

Application No: 11/2018C

Location: SAXON CROSS, HOLMES CHAPEL ROAD, SANDBACH, CW11 1SE

Proposal: DEMOLITION OF EXISTING HOTEL ON THE SITE. CHANGE OF USE FROM A CATEGORY C1 DEVELOPMENT TO A MIXED USE OF CATEGORY B1 AND B8. CONSTRUCTION OF A SINGLE-STOREY OFFICE BUILDING AND WAREHOUSE BUILDING. NEW HARD LANDSCAPING ASSOCIATED WITH THE PROPOSED DEVELOPMENT, INCLUDING RELOCATION OF VEHICULAR ACCESS

Applicant: MR JONATHAN BOLSHAW, BOLSHAW INDUSTRIAL POWDERS

Expiry Date: 25-Aug-2011

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES

- **The impact upon the character and appearance of the site and the wider Open Countryside**
- **The impact upon neighbouring amenity**
- **The impact upon highway safety**
- **Parking provision**
- **The impact upon protected species**

REASON FOR REFERRAL

This application has been referred to the Southern Planning Committee as it involves development of over 1000sq.m.

DESCRIPTION OF SITE AND CONTEXT

The application site is located on the western side of Holmes Chapel Road within the Open Countryside. The site is currently occupied by the former Saxons Cross Motel which now stands derelict. The Saxons Cross Motel is a mainly single storey flat roofed building with a small two storey section to the front of the site. The site is surrounded by open fields with the M6 to the rear. The site includes a number of trees of varying quality most of which are located towards the sites boundaries.

DETAILS OF PROPOSAL

The proposal is for the erection of a single storey office building to the front of the site that would have a length of 35 metres, a width of 12 metres, an eaves height of 3.4 metres and a ridge height of 6.1 metres.

To the rear of the site the application includes a warehouse which would have a length of 48 metres, a width of 21 metres, an eaves height of 6.2 metres and a ridge height of 9 metres.

The application includes the relocation of the access to the south of the site and an area of car parking to the north-east corner of the site.

RELEVANT HISTORY

11/0551C - Demolition of existing hotel on the site, change of use from a category C1 development to a mixed use of category B1 and B8. Construction of a single storey office building a small security building and warehouse building, new hard landscaping associated with the proposed development including relocation of vehicular access – Withdrawn

POLICIES

Development Plan policies

Local Plan policy

PS8 – Open Countryside
GR1 – Design
GR2 – Design
GR4 – Landscaping
GR6 – Amenity and Health
GR7 – Amenity and Health
GR9 – Accessibility, Servicing and Parking Provision
E5 – Employment Development in the Open Countryside
NR1 - Trees and Woodlands
NR2 – Statutory Sites
NR3 - Habitats

Regional Spatial Strategy

DP1 – Spatial Principles
DP2 – Promote Sustainable Communities
DP4 – Make the Best Use of Existing Resources and Infrastructure
EM1 – Integrated Enhancement and Protection of the Region's Environmental Assets
MCR4 – South Cheshire

National policy

PPS1: Delivering Sustainable Development
PPS4: Planning for Sustainable Economic Growth
PPS7: Sustainable Development in Rural Areas

Other Material Planning Considerations

Planning for Growth

CONSULTATIONS (External to Planning)

Environmental Health: Conditions requested in relation to air quality, pile driving, hours of construction and contaminated land.

Strategic Highways Manager: This application has been the subject of detailed pre-application discussions which determined the necessary highway evidence and access improvements. The proposal is accompanied with a Traffic Statement which gives robust evidence that traffic generation will not at any time exceed that likely from the existing use-class for the site and that overall traffic will be reduced by 20%. In addition the new access provides improved visibility and turning movements in place of the current access arrangements and this is also accepted as betterment for the site. The Strategic Highways Manager recommends that the following conditions and informatives be attached to any permission which may be granted for this development proposal:

- Condition:- Prior to first occupation the vehicle parking layout will be provided in accordance with Architectural Design Drawing No: AD1991.01H (19-11-2009).
- Condition:- Prior to first occupation the new access and visibility splays will be constructed to completion in accordance with Architectural Design Drawing No: AD1991.01H (19-11-2009)
- Condition:- Prior to first occupation the existing access will be permanently closed and the highway kerb line reinstated at the edge of carriageway.
- Informative:- To ensure appropriate levels of control and to protect the Authority against Part 1 claims, the developer will enter into and sign a Section 278 Agreement under the Highways Act 1980, with Cheshire east Council Highways Authority.

