C and that this covered part of the site (a similar area to the 2015-2017 aerial photograph). On this basis there is no planning permission in place for the current use of the site and it has not been proven that the use which exists on site is lawful.

Employment development within the Open Countryside is identified as an exception where it meets one of the following tests within Policy PG6:

- Development that is essential for purposes appropriate to a rural area (point 2)
- Where there is an opportunity for infilling in a village (point 3i)
- It involves the re-use of an existing rural building (point 3ii)
- The replacement of an existing building where the replacement is not materially larger (point 3iii)
- For development that is essential for the expansion or redevelopment of an existing business (point 3v)

Policy EG 2 supports developments that provide local rural employment development that supports the vitality of rural settlements and encourages the retention and expansion of existing businesses. This is subject to, inter alia the development meeting the sustainable development objectives set out in other policies in the local plan, supporting the rural economy on a site that could not reasonably be located within a designated centre by reason of the goods sold, not undermine the delivery of strategic employment allocations and is consistent in scale with its location and does not adversely affect nearby buildings.

Policy RUR 10 of the SADPD (supports point 2 of Policy PG6 – development that is essential for uses appropriate to a rural area) and states that employment development may be appropriate to a rural area where the scale is appropriate to the location and setting, the nature of the business means that a countryside location is essential, and the proposals provide local employment opportunities that support the vitality of rural settlements.

Whilst the use as a fencing and shed business, could be considered to be appropriate to a rural location and the business does provide local employment, it is clear that a countryside location is essential, and the business could reasonably be expected to locate within a designated centre. The creation of a B8 use could lead to any type of storage and distribution uses on the site, which may be totally inappropriate in this rural location.

In terms of the other points within policy PG6: the use does not constitute infilling in a village; the development does not involve the re-use of a rural building; and the development does not relate to the replacement of a building. It has not been identified that the site has a lawful use and as such it cannot be considered to be essential for the expansion of an existing business.

The proposal is therefore considered to be contrary to Policies PG 6 and EG 2 of the CELPS and Policy RUR 10 of the SADPD and is unacceptable in principle.

Design and Character of the Area

As discussed above, this application seeks only to establish the B8 (Storage & Distribution) use at the site. Should this application be approved, an application for the other development (buildings etc) would be submitted.

As noted above, there is no established lawful use of this site and the application site has resulted in an encroachment into the open countryside and detracts from its undeveloped character and appearance and this would continue as part of the proposed B8 use of the application site. The proposed B8 use be highly visible when travelling along Knutsford Road and the users of PROW Cranage FP3 which runs adjacent to the site. The proposed development would be contrary to policies SD1, SD2 and SE1 of the CELPS and GEN1 of the SADPD.

It is considered that if permission is granted, permitted development rights should be removed for the erection, extension or alteration of buildings in order that the LPA has control over future development on this rural site.

Amenity

The proposal is to establish a B8 (Storage & Distribution) use on the site. To the southeast is the Old Vicarage Hotel and opposite the site there are some residential properties.

Environmental Protection Officers have assessed the proposals and have confirmed that they have no objection to them in terms of noise and disturbance, air quality or contaminated land.

No objections have been received from local residents about operations at the site. However, it is considered that in order to control operations on the site, a condition should be imposed requiring defined hours of operation in order to protect residential amenity.

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

Highways

Policy INF 3 of the SADPD requires that development should comply with the relevant Highway Authority's and other highway design guidance, provide safe access to and from the site for all highway users and incorporate safe internal movement in the site, make sure that development traffic can be satisfactorily assimilated into the operation of the existing highway network, incorporate measures to assist access by pedestrians, cyclists and public transport users and people with disabilities and not generate movements of HGVs on unsuitable roads.

As stated above, this application only seeks to establish the B8 use of the site, and the Head of Strategic Transport has no objections to the proposal in terms of highway safety of impact on the road network.

An application to improve access to the site was approved in 2019 (19/2939C) and this has been implemented. Concerns have been raised about parking on the verge and it has been

suggested that a condition is used to control parking on the A50, this would require a traffic regulation order and in the absence of any objection from highways, this would not be reasonable or necessary.

As stated above, if this application is approved, an application will be submitted to formalise the arrangements within the site, including parking provision.

The proposal is therefore in accordance with Policy CO 1 of the CELPS and Policy INF 3 of the SADPD.

Light Pollution

Policy ENV 14 of the SADPD requires that lighting schemes have the minimum amount of lighting for security, safety and/or operational purposes, light spillage and glare are minimised, are as energy efficient as possible and that there is no significant adverse impact on residential amenity, pedestrians, cyclists or other road users, the character of the area, nature conservation and heritage assets and other matters not relevant to this application.

This is a rural site and the neighbouring hotel is a Grade II listed building, as such, if permission was granted, it is considered to be necessary to impose a condition requiring submission of details of external lighting.

Flood Risk

Flood Risk Officers originally objected to the proposals due to the lack of a Flood Risk Assessment (FRA). Following a review of this it was confirmed that an FRA was not required as the application simply seeks to formally establish the B8 use of the site. Should any further building works be applied for on the site, an FRA would be required.

The proposal is therefore in accordance with Policy SE13 of the CELPS and Policy ENV16 of the SADPD.

Trees

The application site benefits from a linear group of semi-mature to early mature trees located along the front roadside boundary. These are considered to be low to moderate quality trees, none of which are afforded statutory protection, or worthy of consideration for formal protection.

The site access is described within the proposal as remaining unchanged and no highways concerns have been raised which would arise in alterations to the existing access which may affect trees. The site comprises of extensive hard standing, and subject to no further issues arising which could impact on the trees and visual amenity of the area, there are not considered to be any significant arboricultural issues arising from this proposal.

The proposals are therefore in accordance with Policy SE5 of the CELPS and Policy ENV6 of the SADPD.

PROW

The PROW (Cranage FP3) is located outside the red line boundary of the site. An informative could be attached to safeguard the route of this Footpath if consent is granted.

CONCLUSION

The proposal comprises inappropriate development within the open countryside that should be sited within a designated centre and a countryside location is not essential for the operation of the business. To allow a B8 use in the open countryside would lead to significant harm to the character and appearance of the open countryside.

RECOMMENDATIONS

REFUSE for the following reason:

- 1. The use of the site for a B8 use (Storage & Distribution), can be reasonably expected to be located within a designated centre and a countryside location is not essential for the business. To allow the site to be used for storage and distribution would cause harm the character and appearance of the open countryside. The development is not essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers nor is it a use appropriate to a rural location. The proposal is therefore contrary to Policies SD1, SD2, SE1, PG6 and EG2 of the Cheshire East Local Plan Strategy, Policies RUR10 and GEN1 of the Site Allocations and Development Policies Document and the NPPF.**

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



OFFICIAL