



**CHURCH  
LAWTON**  
Parish Council

**23/2202C Trent and Mersey Canal,**  
**Liverpool Road West, Church Lawton, ST7 3DD**  
**Full Planning – Erection of Implement Shed**

**The Parish Council has resolved to strongly object to this application for the following reasons-**

**The Application is Defective**

The application should not be considered as valid. Since the application was submitted, the site has been changed considerably through excavation and remodelling without any planning permission and completely contrary to Green Belt protection regulations and policy. The applicant has undertaken extensive works to significantly build the land level up. Over the last two weeks, up to the Parish Council submitting this response, the site has been worked almost every working day and diggers have completely removed the surface layers and dug a series of holes and trenches. There has been a continuous delivery of unknown material imported by a seemingly continuous stream of lorries.

It needs noting that this work has been over the entirety of the site, not just the proposed track line.

The result is that the level of the field has been raised considerably completely changing the topology.

The impact of this is that:

1. Responses submitted prior to the unauthorised works are now wholly inapplicable.
  - The response from the Canal and River Trust raises concerns around land instability on the site as was! The condition requested from the Canal and River Trust has been made irrelevant in that far more extensive works than they were anticipating have already been carried out. The recent works have extended to within about 3-4 metres of the canal bank.
  - The environmental impact response states 'No comments' to the Contaminated Land Section. This response was made before the unauthorised works which could have considerably changed the situation.
2. There has already been extensive environmental damage with many hedges and shrubs removed. The offloading from the lorries raising the level could affect the root systems of surrounding hedges and trees. Any comments around preservation of the environment and

ecology based on the application details and considered against the site that has been made pointless as far more destructive damage has already taken place.

3. The details in the application are not accurate in places and are very misleading in others.
  - The property name is given as Trent and Mersey Canal in the application form which is not correct. This misleads to suggesting it's a Trent and Mersey Canal related application.
  - The application states that there are no trees or hedges on the proposed development site. This is not true, despite much now having been lost due to the unauthorised works. There are still some trees on the site where the lower parts have been buried (see attached photographs) and there remains a hedgerow separating the site from the canal remaining. The preservation of these has not been demonstrated as a result of the works. There seems to have been no heed to nesting birds during these works contrary to legislation.
  - The answers to the flooding and drainage questions on the application form are no longer valid.
  - The applicant has outlined the whole of the field in red which implies that the whole site is to be affected (as per the unauthorised works are) . This doesn't fit with answering 'no' to the proposal being with 20m of a watercourse. The applicant should have outlined in blue the property that he owns next to the site and which has been verified by the Parish Council.
4. Drainage issues will now have been completely changed and will need re-evaluation.
5. The land could potentially now be contaminated as there has been no notice or permissions for the importation of the unknown material. The impact and danger to wildlife from the site could be considerable, especially through any soaking away into the canal waterway.
6. By increasing the height of the land so considerably, the prominence of the proposed shed has far more impact on the surrounding areas compared to when the application was submitted.

### **Taking the application as presented on the land as was prior to the unauthorised works**

In addition to points raised above, the Parish Council object to the application as follows:

1. The implement shed does not demonstrate exceptional circumstances for development in the Green Belt.<sup>1 2</sup> There is no justification or details given to why the applicant feels this building is necessary and it is not described as agricultural suggesting it might have an alternative business use. If the use is agricultural, can it be built so close to residential properties?
2. The proposal significantly affects the setting of a nearby grade 2\* listed building (shown on the provided map in appendix 1). With reference to Cheshire East's Local Plan<sup>3,4</sup>, there are no public benefits to outweigh the harm that would be caused to the setting.

The church is at the very heart of Church Lawton and has a lot of historical significance. The views of the church from the surrounding amenity areas (ancient woodland, Trent and Mersey

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<sup>1</sup> Cheshire East Local Plan, SADPD, Policy PG3

<sup>2</sup> NPPF Paragraphs 140, 141, 147 and 148

<sup>3</sup> Cheshire East Local Plan, SADPD, Policy HER4.

<sup>4</sup> Cheshire East Local Plan Strategy 2010 to 2030, Policy SE7.

conservation areas and footpaths) form significant part of the character of Church Lawton and are well known in surrounding areas, not just Church Lawton. The building will also block the view of the Church from the A50 (Liverpool Rd West) and from various footpaths leading from the site towards Alsager and Butt Lane.

In addition, and equally important, this building will be a blot on the landscape viewed from the church and is a wholly inappropriate alteration to the setting and aspect from a grade 2\* listed building.

The Parish Council also notes that Historic England aren't listed as a consultee and ask that they be invited to comment.

3. The site is immediately adjacent to the Trent and Mersey Canal, a conservation area. This canal through Church Lawton is a beautiful stretch and a popular mooring location. In addition, the area is used extensively for walking and is well known for its beautiful vistas. The canal at this stretch provides footpath access to the Church and also into the surrounding ancient woodland. One such path runs along another periphery of this site and the aspects are already ruined by the excavations. The proposed large implement shed will be visible from the canal bank and from any barges on the canal and will be contrary to the Cheshire East Local Plan regarding conservation areas in relation to preserving topology, nature of material and the contribution made by open areas.<sup>5</sup>
4. The building is totally out of keeping with the surrounding area which is picturesque and a valued amenity area with residents of both Church Lawton and wider area. In addition, the building proposed is of a size which seems disproportionate and very excessive for the size of the plot.