Highways Agency: No objection subject to the following conditions; the site should not drain onto the motorway, the works should not put the motorway embankment at risk

OTHER REPRESENTATIONS

No representations received.

PARISH/TOWN COUNCIL

Sandbach Council: No objection. However, Members reiterate their request for improvements at M6 Junction 17; proposed developments such as this will greatly increase traffic use in an area with significant traffic congestion and safety problems.

Brereton Parish Council: Brereton Parish Council are supportive of the planning application but would like reassurance that the increase of traffic on the junction with the A534 has been properly taken into consideration. Does the Council or the developer have any plans to improve the junction to cope with the increase in traffic?

APPLICANT'S SUPPORTING INFORMATION

Planning, Design and Access Statement (Produced by Architectural Design and dated 1st February 2011)

- The Saxons Cross Motel was built in the early 1970's and has been vacant since 2008 when it ceased to trade
- The site was purchased in 2010 by Bolshaw Industrial Powders who wish to move Bolshaw Industrial Powders Distribution from its current location at Harrop House Farm, Rainow, Macclesfield to the Saxons Cross site. This is to enable a more sustainable and economical distribution of their bagged lime products mainly to agricultural customers
- The existing hotel has a footprint of 2002sq.m and the proposed buildings would have a footprint of 1439sq.m. This is a reduction in the footprint of the buildings on the site by 562sq.m
- The proposed office building runs north to south and is set parallel to the road with its main entrance facing the interior of the site
- The warehouse runs east to west away from the line of trees to the north of the site with hardstanding to the south and west
- The operation of the warehouse is masked by the positioning of the office building to the east of the site
- The office and warehouse building have been designed to work in tandem with the ridge height of the office at the same height as the eaves height of the warehouse. This in conjunction with the new landscaping is intended to reduce the impact of the warehouse building
- The proposed scheme has been designed to sit comfortably in its rural location and to 'signpost' its industrial use. It promotes and enhances the rural landscape.
- The proposed new access is to be relocated 48m to the south of the existing access providing 160m visibility in both directions. This is far greater visibility for vehicles turning right into the site than for the existing situation.
- The proposed development will utilise the local and national road infrastructure and will reduce transport times for Bolshaw Powders

Transport Statement (Produced by Singleton Clamp & Partners dated 20th January 2011)

- The proposed redevelopment of the Saxons Cross Motel would result in a reduction in traffic movements at the site access. Notwithstanding this benefit a revised access is proposed for the site which would bring about further significant benefits to the safety of the site access arrangements. For these reasons there are no highway, traffic or transport reasons to resist the proposed development.

Updated Ecological Appraisal (Produced by FPCR and dated May 2011)

- The buildings on the site were considered to have a low potential for use by bats and no evidence was found during the internal and external assessments
- Two nocturnal surveys found that bat activity was generally quite low and a single Soprano Pipistrelle was recorded entering a roosting site in the roof of the two-storey building
- A total of 5 trees were considered to have a low bat roost potential
- No evidence of Badger setts or foraging activity was noted anywhere within the survey area
- No ponds were recorded within or adjacent the survey area. However two wet ditches were present along the northern and eastern boundaries of the site. The eastern ditch is considered to be unsuitable breeding habitat. The recently cleared northern ditch may have provided suitable habitat prior to vegetation clearance given the size and nature of this feature and the signs of recently cleared material giving an indication that the ditch had contained marginal bankside vegetation. No evidence of GCN was recorded during any of

the 4 surveys and there appear to be no statutory constraints to development in relation to this species.

- No evidence of Water Vole such as tracks, droppings or feeding signs was recorded
- The presence of a small number of barn owl pellets within one building suggests recent use by a single roosting bird. No signs of breeding were found and no evidence was found in any other buildings on the site.
- No evidence of potentially suitable habits for any other protected, rare or notable species were recorded.

Arboricultural Statement (Produced by Cheshire Woodlands and dated 2nd February 2011)

- This arboricultural statement rates the trees on the site as follows;
 - Three trees of high value retention category
 - Four trees of moderate retention category
 - Two trees of low value retention category
 - One group of trees of moderate retention category
 - One group of trees of moderate/low retention category

Phase 1 Desk study Report (Produced by CC Geotechnical Ltd)

A Phase 1 Contaminated Land Assessment has been produced. This is available to view on the planning file.

OFFICER APPRAISAL

Principle of Development

The application site stands on the western side of Holmes Chapel Road, in close proximity to Junction 17 of the M6. The application site is located within the open countryside. Policy E5 allows for the redevelopment of an existing employment site where the proposal is for a business enterprise appropriate to the rural area.

