

# Southern Planning Committee

## Updates

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**Date:** Wednesday, 31st August, 2016  
**Time:** 10.00 am  
**Venue:** Council Chamber, Municipal Buildings, Earle Street, Crewe  
CW1 2BJ

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

6. **15/5783N Land Off Hill Close, Bunbury: Proposed Residential Development for 15 dwellings with access from Hill Close for Colin Booth, CB Homes Ltd**  
(Pages 1 - 2)
  
7. **16/0646N 6 & Land rear of no.6 Bunbury Lane, Bunbury CW6 9QZ: Outline planning application for the demolition of 1no. bungalow and the erection of 15 dwellings, including associated access at land east of Bunbury Lane, Bunbury for Wulvern** (Pages 3 - 6)
  
8. **16/1024C Alsager Arms Hotel, 4, Sandbach Road South, Alsager ST7 2LU: Demolition of existing pub hotel building and construction of 14no. apartments for Jack Middleton** (Pages 7 - 8)
  
9. **16/1134C Land Off Marsh Green Road, Sandbach, Cheshire: Outline application for proposed development of 30 dwellings including open space (allotments), internal access road and car parking for Safeguard Limited** (Pages 9 - 12)

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

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10. **16/1728N Land North Of Pool Lane, Winterley: Outline Application for residential development of up to 33 units with all others matters reserved, except for access and landscaping for Footprint Land and Development (Pages 13 - 14)**
  
11. **16/2648N 5, Coppice Road, Winterley CW11 4RN: Proposed Residential Development of 4 Detached Dwellings and Extension to Existing Dwelling for The Estate of Miss M J Swain (Pages 15 - 16)**

**SOUTHERN PLANNING COMMITTEE – 31<sup>st</sup> August 2016**

**APPLICATION NO:** 15/5783N

**PROPOSAL:** Proposed Residential Development for 15 dwellings with access from Hill Close

**ADDRESS:** Land off Hill Close, Bunbury

**APPLICANT:** CB Homes Ltd

**ADDITIONAL REPRESENTATION**

One additional representation has been received which raises the following points;

- The highways objection relating to visibility splays should apply to this application as well as application 16/0646N
- The applicants do not have control over the visibility splays at the access and the application should not be valid

**RECOMMENDATION:**

The points raised above were considered as part of the main Committee Report. There is no change to the recommendation.

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**SOUTHERN PLANNING COMMITTEE – 31<sup>st</sup> August 2016**

**APPLICATION NO:** 16/0646N

**PROPOSAL:** Outline planning application for the demolition of 1no. bungalow and the erection of 15 dwellings, including associated access at land east of Bunbury Lane, Bunbury

**ADDRESS:** No 6 and Land to the Rear of No 6 Bunbury Lane, Bunbury

**APPLICANT:** Wulvern

**ADDITIONAL INFORMATION**

Additional information has been received in relation to the ownership of the visibility splays at the entrance to the site. An amended plan has also been received to show the access to the site and the proposed visibility splays.

The letter from the applicants also states that the issue of the affordable housing provision has been the subject of dialogue between the applicant, Council, and Parish Council. Whilst this is a matter that will be dealt with in detail through any future reserved matters planning application, the applicant has requested that they are agreeable to providing the following mix:

Affordable Rent:-

- a) 2 x 1 bed bungalows.
- b) 1 x 2 bed house.

Affordable Sale:-

- c) 1 x 2 bed house;
- d) 1 x 3 bed house.

Written support of this mix has been received from the Council's Strategic Housing team and Bunbury Parish Council

**Additional Representation**

**Head of Strategic Infrastructure:** No objection subject to the imposition of a condition relating to visibility splays and an informative.

**Officer Comment**

Access to the site is proposed via priority controlled junction with Bunbury Lane. The proposals comprise:

- A Site Access carriageway width of 4.8m;
- Site Access corner radii of 6.0m;

- A 2.0m wide footway on the north side of the Site Access linking the site with the footway network on western side of Bunbury Lane, via a new uncontrolled pedestrian crossing point with dropped kerbs and tactile paving to assist wheel chair users and the visually impaired; and
- Localised carriageway narrowing on Bunbury Lane from around 6.0m to 5.0m; and
- Site Access visibility splays along Bunbury Lane of 2.4m x 59m in both directions of view.

The access proposals have been subject to vehicle swept path analysis and it is concluded that the design is an acceptable solution to serve a development of 15 dwellings. On this basis there are no highway objections to this application.

