

Southern Planning Committee

Updates - 2

Date: Wednesday, 31st August, 2016
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.

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 - 4)

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 5 - 12)

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

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Southern Planning Committee 31st August 2016

UPDATE TO AGENDA

APPLICATION No.

15/5783N – Proposed Residential Development for 15 dwellings with access from Hill Close (Outline)

LOCATION

Land off Hill Close, Bunbury

UPDATE PREPARED

30th August 2016

APPRAISAL

Further Representations

Following the publication of the committee report, the Council have received third party representations which demonstrate that part of the application site forming the grass verge running past properties of Hill House, The Firs and The Oak on Bunbury Lane is within third party ownership. The grass verge in question would be used to form the visibility splay from Bunbury Lane

Those representations also question whether correct Notices and certification of the application has occurred in this case.

In the light of the additional information, the Strategic Highways Manager has investigated further and confirmed that the land in question on Bunbury Lane is not owned by the Highway Authority.

In this light of this additional information, the applicant has demonstrated to the satisfaction of the local planning authority that they retain restrictive rights over this land. In these circumstances the local planning authority is satisfied that a Grampian condition can be imposed in the interest of highway safety to secure the required visibility splays.

Environmental Role

Highway Safety

Given the above it is apparent that in order for an adequate visibility splay to be achieved, notice needs to be served on the owners of third party land on Bunbury Lane through which some of the visibility splay will pass.

Bunbury Neighbourhood Plan

To ensure that the policy framework with respect to Co-location is adequately safeguarded, it is considered necessary to ensure that a physical gap is maintained between this and adjoining land. It is recommended that an additional Heads of terms is attached to the S106 to achieve this.

CONCLUSION

In light of the above, a revised recommendation is now proposed to allow the relevant notices to be served upon 3rd party land owners of the land the subject to the visibility splay before a decision can be issued.

RECOMMENDATION

Delegate to Planning Manager (Regulation) and Vice Chair of Southern Planning Committee to ensure all notices are served in accordance with the relevant regulations

And subject to the following conditions and 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/Public Open Space to be maintained by a private management company

3. Secondary Education Contribution of £32,685.38

With an additional Heads Of terms to ensure the paddock area to the south of the application site (within the site edged blue within this application) is retained as open or paddock land in perpetuity

4. Paddock land within Blue Edge to be retained in perpetuity as open or paddock land

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 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
12. 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.
13. Updated survey for Bats to be undertaken and submitted as part of any reserved matters application
14. 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
15. The scheme of landscaping at RM stage shall include additional tree planting along the southern boundary of the retained paddock

With the following additional condition -

16. No development to commence until a highways scheme shall be submitted and approved for access visibility on Bunbury Lane. The approved scheme shall be implemented in full prior to commencement of development.

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
 4. Paddock land within Blue Edge to be retained in perpetuity as open or paddock land

SOUTHERN PLANNING COMMITTEE – 3rd September 2016

UPDATE TO AGENDA

APPLICATION NO.

16/2648N

LOCATION

5 Coppice Road, Winterley, CW11 4RN

UPDATE PREPARED

30th August 2016

A further letter of representation has been received from the occupiers of the neighbouring 7 Coppice Road which makes the following points:

- The plans have 2 x 3 bed detached being plots 3 & 4, 2m from our boundary EACH with 4 windows facing South over looking our property – creating an 8m+ high brick wall for the majority of our boundary with the site – Privacy issues aside, since the Sun sets West/North behind these houses it will also block natural light and shadow our garden and house each afternoon. [I would also argue that if no.5 was independent of the land already this would affect this property]
- No where else does anyone have houses bordering their property like this – houses new build and existing are generally built side by side with garden backing onto garden. Under the same heading, under justification 5.13, it states “.... Attention will be given to factors such as the character or nearby building, street pattern, plot sizes, building lines.... etc” I say not much attention has been given to fitting in with the existing patterns and plot sizes
- I see no pavement and since the road is not wide enough for refuse lorries bins needs to be walked up and down the street to the bin store each week – this tells me that there is an element of cramming here and since we have 3 bins each nowadays it also means no. 3 and no. 5 Coppice Road having potentially 12 extra bins on top of their 3 each situated outside their homes at all times. From supplementary document “Development of backlands and gardens”
Under “Spacing & Distance 3.9” – there should be 21m between principle elevations & 13.5m between a principle elevation with windows to habitable rooms & blank elevation
The case handler summary report states “the East elevation of proposed dwelling plot 4 does not contain any principle windows”
I say it does and that as plot 4 is a mirror image of plot 3 which is West facing their garden area – Plot 4

will be East facing their garden area. So plot 4 WILL have Living, Dining, Bedroom 1 and 2 all East facing towards our no. 7 principle West facing windows (Living and Bedroom 1) – the offset is minimal!

(I add that the East side of Plot 4 is appx 15m from West side of no. 5 & 7) the “design & access statement in support of the application” actually states Plots 3 & 4 will be West and East facing (Plot 4 elevation is not actually shown in plans)

- No consideration has been given to our side of the boundary since apart from my comment abt the 8m+ brick wall running the majority length of our boundary, which in itself dominates our property, it overlooks with 8 windows from the South elevations of Plots 3 & 4 – and 3 windows plus French/Patio doors from the East elevation of Plot 4 I hope my comments can be seriously considered for the mental wellbeing of my family and to retain our current quality of living

Revised plans:

Revised plans have been submitted which has changed the house type of plot 4. The gable overlooking no 7. contains no windows and the rear elevation adjoining the garden of no 7 comprises obscurely glazed bathroom window and a landing.

While there will be an increase in the foot print and size of the proposed dwelling it not any closer to the boundary.

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

In the light of the receipt of revised plans, further neighbour consultation has been undertaken.

Accordingly a change to the recommendation is needed to allow for additional consultation in respect of revised plans until 9th September.

The recommendation is amended to

‘Delegate to Head of Planning (Regulation) in consultation with the Vice Chair of the Southern Planning Committee to approve subject to no new material planning issues being raised, for approval subject to the following conditions

1. Time (3 years)
2. Plans
3. Materials as per application
4. Scheme of landscaping
5. Removal of PD rights A-E
6. Tree protection
7. No dig construction
8. Bin storage/collection
9. Boundary treatments
10. Levels
11. Nesting birds
12. Drainage scheme
13. External lighting
14. Dust control
15. Piling
16. Contaminated land

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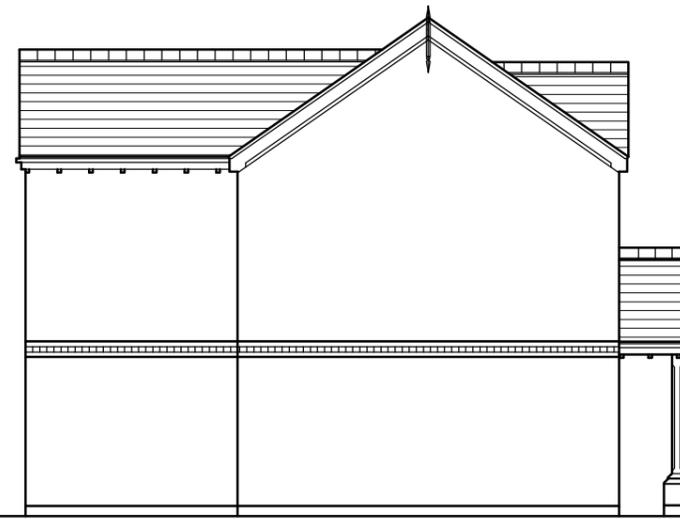
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REVISIONS

LETTER	REVISION	DATE	BY



WEST ELEVATION



EAST ELEVATION



OBSCURE
GLAZED
WINDOW

OBSCURE
GLAZED
WINDOW

SOUTH ELEVATION



NORTH ELEVATION



BOWER EDLESTON ARCHITECTS

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PROJECT
5 COPPICE ROAD, WINTERLEY

TITLE
PROPOSED HOUSING PLOT 4
ELEVATIONS

SCALE 1:100@A3
DATE JAN 2016
DRG.No 6584 12

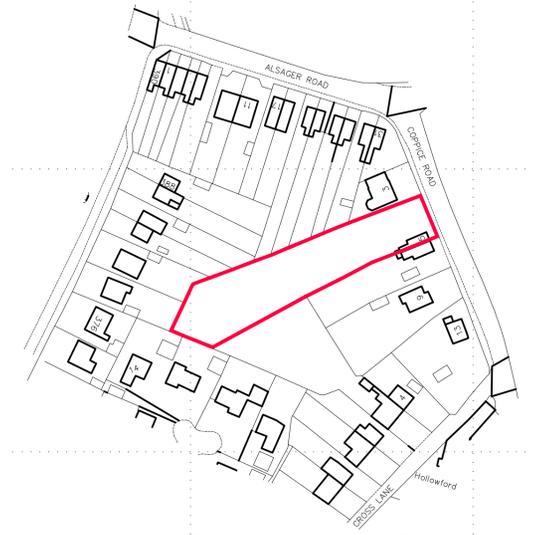
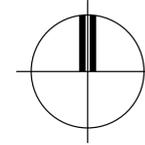
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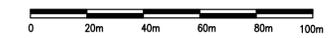
REVISIONS

LETTER	REVISION	DATE	BY
A	UPDATED TO SUIT LPA COMMENTS	26.05.16	MLT
B	UPDATED TO SUIT NEIGHBOURS COMMENTS	27.07.16	MAG



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LOCATION PLAN 1:1250



SITE PLAN 1:200



BOWER EDLESTON ARCHITECTS

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 W E B S I T E : W W W . B O W E R - E D L E S T O N . C O M

PROJECT
 LAND AT 5 COPPICE ROAD, WINTERLEY

TITLE
 PROPOSED SITE PLAN &
 LOCATION PLAN

SCALE 1:200 & 1:1250 @ A1

DATE JAN 2016

DRG.No 6584 06

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