

Southern Planning Committee

Updates

Date: Wednesday, 28th October, 2015
Time: 10.00 am
Venue: Council Chamber, Municipal Buildings, Earle Street, Crewe
CW1 2BJ

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

5. **15/3157N Land Off Paradise Lane, Church Minshull: Demolition of existing buildings, erection of 11 no. dwellings (including 4 no. affordable dwellings), access roads, garaging, car parking and landscaping for Sotrex Ltd**
(Pages 1 - 4)
6. **14/2915N Land West Of Broughton Road, Crewe: Outline Planning Application for Erection of up to 53 no residential units with associated infrastructure and ancillary facilities in Outline with access defined for MG and LF Ltd**
(Pages 5 - 6)
7. **14/5880C Land Off Crewe Road, Alsager, Cheshire ST7 2JL: Reserved Matters Application for 110 dwellings (33 affordable), the creation of an area of public open space and children's play area and associated works (pursuant to outline planning approval 13/3032C) for Niall Mellan, Persimmon Homes North West**
(Pages 7 - 8)
11. **15/2101C Cardway Business Park, Linley Lane, Alsager ST7 2UX: Outline planning application for a phased development of up to 110 dwellings for J. Redfern, Cardway Limited** (Pages 9 - 10)

Please contact Julie Zientek on 01270 686466
E-Mail: julie.zientek@cheshireeast.gov.uk with any apologies, requests for further information or to arrange to speak at the meeting

12. **15/2232C Land At, Mossley House, Biddulph Road, Congleton, Cheshire CW12 3LQ: Full planning application for the erection of 10 no. dwellings with associated garages, car parking, landscaping, means of access and site infrastructure for Elan Homes Ltd (Pages 11 - 14)**

14. **15/2910N The Gables, Bradfield Road, Leighton CW1 4QW: Extension and refurbishment to an existing former nursing care home and conversion into key worker accommodation for Ralph Murphy, Pantheon West (Pages 15 - 16)**

SOUTHERN PLANNING COMMITTEE – 28TH OCTOBER 2015

UPDATE TO AGENDA

APPLICATION NO.

15/3157C

LOCATION

Land off Paradise Lane, Church Minshull.

UPDATE PREPARED

28th August 2015

Education

The main report has an education section detailing the requirement for a contribution to secondary education; however this was not reflected in the recommendation section. It states the following:

An application of 11 dwellings is expected to generate 2 primary aged children and 2 secondary aged children.

An assessment has been undertaken looking at the capacities at primary schools within a 2 mile radius and secondary schools within a 3 mile radius of the proposal and this has been considered against numbers on roll and 5 year pupil forecasts.

Forecasts indicate that there will be sufficient space available in the catchment primary school to accommodate the pupils generated by this development. Forecasts are indicating a shortfall of places in the catchment secondary school and so a contribution will be needed to accommodate the pupils generated by the development.

$2 \times £17,959 \times 0.91 = 32,685.$

Transport Service Solutions have confirmed that the existing school transport service which would include for this development proposal has sufficient space to accommodate the pupils generated and so the development will not create an extra burden on the service. The cost of transport is included in the calculations for education provision.

S106 Contributions:

LEVY (CIL) REGULATIONS

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to

consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

As explained within the main report, the financial contributions to secondary education would help to make the development sustainable and is a requirement local plan policies and the NPPF. It is directly related to the development and is fair and reasonable.

RECOMMENDATION

RECOMMENDATION

Approve subject to the completion of a Section 106 Agreement to secure:

- 1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:**
 - The numbers, type, tenure and location on the site of the affordable housing provision
 - The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing
 - The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
 - The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
- 2. A contribution of £32,685 to secondary education.**

And the following conditions:

- 1. Commencement**
- 2. Approved plans**
- 3. Submission of external material**
- 4. Submission of full details of boundary treatments**
- 5. Submission of a scheme for disposing of foul surface water**
- 6. Submission of a Phase II Contaminated Land Report**
- 7. Submission of drainage scheme to include foul and surface water including sustainable drainage systems**
- 8. Tree protection scheme**
- 9. Breeding bird survey for works in the nesting season**

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) has delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should the application be subject to an appeal, resolve to enter into a Section 106 Agreement based on the above Heads of Terms.

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SOUTHERN PLANNING COMMITTEE - 28 October 2015

UPDATE TO AGENDA

APPLICATION NO.

14/2915N

LOCATION

Land west of Broughton Road, Crewe

UPDATE PREPARED

23 October 2015

KEY ISSUES

Public Open Space

Policy RT.3 of the Borough of Crewe and Nantwich Replacement Local Plan requires that on sites of 20 dwellings or more, a minimum of 15sqm of shared recreational open space per dwelling is provided and where family dwellings are proposed 20sqm of shared children's play space per dwelling is provided. For the current proposal of up to 53 dwellings, this results in a requirement for 795sqm of shared recreational open space and 1060sqm of shared children's play space. The indicative layout shows 2140sqm of open space including children's play space. The site can therefore accommodate the requisite amount of open space.