**RECOMMENDATION:**

**APPROVE** subject to a S106 Agreement to secure the following Heads of Terms:

**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. Provision of an area for Ecological Enhancements to be maintained by a private management company**

**3. Secondary Education Contribution of £32,685.38**

**And the following conditions:**

- 1. Standard outline 1**
- 2. Standard outline 2**
- 3. Standard outline 3**
- 4. Approved Plans**
- 5. Electric Vehicle Infrastructure to be submitted and approved**
- 6. Construction Management Plan to be submitted and approved**
- 7. Submission / Approval of Information regarding Contaminated Land**
- 8. Any reserved matters application shall be supported by an Arboricultural Impact Assessment (AIA) in accordance with Section 5.4 of BS5837:2012 *Trees in Relation to Design, Demolition and Construction (Recommendations)* which shall evaluate the direct and indirect impact effect of the proposed design on existing trees.**

**9. Reserved Matters application to include details of the existing and proposed land levels**

**10. The development hereby permitted shall not commence until details of the detailed design, implementation, maintenance and management of a surface water drainage scheme have been submitted to and approved in writing by the LPA**

**11. The reserved matters shall include details of the habitat enhancement proposals for the site. Enhancement measures should include a wildlife pond, hibernacula creation, native shrub planting and the enhancement of the grassland habitats.**

**12. Updated survey for Bats to be undertaken and submitted as part of any reserved matters application**

**13. Any future reserved matters application to be supported by proposals for the incorporation of gaps for hedgehogs to be incorporate into any garden or boundary fencing proposed. The gaps to be 10cm by 15cm and located at least every 5m**

**14. Construction of the access and visibility splays**

**In order to give proper effect to the Board`s/Committee`s intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chair (or in her absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.**

**Should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:**

**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. Provision of an area for Ecological Enhancements to be maintained by a private management company**

**3. Secondary Education Contribution of £32,685.38**

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**APPLICATION NO:** 16/1024C

**PROPOSAL:** Demolition of existing pub hotel building and construction of 14no. apartments

**ADDRESS:** Alsager Arms Hotel, 4, SANDBACH ROAD SOUTH, ALSAGER, ST7 2LU

**APPLICANT:** Jack Middleton

## **CONSULTATION RESPONCES**

**Fire Services:** General advise given in relation to access and facilities requirements for the Fire Service, and highlight fitting a sprinkler system within the building would promote life safety for the occupants.

### **Councillor comments:**

A letter has been received from the ward councilor Cllr Martin Deakin. The letter states.

*Dear committee members,*

*Thank you for taking the time to consider my objection to this application and I apologise that I cannot attend in person because of an engagement to which I must attend.*

*As you will know, this application was originally due to be decided at the delegated level until I successful campaigned for a call-in so that residents could partake in the decision-making process. The Alsager Arms dates back to the 19th century and is a valued part of the local area, with the application itself sparking a campaign by the town's residents to save the pub and even, at one point, to try and have its heritage officially recognised. This was the principe reason for my requesting the call-in as I believe that residents stand to lose a great piece of local architecture that carries great historical significance.*

*With the number housing applications being passed in the town, I have to say that I take issue with the idea of replacing what was once a prime example of commercial real estate with purely residential properties. I have argued for months that Alsager is in need of infrastructure and construction projects that are guaranteed to provide employment and economic growth to the local area. The current plans for 14 flats provides no such assurances because of the nature of application and if we are to demolish such a building we should be aiming to compensate by introducing another business in its place.*

*In addition to the above, I have to say that I share the concerns of local residents about the application's impact on the surrounding landscape. One of the reasons why the call-in was successful was that the flats won't be in keeping with the surrounding street scene - I refer in particular to the houses opposite and those situated beyond the railway line in Audley Road. This was recognised by the Town Council, which agreed that a negative impact on the visual landscape would be a potential impact of the application. I realise that this issue may be crossing over into the boundaries of reserved matters and that this is only the outline stage, however I believe that the*

*Strategic Planning Board should be aware of such objections and issues at the earliest stage of the application.*

*Thank you for taking the time to read my objection.*

### **OFFICER APPRAISAL**

#### **Procedural matters**

It should be made clear that the application has been amended during the assessment process and now proposes 14 flats, not 18 as originally sought.

There are various references to 'dwellings' within the Committee Report, these should read as 'flats'.

There is a reference to 'Middlewich' within the Economic section of the report, this should read as 'Alsager'.