Policy EC10.1 of Planning Policy Statement 4 states that Local Planning Authorities should adopt a positive and constructive approach towards planning applications for economic development. Policy EC10.2 provides a list of impact considerations that the application should be considered against; these include accessibility and design considerations.

In consideration of this it is considered that the development would consist of the redevelopment of a derelict business site within the open countryside, the development would therefore comply with Policy E5 and PPS4.

Members should also note that on the 23 March the Minister for Decentralisation Greg Clark published a statement entitled 'Planning for Growth'. On the 15 June this was supplemented by a statement highlighting a 'presumption in favour of sustainable development' which will be published in the forthcoming National Planning Policy Framework.

Collectively these two statements mark a clear effort by Government to shift the emphasis of the planning system away from what might be viewed as an overly protective stance and towards a much more positive approach to development.

As the minister says:

“The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy”

Amenity

The nearest residential property would be a residential property known as Nutwood which is located to the south of the site. Given that there would be a distance of approximately 80 metres from the nearest point of Nutwood to the application site and due to the fact that the property is within close proximity to the M6 it is considered that the proposed development would not have such a significant impact upon residential amenity as to warrant the refusal of this planning application.

The B1 use class is a use that can be carried out without detriment to the amenity of any residential area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. As a result it is considered that the use of the site for a B1 use is acceptable.

The B8 use class relates to storage and distribution and this could potentially impact upon residential amenity, however due to the separation distance, the proximity of the M6 and due to the fact that the Environmental Health Officer has raised no objection to the development. It is considered that the development would not have any detrimental impact upon the adjacent residential properties.

Given the size of the proposed units and the level of vehicular movement from the former motel it is not considered that the proposed development would cause such a significant increase in vehicular movements that would cause such a detrimental level of disturbance to local residents as to warrant the refusal of this application.

Design

The proposed development includes two buildings an office building and a warehouse building. The smaller office building would be located to the front of the site. This building would have a simple rectangular form with a pitched roof. It is accepted that the building would face into the site. However when viewed from the south and the new access road the southern gable would include a fully glazed gable. This gable would guide visitors to the rear courtyard where access would be gained to the building. The front elevation would include a number of windows which would help to break up its bulk and a new hedgerow would be planted along the road frontage. This would help to screen the proposed building.

The warehouse building is of a utilitarian design and would have a pitched roof with roller shutter doors to its southern elevation. It is considered that this building would have an appearance of a modern agricultural building and would not appear out of character in this rural area. It should also be noted that the taller warehouse building is located behind the more interesting office building which would help and screen it from view.

As a final point it is considered that the proposed development would improve the visual appearance of the site as the existing Motel is of no architectural merit and lies derelict following a spate of vandalism.

Highways

This application proposal is supported by a Traffic Statement which identifies traffic generation for the existing use and for the proposed development use. The figures contained within the report have been validated and accepted by the Strategic Highways Manager. These figures demonstrate that the proposed use would show a 20% reduction in traffic generation when considered against the potential for the existing motel. In addition, the development proposes the construction of a new access to provide for the necessary turning movements and to improve visibility to a standard acceptable under the requirements of the Design Manual for Roads and Bridges.

Concern has been raised over the increased vehicular movements on the site upon highway safety. However as part of this application the Strategic Highways Manager has been consulted and raised no objection. As a result it is not considered that the proposal would have a detrimental impact upon highway safety.

Ecology

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places,

- in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment

and provided that there is

- no satisfactory alternative and
- no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK implements the Directive in the Conservation of Habitats & Species Regulations 2010 which contain two layers of protection

- a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and
- a licensing system administered by Natural England.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. "This may potentially justify a refusal of planning permission."

PPS9 (2005) advises LPAs to ensure that appropriate weight is attached to protected species "Where granting planning permission would result in significant harm [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm. In the absence of such alternatives [LPAs] should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where ... significant harm ... cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused."

PPS9 encourages the use of planning conditions or obligations where appropriate and again advises [LPAs] to "refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm."

The converse of this advice is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

The submitted ecological survey identifies that a roost of a relatively common bat species has been recorded at one of the buildings proposed for demolition as part of this development. The building is likely to be used by a single bat for short periods of time.

In terms of the 3 tests, it is considered that;

- There are no satisfactory alternatives as the existing building which is to be demolished is in a poor state of repair and detracts from the character and appearance of the open countryside.
- The derogation is not detrimental to the maintenance of Bats as the site supports a minor roost of a single or small numbers of bats of a common species which are most likely roost for short periods of time. Appropriate mitigation will be secured as part of the proposed development.
- There are imperative social and economic reasons of overriding public interest as the development would improve the appearance of this site and bring this employment site back into use.

The assessment of the impacts of the development on Barn Owls is acceptable. It appears unlikely that Barn Owls are breeding at this site and the conclusion that the site has been used for brief periods by a single bird is reasonable. Consequently, the proposed development would not have a significant direct impact on Barn Owls. The loss of minor roosting sites has however been shown in the past to have a knock on effect of the success of breeding pairs of Barn Owls. It is therefore essential that the site retains some potential for barn owls. The applicant's suggestion of the provision of barn owls boxes on site is adequate to meet this need and this could be secured by condition.

Trees

Part of the site accommodated the motel complex although the section to the west remained open undeveloped grassland. There are sections of hedgerow of varying species composition around the periphery of the site. The hedgerow to the north is native species, the hedgerow to the south is partly *Leylandii* and the roadside hedgerow includes a mixture of native and

ornamental species. A substantial length of the south western boundary is open and unvegetated.

There are a number of trees on the periphery of the site and several mature Oak trees within site, to the north of proposed warehouse. There is a length of ditch to the north of the site.

On the eastern boundary, the development would require the removal of a small number of trees on the road frontage, however these trees are not exceptional and the loss would not have significant impact on public amenity. A section of hedgerow would also have to be removed. There would be sufficient space to accommodate replacement planting in mitigation.

Following negotiations with the applicant's agent the proposal indicates that the length ditch would be retained. This is considered to be important as it is likely to impact on the above mentioned mature Oak trees.

CONCLUSIONS

The proposed development is considered to be acceptable in principal despite the site being located within the open countryside. The proposal is considered to be of an acceptable design and would have minimal impact upon residential amenity, highway safety, protected species or the trees surrounding the site. The proposed development is therefore recommended for approval.

RECOMMENDATIONS

Approve subject to the following conditions;

- 1. Standard time limit 3 years**
- 2. Materials to be submitted to the LPA and approved in writing**
- 3. Surfacing materials to be submitted to the LPA and approved in writing**
- 4. Prior to the commencement of development a Contaminated Land Assessment shall be submitted to the Local Planning Authority and approved in writing and any remediation measures shall be implemented**
- 5. Condition to specify the approved plans**
- 6. The car/HGV parking shown on the approved plans to be provided before the unit hereby approved is first occupied**
- 7. Cycle parking facilities to be submitted to the LPA and approved in writing**
- 8. Shower facilities to be submitted to the LPA and approved in writing**
- 9. Drainage details to be submitted to the LPA and approved in writing**
- 10. Details of oil interceptors to be submitted to the LPA and approved in writing**
- 11. External lighting to be submitted to the LPA and approved in writing**
- 12. No external storage**
- 13. Bin Storage details to be submitted to the LPA and approved in writing**
- 14. Landscaping to be submitted to the LPA and approved in writing**
- 15. Landscaping to be completed**
- 16. The hours of construction (and associated deliveries to the site) of the development shall be restricted to 08:00 to 18:00 hours on Mondays to Fridays, 08:00 to 13:00 hours on Saturdays, with no work at any other time including Sundays and Public Holidays.**

17. Details of any pile driving to be submitted to the LPA and approved in writing
18. Prior to the development coming into use, the applicant shall submit to the local planning authority a travel plan demonstrating how they will ensure that vehicle movements associated with the development (staff cars, deliveries and HGV movements) from the site will be managed to ensure that traffic congestion within the air quality management area will not be adversely affected.
19. Prior to first occupation the new access and visibility splays will be constructed to completion in accordance with approved plans
20. Prior to first occupation the existing access will be permanently closed and the highway kerb line reinstated at the edge of carriageway
21. Prior to any commencement of works between 1st March and 31st August in any year, a detailed survey is required to check for nesting birds. Where nests are found in any building, hedgerow, tree or scrub to be removed (or converted or demolished in the case of buildings), a 4m exclusion zone to be left around the nest until breeding is complete. Completion of nesting should be confirmed by a suitably qualified person and a report submitted to the Council.
22. Prior to the commencement of development the applicant to submit detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds. Such proposals to be agreed by the LPA. The proposals shall be permanently installed in accordance with approved details.
23. The proposed development to proceed in accordance with the recommendation made in the submitted Updated Ecological Appraisal dated May 2011 and the submitted letter from fpcr dated 27th June 2011.

