

Southern Planning Committee

Updates

Date:	Wednesday, 21st August, 2013
Time:	1.00 pm
Venue:	Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ

The information on the following pages was received following publication of the committee agenda.

Updates (Pages 1 - 6)

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APPLICATION NO: 13/2529N

LOCATION: Lakeside Superbowl, Unit 1 Phoenix Leisure Park,
Dunwoody Way, Crewe, CW1 3AJ.

PROPOSAL: Change of Use of part of building from Class D2 (Leisure)
to A3 (Restaurants)

Clarification

After discussion with the applicant it is confirmed that the application seeks change of use to A3, not one unit of A1(as the plans indicate).

Highways

The Strategic Highways Manager previously recommended refusal of this application on parking provision however subsequent discussions with the agent for the applicant have clarified details with regard to permitted uses and cross-use of parking and the integration of the different use-classes on site.

As a result of these negotiations the Strategic Highways Manager now withdraws his concern and has no further objection to the proposal as the combination of uses is confirmed to work appropriately with the amount of parking available.

The SHM now has no objection to the proposal.

Trees

Having regard to the loss of the 3 Lime trees, the applicant has stated that this is the only way to achieve the ramped footpath, which will in turn improve the accessibility of the site. Replacement tree planting will be provided within the landscaping scheme which is recommended as a condition.

Other Representations

Several more objections have been received, including two petitions and a letter from the MP Edward Timpson. The objections express the same concerns which have been detailed in the main report.

Recommendation: Approve subject to conditions.

APPLICATION NO: 13/2501C

LOCATION: Land off A34, Newcastle Road, Congleton.

PROPOSAL: Erection of 9 residential dwellings (outline)

Representations

The main report did not detail the response of the Astbury Mere Trust. They express very strong objections to the proposal in terms of what they consider to be the unacceptable impact on the setting of the Country Park. They cite several other objections to the proposal, including that the approved play barn is a complementary use to the park, unlike housing, highway safety and non-compliance with policy.

They also put forward a request for the following should the application be approved:

- The developers to indemnify the Astbury Mere Trust Ltd against any claims from the owners or occupiers of the properties and all who use the access road to gain access to the properties of the development
- To undertake repairs to the access road, the principle of which is set out in the applicant's Transport Assessment, all such repairs to be agreed and completed to the satisfaction of Astbury Mere Trust.
- Provide a demarcation within and along the edge of the access road for walkers and cyclists in lieu of the segregated facility suggested by your PROW team.
- Provide a 'gateway' type signing to Astbury Mere Country Park on the access road at the start of the land owned by Astbury Mere Trust.
- Provide a sum in excess of that already offered by the applicant, which was rejected unanimously by the Trustees such sum going towards the improvement of the Visitor Centre and Sailsport Centre at Astbury Mere Country Park.

Whilst some of these things could be legitimately provided through a Section 106 Agreement, in a way that would be in compliance with the CIL regulations, it would not be reasonable to expect a small development such as this to provide them all.

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

APPLICATION No: 13/2427C

LOCATION: Land off, Congleton Rd, Smallwood, Sandbach, Cheshire, CW11 2YH

PROPOSAL: Erection of 14no. one and two storey homes, including 11 affordable units for local need and footpath link to School Lane, construction of vehicular access to highway, change of use of land to a car park to be allocated to Smallwood Primary School and open space to be gifted to Smallwood Parish Council.

APPLICANT'S SUPPORTING INFORMATION

Since completion of the Committee Report, additional information has been submitted to the Council. The additional information received includes a;

- Landscape Structure Plan
- Tree Protection Plan
- Arboricultural Impact Assessment
- Grasslands survey – Species identification, NVC table and vegetation classification survey

OFFICER REPORT

Landscaping

The Council's Landscape Officer originally advised that insufficient information had been provided in support of the application in relation to trees in accordance to the 2012 British Standards. Not all tree constraints were shown, no tree protection measures were shown and the submission did not include an Arboricultural Impact Assessment.

This information has now been submitted.

In response to this information, the Council's Landscape Officer has advised that; the tree protection measures are acceptable with regards to the housing element of the scheme; the landscape structure plan shows that a new landscape structure could be provided for the site but a landscape condition would be required as the plan does not go into the detail of plot landscaping and some species substitutions would be appropriate.

The Arboricultural Impact Assessment confirms the loss of the roadside hedgerow and one tree on grounds of poor condition. It also puts a case forward for the layout / juxtaposition of the mature Oak Tree and the dwelling proposed on plot 14. Whilst the Officer still has reservations regarding this aspect of the proposal, it has been advised that if on balance, approval is recommended, conditions would be appropriate to cover a; Detailed landscape plan, tree retention, tree protection and an Arboricultural Method Statement to cover tree

protection, arboricultural supervision, special construction measures within tree root protection areas and a schedule of tree works deemed necessary.

As such, subject to the conditioning of the above, it is considered that the proposed development would be acceptable from a tree and landscaping perspective.

Protected Species

The application was supported by an Extended Phase 1 Habitat Survey.

In response to this survey, and a full assessment of the proposal the Council's Nature Conservation Officer advised that additional information was required at application stage in order to assess and help mitigate any impacts upon protected species. This required additional information required includes an assessment of the loss of hedgerows under the hedgerow regulations (as they are a Biodiversity Action Plan priority habitat), a further bat survey and an additional botanic survey.

Notwithstanding the above it is also advised that a breeding bird's condition should be imposed, should the application be approved.

In response to the request for additional information, the applicant subsequently submitted a letter from their ecologist addressing concerns relating to hedgerows, bats and grasslands.

In response to this additional information, the Council's Nature Conservation Officer concluded that the proposal demonstrated that the development would not have a detrimental impact upon protected species subject to the adherence of the proposal to Policy NR3 and a breeding bird's condition. It was concluded that the development did adhere with Policy NR3.

A further report on the grasslands was subsequently submitted on the request of the Nature Conservation Officer. Although this was received, further information is still required and therefore this matter remains outstanding.

Other Matters

Changes to the Unilateral Undertaking are currently being sought to include the trigger and hand over of the Public Open Space land to be gifted to the Parish Council.

RECOMMENDATION:

APPROVE subject to acceptability of the additional grasslands information, subsequent consultation response, conditions and a Unilateral Undertaking with regards to the affordable housing and public open space.

- 1. Time (Standard)**
- 2. Plans**

3. **Materials – Details to be submitted**
4. **Hours of construction**
5. **Hours of piling**
6. **Prior submission of a Piling Method Statement**
7. **Prior submission of an Environmental Management Plan**
8. **Prior submission of a scheme to minimise dust emissions**
9. **PD Removal (A to D)**
10. **Landscaping (Details)**
11. **Landscaping (Implementation)**
12. **Tree retention**
13. **Tree protection implementation**
14. **Arboricultural Method Statement**
15. **Boundary treatment**
16. **Breeding birds**

APPLICATION NO: 13/2596N

LOCATION: Orchard Barn, Newcastle Road, Blakelow.

PROPOSAL: New Detached Double Garage with Office Area above.

Revised Plans

Amended plans have now been received following extensive negotiations. The proposed detached garage will measure approximately 7.9m wide by 7.6m deep and is 2.3m high to the eaves and 5.5m high to the apex of the pitched roof.

The reduction in height of the proposed garage (by 1.4m) is now subservient to the host property and will not appear overly prominent. In addition, the projecting gable elements have been omitted, which previously made the garage appear very domesticated and have now been replaced with 6no. rooflights (3no. in each roof plane).

RECOMMENDATION: The application is recommended for approval.