Ansa has commented on the application and noted that for a development of this size, the open space should include a Locally Equipped Area of Play (LEAP), rather than a LAP (shown on the plan). The open space provision and management arrangements can be secured via the s106 agreement. Open space provision was considered as part of the CIL regulations assessment in the original report.

Noise mitigation

At the time of writing the original report, confirmation was awaited from Environmental Health regarding the effectiveness of a proposed 1.8m high acoustic fence. Following concerns regarding the visual impact of the originally proposed 2.5m high fence, Environmental Health has confirmed that a 1.8m high fence will reduce the railway noise levels, which in combination with other mitigation will be sufficient to protect the amenity of future occupants.

Trees

The forestry officer has commented on the proposal and notes that as an outline application with only access included, the full arboricultural impacts of development would only be realised at reserved matters stage.

From the information provided, it appears that a development as indicated on the illustrative plans would involve relatively limited direct tree losses and would locate buildings outside the crown spread and root protection areas of retained trees. Some areas of hard surfacing would be located in root protection areas, necessitating special construction measures. The social relationship between the Grade A Oak trees on the western boundary and adjacent development would be poor and therefore a greater separation between the trees and development may be required.

The indicative layout suggests the removal of existing agricultural hedgerows. Therefore, it is considered that the reserved matters should include an assessment against the criteria in the Hedgerow Regulations 1997 in order to ascertain if it qualifies as 'Important' for any hedges proposed for removal. Appropriate conditions are therefore recommended.

CONCLUSIONS

As in the original report a recommendation of approval is made subject to the 16 conditions listed on pages 45 and 46 of the agenda, additional Heads of Terms relating to the provision of open space and management arrangements, and the following additional conditions:

17. Reserved matters to include Arboricultural Impact Assessment
18. Hedgerow Assessment to be submitted

SOUTHERN PLANNING COMMITTEE - 28 October 2015

UPDATE TO AGENDA

APPLICATION NO.

14/5880C

LOCATION

Land off Crewe Road, Alsager

UPDATE PREPARED

23 October 2015

KEY ISSUES

Open Space

Ansa has confirmed that the revised play area is acceptable. An additional condition is recommended to ensure the play area is provided, and all open space areas are maintained in accordance with the submitted details.

Other issues

It is also noted that no levels information has been submitted with the application; therefore, given the land does slope down towards the properties on Close Lane a levels condition is recommended. Similarly only limited details have been provided for the proposed boundary details and no hard landscaping proposals have been received. Further information will be required, which can be secured by condition. A tree protection condition is also recommended.

CONCLUSIONS

As in the original report a recommendation of approval is made subject to the 8 conditions listed on page 58 of the report, and the following additional conditions:

9. Play area to be provided and management of open space areas to be in accordance with submitted details.
10. Boundary treatment details to be submitted
11. Hard landscaping details to be submitted
12. Existing and proposed ground levels to be submitted.
13. Tree protection scheme to be submitted.

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SOUTHERN PLANNING COMMITTEE – 2⁸ OCTOBER 2015

UPDATE TO AGENDA

APPLICATION NO.

15/2101C

LOCATION

Cardway Business Park, LINLEY LANE, ALSAGER, ST7 2UX.

UPDATE PREPARED

26th Oct 2015

ERRATUM

Para 6, p.114 with Affordable Housing assessment.

This erroneously refers to a development of 'up to 140' units. The application form refers to a description of development of 'up to 110 units'. Officers, however, based on the indicative layout and information received as part of the application consider that the site can reasonably accommodate up to 105 units (capped)

RECOMMENDATION

The recommendation is unchanged from that on pages 119-122 of the main report.

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SOUTHERN PLANNING COMMITTEE – 28th OCTOBER 2015

UPDATE TO AGENDA

APPLICATION NO.

15/2232C

LOCATION

Land at Mossley House, Biddulph Road, Congleton, CW12 3LQ.

UPDATE PREPARED

26th October 2015

Open Space Provision

In accordance with the advice, standards and formulae contained in the CBC Interim Policy Note on “POS Provision for New Residential Development” 2008 , I have assessed what POS would be needed to serve the outline proposals for up to 12 mixed dwellings shown on the proposed Planning Layout, Drawing no CO-PL-001 Rev E, dated 23 January 2015.

The Policy Note provides for (1) amenity greenspace (AGS) and (2) childrens play provision, other land typologies such as woodland, buffers, wildlife or semi natural areas are not a standard requirement therefore these areas go beyond policy requirements and are not for ansa to consider.

Amenity Greenspace (AGS)

The developer is not providing on site AGS due to viability issues and size of development constraints. Having calculated the existing amount of accessible AGS within 800m of the site and the existing number of houses which use it, 12 new homes will generate a need for 510 sq m of new amenity greenspace

The existing amenity greenspace at Marshall Grove is within accessible distance but would need to be enhanced to cater for the extra demand placed on it by the new families.