### **If the application was to be passed:**

If this application was to be passed, the Parish Council ask that strict conditions be imposed preventing lighting from being placed on or around the building, which would affect the adjacent property (Field View) or the grade 2\* listed church. Conditions around noise pollution would also need to be imposed.

### **Other Comments:**

The Parish Council ask Cheshire East Planning if the previous application that was granted 23/0222C, has been adhered to due to the overly wide opening onto the road that has resulted and the almost complete loss of the fronting hedgerow.

Although not strictly a planning matter, the Parish Council question why the proposed site of the building is behind the neighbouring property and not the property owned by the applicant.

The Parish Council ask that Cheshire East heed the comments submitted by the owners of the neighbouring property to ensure they don't have an unacceptable loss of amenity, the Church Council and also the responses of other members of Church Lawton Community.

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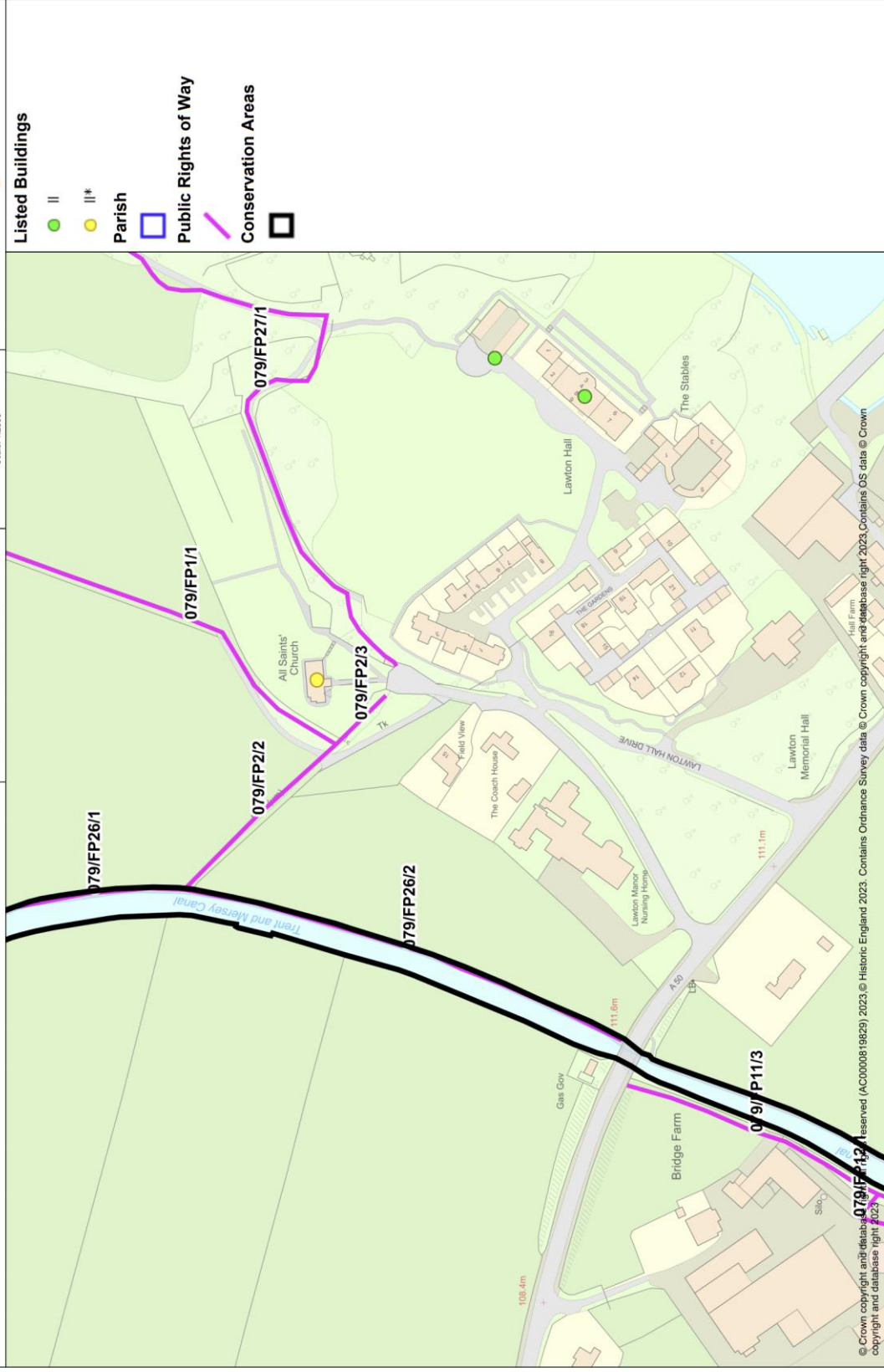
<sup>5</sup> Cheshire East Local Plan, SADPD, Policy HER 3.

Application 23/2202C

Church Lawton

Author: L. Administrator

Date: 08/07/2023



Listed Buildings

- II (Green circle)
- II\* (Yellow circle)
- Parish (Blue square)
- Public Rights of Way (Purple line)
- Conservation Areas (Black square)



Taken from the canal towpath:

