

Application No: 12/1349N

Location: HUNTERSON FISHERIES, LAND OFF BIRCHALL MOSS LANE,
HUNTERSON, NANTWICH, CHESHIRE, CW5 7PH

Proposal: Proposed Fishermans Retreat Building

Applicant: MR F STRICKLAND

Expiry Date: 27-Jun-2012

SUMMARY RECOMMENDATION:

APPROVE subject to conditions

Main issues:

- The principle of the development
- The impact of the design
- The impact upon neighbouring amenity
- The impact upon protected species

REASON FOR REFERRAL

Councillor J. Clowes has called in this application to Southern Planning Committee for the following reasons:

- *'Inappropriate and unsustainable intensification of activity on agricultural land in the open countryside.*
- *Inappropriate size, structure and materials of the proposed building.*
- *Consequent visual intrusion on a green field site in the open countryside.*
- *Hazardous entry and exit to and from the site on Bridgemere Lane.*
- *Inadequate preparation in terms of siting and management of proposed septic tank foul drainage system.*
- *Current informal 'presumptive' car parking arrangements are inadequate for the numbers of vehicles proposed in this application.'*

DESCRIPTION OF SITE AND CONTEXT

The application site relates to land to the south of Bridgemere Lane, Hunsterson, Nantwich within the Open Countryside. The land relates to a section of open paddock adjacent to a large fishing pond set approximately 150 metres to the south of the road. Currently on site is an unauthorised touring caravan which appears to be being used as a makeshift 'fisherman's hut'.

DETAILS OF PROPOSAL

Revised plans have been submitted for the erection of a purpose built fisherman's hut. The proposed unit would measure approximately 6.6 metres in length, 5 metres in width and would have a pitched roof approximately 4.1 metres in height from ground floor level. (The original proposal was approximately 2.9 metres longer).

RELEVANT HISTORY

None

POLICIES

National policy

National Planning Policy Framework (NPPF)

Local Plan policy

NE.2 – Open Countryside
NE.9 – Protected Species
BE.1 – Amenity
BE.2 – Design Standards
BE.3 – Access and Parking
TRAN.9 – Car Parking Standards

CONSULTATIONS (External to Planning)

Highways – No comments received at time of report

Environmental Health - No objections to the development subject to an hours of construction condition, a proposed lighting condition and a contaminated land informative.

Cheshire Wildlife Trust – No comments received at time of report

United Utilities - No comments received at time of report

VIEWS OF THE PARISH COUNCIL

Doddington & District Parish Council – No comments received at time of report

OTHER REPRESENTATIONS

Springfield, Bridgemere Lane – Have the following concerns about the proposal;

- There is no planning permission in place for the existing developments (lake, car park, access through the field)
- Scale of the proposed building
- Permanence of structure
- Septic tank - pollution
- Existence of current unauthorised caravan
- Parking / highway safety issues

APPLICANT'S SUPPORTING INFORMATION:

Design and Access Statement

OFFICER APPRAISAL

Principle of development

Due to the location and nature of the proposed development, the determination of this application will depend on its compliance with Local Plan Policies NE.2 (Open Countryside), NE.9 (Protected Species), BE.1 (Amenity) and BE.2 (Design Standards).

Amongst the core principles of the NPPF is that planning should recognise *'the intrinsic character and beauty of the countryside.'* It is also a principle that planning should *'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.'*

As such the impact of the proposed development upon the Open countryside, its design and its impact upon neighbouring amenity all need to be considered as part of this proposal and support the above Local Plan policies.

The site is located in the Open Countryside so is therefore subject to Policy NE.2 of the Local Plan. Policy NE.2 of the Local Plan advises that development will only be permitted if it is for agriculture and forestry, outdoor recreation, essential works undertaken by Public Service Authorities or statutory undertakers or for other uses appropriate to a rural area.

As fishing is classified as outdoor recreation, the principle of a small fisherman's hut on site is deemed to be acceptable in principle subject to its design, impact upon neighbouring amenity and its impact upon protected species.

Design Standards

The proposed building would be single-storey in nature and be timber clad and consist of a pitched slate roof. It is considered that the revised scale of the proposed development would be acceptable for the purpose it would serve.

The proposed building would be clad in split barked logs and consist of a pitched slate roof. Although these materials would be sympathetic to the Open Countryside setting, they would give the building a substantial appearance and result in the building having a permanent appearance when more lightweight materials would be more appropriate. As such, should the application be approved, a condition requesting the prior submission and approval of materials is proposed. Once conditioned, it is considered that the proposal would adhere with Policy BE.2 of the Local Plan.

Amenity

The closest neighbour to the proposed development would be Broad Eaves, approximately 50 metres to the northeast of the proposal. Given this separation distance it is not considered that the hut would create any amenity issues for the occupiers of this property in terms of loss of privacy, loss of light or visual intrusion.

Environmental Health have requested that an hours of construction and lighting condition be added to the decision notice should the application be approved to protect the amenities of neighbouring properties. Should the application be approved, the addition of these conditions is supported. No comments were made in relation to the septic tank. As such, subject to conditions, it is considered that the development would adhere with Policy BE.1 of the Local Plan.

Protected Species

As the proposed development lies close to a large pond / lake, the Council's Nature Conservation Officer was consulted. It is not anticipate that there will be any significant ecological issues associated with the proposed development.

Highways

The Council's Highways Officer has not provided any comments on the proposal at the time of report. However, it is considered that there are no parking implications as a result of this development and that any 'informal' parking arrangements that currently exist will remain.

Other Matters

Given the unlawful nature of the existing caravan on site, should the application be approved, it is recommended that it be conditioned that this caravan (and associated decking) be removed within 3 months of the approval of this permission.

CONCLUSIONS

It is considered that the proposal is of an acceptable design, would have minimal impact upon the amenities of the surrounding residential properties or the Open Countryside. As a result, the development would adhere to Policies NE.2 (Open Countryside), NE.9 (Protected Species), BE.1 (Amenity), BE.2 (Design) and RES.11 (Improvements and Alterations to Existing Dwellings) of the Borough of Crewe and Nantwich Replacement Local Plan 2011. The proposal would also adhere with the NPPF.

RECOMMENDATIONS

APPROVE subject to the following conditions

- 1. Standard**
- 2. Plans (excluding materials)**
- 3. Materials to be submitted**
- 4. Hours of construction**
- 5. Lighting**
- 6. Removal of caravan and decking**

Informative

1. The applicant is advised that they have a duty to adhere to the regulations of Part IIA of the Environmental Protection Act 1990, the National Planning Policy Framework 2012 and the current Building Control Regulations with regards to contaminated land. If any unforeseen contamination is encountered during the development, the Local Planning Authority (LPA) should be informed immediately. Any investigation / remedial / protective works carried out in relation to this application shall be carried out to agreed timescales and approved by the LPA in writing. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

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