Applying the standards and formulae in the 2008 Guidance the Council would need £2,694.33 to enhance Marshall Grove. The Council would need a commuted sum of £6,030.75 to maintain an area of this size.

Although the developer is not providing on site AGS, an opportunity has been missed to connect the development to the existing POS at the rear of the site. It is requested further consideration be given to the development layout to incorporate access.

Children and Young Persons Provision

Having calculated the existing amount of accessible Children and Young Persons Provision within 800m of the site and the existing number of houses which use it, 12 new homes will generate a need for new play facilities however due to the size of development this is not practical on site.

The existing POS at Marshall Grove is within accessible distance but would need to be enhanced to cater for the extra demand placed on it by the new families.

Applying the standards and formulae in the 2008 Guidance The Council would need £4,670.07 to enhance Marshall Grove. The Council would need a commuted sum of £15,223.50 to maintain an area of this size.

Affordable Housing

The main report incorrectly states that the scheme falls below the threshold for affordable housing. The proposal does meet the threshold for affordable housing provision. However, the applicant has argued that it is unviable to provide on-site affordable housing.

A viability report has been submitted to demonstrate this. At the time of update preparation, the Council was seeking an independent assessment of this report by external consultants. However, it is anticipated that the results will not be received by the time of the committee meeting.

Accordingly the recommendation has been amended to seek delegated powers to approve the application subject to the viability report being found to be satisfactory.

RECOMMENDATION

Delegated to the Head of Planning (Regulation) to Approve subject to the viability report being found to be satisfactory and the completion of a s106 Agreement to secure £5,000 for the provision of off-site, replacement tree planting, £28,618.65 for enhancement and maintenance and the following conditions:

- 1. Commencement**
- 2. Approved plans**
- 3. Materials in accordance with details submitted with the application**
- 4. Retention of trees identified for retention within the site**
- 5. Submission of tree and hedgerow protection measures**
- 6. Submission of a Construction Method Statement for the no-dig access off Biddulph Road**
- 7. Submission of a tree pruning/felling specification, including a 10 year management plan for the protected woodland fronting Biddulph Road**

8. Submission of an Arboricultural Method Statement
9. The proposed access off Biddulph Road shall be constructed in accordance with the agreed specification (condition 6) and constructed prior to the commencement of any other development on the site
10. Submission and approval of a Construction Management Plan including a construction compound within the site
11. Restriction on hours of piling to 9am to 5.30pm Monday to Friday, 9am to 1pm Saturday and no working on Sundays or public holidays.
12. Submission of an updated Remediation Strategy for contaminated land
13. Provision of electric vehicle charging points for each dwelling
14. Breeding bird survey for works in the nesting season
15. Submission of details of features suitable for use by breeding birds including Sparrows and Swifts for inclusion within the site
16. Submission of details of bat boxes for inclusion within the site

Informatives:

1. It is recommended that the hours of noise generative* demolition / construction works taking place during the development (and associated deliveries to the site) are restricted to:

Monday – Friday	08:00 to 18:00 hrs
Saturday	09:00 to 14:00 hrs
Sundays and Public Holidays	Nil
2. The developer will be required to enter into section 278 agreement of the Highways Act 1980 with the Highway Authority for the proposed works (illustrated in ashleyhelme drawing number 1087/SP/04 rev A but revised to include pedestrian crossings as conditioned above) that are within the existing highway boundaries.

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SOUTHERN PLANNING COMMITTEE – 28TH OCTOBER 2015

UPDATE TO AGENDA

APPLICATION NO.

15/2910N

LOCATION

The Gables, Bradfield Road, Leighton, CW1 4QW.

UPDATE PREPARED

26th October 2015

Description of Development

The application form describes the development as extension and refurbishment to an existing former nursing care home and conversion into key worker accommodation. The application also refers to the accommodation comprising 11 'cluster flats' and these are defined as several en-suite rooms grouped together in an apartment that shares a kitchen/common area. This would result in the creation of 51 bedrooms and seven kitchen/diners.

Highways

Due to an administrative error the Head of Strategic Infrastructure (HSI) was not formally consulted on the application at the start of the process. Subsequently the HSI has expressed concerns about the level of parking provision on the site and Members will be provided with a verbal update on this matter at the meeting.

Minshull Vernon & District Parish Council

The Parish Council considered the above application at its meeting on 27 July 2015 and the deadline for observations was 29 July. The Parish Council did object to the application, but cannot find its e-mail to 'planning' setting out the objections and the report lists no observations having been received from the Parish Council. Request that the Committee is informed on Wednesday of these objections which are as below.

RESOLVED: That the following observations be submitted to Cheshire East Council in respect of planning application No. 15/2910N –

- (i) The plans contain insufficient detail;
- (ii) The application form differs from the plans in that the plans show 51 dwellings but the application form indicates that the application is for housing for 11 key-workers;
- (iii) Car parking is inadequate; and
- (iv) This represents over-development of the site.

RECOMMENDATION

No change to the recommendation.