#### **Open Space**

Revised Open Space comments have not been received in relation to Open Space since the scheme was amended from 18 flats, down to 14 flats.

The original comments calculated a requirement for 320sqm of new Amenity Green Space (AGS) and a contribution towards its maintenance would be required.

A contribution of £3,076.75 for enhancements to the nearby Milton Park / Edwards Way facility and £10,029.60 for its maintenance with regards to Children and Young Persons Provision (CYPP) was also required.

The specifics of the above would be secured via a S106 Agreement.

Now the number of units sought has been reduced, there will be a revised requirement.

A verbal update will be provided to committee.

### **CONCLUSION**

#### **No Change.**

**The Heads of Terms within the Officer Report in relation to Open Space provision will be further elaborated upon on receipt of revised comments from the Council's Open Space Officer.**

**Southern Planning Committee 31<sup>st</sup> August 2016**

**UPDATE TO AGENDA**

**APPLICATION No:** 16/1134C

**PROPOSAL:** Outline application for proposed development of 30 dwellings including open space (allotments), internal access road and car parking

**LOCATION:** Land Off, Marsh Green Road, Sandbach Cheshire

**APPRAISAL**

**Other Matters**

The applicant has questioned the impact of a recent appeal decision on the application proposal.

Planning application 14/1946C was an outline planning application for 75 dwellings at Land off The Hill/Manor Road, Sandbach. This was refused by Cheshire East Council for the following reasons;

- 1. The proposed residential development is unsustainable because it is located in Open Countryside, Contrary to Policies PS8 and H6 of the Congleton Borough Local Plan First Review 2005, Policy PG 5 of the emerging Cheshire East Local Plan Strategy - Submission Version and the principles of the National Planning Policy Framework, which seek to ensure development is directed to the right location and Open Countryside is protected from inappropriate development and maintained for future generations enjoyment and use. As such it creates harm to the interests of acknowledged importance. The Local Planning Authority can demonstrate a 5 year supply of housing land in accordance with the National Planning Policy Framework and consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan, to the emerging Development Strategy and the principles of the National Planning Policy Framework.*
- 2. The proposal would result in loss of the best and most versatile agricultural land and given that the Authority can demonstrate a housing land supply in excess of 5 years, the applicant has failed to demonstrate that there is a need for the development, which could not be accommodated elsewhere. The use of the best and most versatile agricultural land is inefficient and contrary to Policy SE2 of the emerging Cheshire East Local Plan Strategy - Submission Version and the provisions of the National Planning Policy Framework.*

This decision was appealed and dismissed on amenity grounds.

Within para 27 of the Inspector's decision, the Inspector concluded that the weight to be afforded to the local plan and neighbourhood plan countryside policies was reduced in light of the Council's Housing Land Supply position. However, the Inspector did acknowledge that the countryside policies '*...may have a linked purpose, which is to protect the countryside for its own sake...*'

The Inspector went on to advise in para 27 that '*...although the planning system is plan led, the Government's policy as articulated by the Framework is that where the plan-led system is not delivering the required levels of housing, housing should be permitted, even if contrary to the plan's spatial strategy, unless the real world land use planning impacts of doing so significantly and demonstrably outweigh the benefits that housing may deliver.*'

In para 31 of the decision, the Inspector concluded that the scheme would not '*...appear as an incongruous incursion into the open countryside...*' and did not '*...play a significant role in the wider countryside setting of Sandbach.*'

With regards to the loss of Best and Most Versatile (BMV) Agricultural Land, also a concern with the application proposal, the Inspector concluded in para 36 that the lack of a 5-year housing land supply attracted weight as an 'other sustainability consideration' (as detailed in Local Plan Policy NE.12) in favour of the use of the appeal site for the appeal scheme. As such, it was advised that there was no inherent conflict between the appeal scheme and the loss of, in relative terms, a limited amount of BMV land.

However, it should be noted that also in para 36 of the decision, the Inspector did acknowledge that '*...if every small scale housing proposal advanced the same argument (that the development of BMV would be necessary in order to accommodate housing growth)...then the piecemeal loss of BMV land could become significant.*'

In response, each planning application is considered on its own merits as each are case and context specific, a point accepted by the Inspector in para 32 of the decision. Although the appeal proposal at The Hill, Sandbach, comprised of similar considerations to that of the application proposal, it is considered that the characteristics of each site differ.

The appeal site at The Hill had a different character to the application proposal. The application proposal is considered to be more open in nature and has a greater rural character as a result.

In the case at The Hill, the Inspector concluded that the countryside value of the application site was only limited. This conclusion was made on that site's particular characteristics. The assessment of the application proposal concludes that the impact upon the countryside is not limited for the above reasons, and therefore differs from The Hill.

With regards to the Loss of BMV Agricultural land, although it is acknowledged that there is likely to be some loss of such land to accommodate housing growth, it is considered that the loss of this parcel of agricultural land would form part of a

piecemeal loss of BMV around Sandbach which would become more significant if granted. It is also considered that the loss of Open Countryside is '*a real land use planning impact*', as is the loss of BMV Agricultural Land concern.

As a result of the above reasons, it is considered that the detrimental impacts of the scheme, significantly and demonstrably outweigh the benefits.

**RECOMMENDATION**

**No change to recommendation**

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**SOUTHERN PLANNING COMMITTEE – 31<sup>st</sup> August 2016**

**APPLICATION NO:** 16/1728N

**PROPOSAL:** Outline Application for residential development of up to 33 units with all others matters reserved, except for access and landscaping.

**ADDRESS:** Land North of Pool Lane, Winterley

**APPLICANT:** Footprint Land and Development

**CORRECTION**

It should be noted that the site plan included within the agenda on page 165 of the printed agenda does not accurately show the extent of the site and encroaches into the garden of the dwelling at 29 Pool Lane.

**ADDITIONAL PLAN**

As part of this application an additional plans have been received and these have been included as additional key plans.

The additional plans show the indicative sections for the development with the existing dwellings to the opposite side of Pool lane having a finished floor level ranging from 64.94m AOD to 65.60m AOD with Pool Lane being set at lower level (64.6m AOD – 64.82m AOD).

On the application site the proposed planted buffer would be at a level varying from 65.35m AOD - 66.31m AOD with the proposed dwellings having a finished floor level of 65.5m AOD – 65.85m AOD (the highest parts of the existing site would be reduced in height by approximately 1m).

As a result the levels of the proposed dwellings would be comparable to the existing dwellings and given the separation distances proposed and the buffer it is not considered that the proposed development would have such a detrimental impact upon residential amenity.

To the opposite side the dwelling at 29 Pool Lane would have a finished floor level of approximately 65.1m AOD with the planted buffer to the rear of the proposed plot 13 being 66m AOD with the dwelling on plot 13 having finished floor level of 65.8m. Again given the separation distances proposed and the buffer it is not considered that the proposed development would have such a detrimental impact upon residential amenity.

**ADDITIONAL REPRESENTATION**

One additional representation has been received which raises the following points;

- The lack of a 5 year housing land supply does not mean that the development should be approved
- Housing development are resulting in suburban like extensions which merge settlements
- Smaller developments of mixed housing types should only be allowed in Winterley
- Access issues – poor visibility at the junction of Coppice Road/Alsager Road
- Pollution – land drains cross the site and there is a potential for pollution to enter into Winterley Pool
- The letters of objection should be considered in greater detail within the report.
- Members should inspect every application site

### **RECOMMENDATION:**

The points raised above were considered as part of the main Committee Report. There is no change to the recommendation.

**SOUTHERN PLANNING COMMITTEE – 3<sup>rd</sup> September 2016**

**UPDATE TO AGENDA**

**APPLICATION NO.**

16/2648N

**LOCATION**

**5 Coppice Road, Winterley, CW11 4RN**

**UPDATE PREPARED**

25<sup>th</sup> August 2016

**Revised plans:**

Revised plans concerns the proposed dwellings of plot 4 as well as a revised site plan.

The layout of the proposed dwelling of plot 4 has been altered following overlooking concerns from the occupiers of a neighbouring dwelling. The south elevation is being free of any principal windows to the first floor. Therefore, it is considered that this will alleviate the above mentioned amenity concerns.

While there will be an increase in the foot print and size of the proposed dwelling it is not located any closer to the boundary facing the neighbouring property to the south (No.7) it is not therefore considered that it will have a material change on the overall principle of the proposed development.

**Ecology Comments:**

A Protected Species Survey in respects of bat potential in the existing dwelling, has been prepared by a suitably experienced ecological consultant. It has concluded that no evidence of roosting bats was recorded. The Council's ecologist has been consulted and is satisfied that bats are not reasonably likely to be affected by the proposed development.

**RECOMMENDATION**

Delegate to Head of Planning (Regulation) and Chair of the Southern Planning Committee to approve (subject to conditions) subject to no new material planning issues being raised.

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