

Southern Planning Committee

Updates

Date: Wednesday, 1st March, 2017
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.

9. **16/6028N Land West Of New Road, Wrenbury: Outline planning application for the erection of up to 46 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from New Road. All matters reserved except for means of access for Gladman Developments (Pages 3 - 8)**

12. **16/3286C 130, Holmes Chapel Road, Congleton CW12 4NY: Demolition of existing dilapidated bungalow and garage and erection of 4 no. dwellings for Mr David Denton (Pages 9 - 10)**

17. **16/3464N Land Adjacent To Chorlton Lane, Chorlton: Change of use of land from agricultural to part agricultural and part keeping of horses. Retention of existing septic tank, stable and field shelter, dog kennel, chicken house and associated hard standing (retrospective) for Ms Jones (Pages 11 - 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 – 1st March 2017

UPDATE TO AGENDA

APPLICATION NO.

16/6028N

LOCATION

LAND WEST OF NEW ROAD, WRENBURY

UPDATE PREPARED

Highway comments

- Site description and current application proposal

The site is undeveloped and in agricultural use with little traffic movement associated with it. It is on the western fringes of Wrenbury approximately 500m west of the centre of the village.

The site is bound by open countryside to the south and west, New Rd to the east, and existing and approved residential units (14/5615N) to the north.

New Rd is rural and unclassified and for the most part is subject to a 60mph speed limit. Outside the site the speed limit reduces to 30mph for a 250m approach to its junction with Nantwich Rd.

The proposal is for 46 dwellings with all matters reserved except for access. The development would be served by a new access off New Rd.

- Sustainable access

The majority of Wrenbury is within an acceptable walking distance according to those distances set out in IHT guidance. This includes the amenities and services the village has to offer such as the school, medical centre, sports ground and social club, Post Office, Church, and Village Hall. Although this is the case, these distances can only be considered relevant if suitable pedestrian infrastructure to these destinations is available. To enable this, a new pedestrian footway has been proposed along New Rd from the site access and northwards to Cholmondeley Rd.

This pedestrian footway would provide access to the local destinations and bus stops, and assist with the sustainability of the site.

New Rd and the main road through Wrenbury are also part of the National Cycle Route.

- Safe and suitable access

The site access has been proposed to have a width of 5.5m with radii of 6m, and 2m footways. These are to CEC standards and will allow for safe movement of vehicles.

Approximately 240m of footway has been proposed. For the first 35m from the site access the footway will have a standard width of 2m; for the next 160m it will have a reduced width of 1.2m; and for the remaining 40m it will have a width of 2m.

A 7 day traffic survey has been carried out on New Rd to determine the design speed of the road. This has shown the design speed to be less than 40mph in both directions and visibility splays of 73m to the right and of 100m to the left, on exiting onto New Rd, are sufficient to accommodate these speeds. The visibility splay to the south avoids the mature tree but the hedge, and possibly some of the low lying ivy growth, will have to be trimmed to accommodate it.

Traffic surveys have shown the existing two-way vehicle movements on New Rd to be 35 vehicles including 7 HGVs in the AM peak hour, and 27 vehicles including 5 HGVs in the PM peak hour. If this development were to be approved this would increase to an approximate average of 1 vehicle movement per minute. This development would likely generate around 10 two-way pedestrian movements in either of the peak hours.

Safe access is also required for pedestrians and a new and continuous footway has been proposed. For approximately 80m it will have a standard width of 2m and for the remaining it would have a reduced width of 1.2m.

Whilst a 1.2m footway is a relaxation of the standards it is considered sufficient in this situation due to the low traffic volume of New Rd.

To accommodate the footway, sections of New Rd are proposed to be narrowed. The whole of this section of New Rd will still allow for 2-way car movement; all but a short section of 20m carriageway will allow for 2-way car and HGV movement; and there will be around a 50m section which will allow for 2-way HGV movement.

Given the low vehicle numbers that use New Rd, including the low number of HGVs, that it is a minor unclassified road and not the main road into the village, and that it is not a bus route, it is considered adequate.

There is an existing speed limit sign outside the proposed site access which will have to be relocated further south.

- Network Capacity

The proposal will add one vehicle trip to the network every 2 minutes during the peak hour and will have a minimal impact upon the highway. Traffic volumes through Wrenbury are relatively low and there are no existing congestion issues.

Conclusion

The site is sustainably located and safe and suitable access will be provided for vehicles, pedestrians and cyclists.

No objection is raised with the following conditions and informatives:

Condition: the construction of the proposed footway should be complete prior to first occupation.

Condition: a CMP should be submitted which details location of parking of construction vehicles and workers, loading/unloading of materials. Details of wheel wash facilities should be included.

Condition: the visibility splay is kept clear of any existing or proposed boundary treatment.

Informative: the applicant will be required to enter into a Section 38 Agreement regarding the construction and future adoption of the internal road layout.

Informative: the applicant will be required to enter into s278 agreement for the proposed off-site works.

Informative: The applicant will be required to enter into s106 agreement for the amendment of the TRO in relation to the extension of the existing 30mph speed limit.

Updated ecology comments

Evidence of other protected species activity was recorded on site, but no setts are currently present within or adjacent to the red line of the application site. A sett is however known to be present on land adjacent to this site which is subject to a separate planning permission. This sett would be lost under the consented adjacent development and a replacement sett is to be provided close to boundary of this current application. The illustrative layout submitted for the current application includes a landscaped buffer in this part of the site so any potential impacts on the artificial sett (if in place when this development commenced) would be reduced. The precise impacts of both developments on badgers would however depend to a large extent on the timetabling of the two developments.

I therefore recommend that if planning consent is granted a condition should be attached which requires an updated other protected species survey to be submitted with any future reserved matters application. Suggested wording:

Any future reserved matters application to be supported by an updated other protected species survey, impact assessment and mitigation method statement. The submitted report to include an assessment of the potential

impacts of the development upon any mitigation measures implemented under consented development reference 16/1700n.

Officer comment

The Highway Engineer considers that the proposal would not cause significant harm to the existing highway network, and the Council's Ecologist has advised that the impact on protected species can be satisfactorily mitigated subject to the suggested conditions.

Recommendation

No change to initial recommendation.

REFUSE

1) The proposed residential development is unsustainable because it is located within the Open Countryside would result in adverse impact on the landscape character of the area contrary to Policies NE.2 (Open Countryside), NE.12 (Agricultural Land Quality), BE.2 (Design) and RES.5 (Housing in the Open Countryside) of the Crewe and Nantwich Local Plan, Policies PG5 (Open Countryside), SD1, SD2 & SE4 (Landscape) of the emerging Cheshire East Local Plan Strategy 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 interests of acknowledged importance.

2) Insufficient information has been provided to fully assess the flood risks arising from the proposed development. In particular, the Flood Risk Assessment fails to demonstrate that the proposed development will not increase the risk of fluvial flooding offsite and does not include how the loss of the floodplain is to be mitigated, such that fluvial flood risk is not increased elsewhere. The proposal is therefore contrary to Crewe and Nantwich Local Plan Policies NE.20, BE.4, Policy SE.13 of the emerging Cheshire East Local Plan Strategy the NPPF

3) Insufficient information has been provided in which to assess the agricultural land quality of the site. The proposal is therefore contrary to Policy NE.12 of the Crewe and Nantwich Local Plan, Policy SD1 emerging Cheshire East Local Plan Strategy and the NPPF

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 Public Open Space and LAP

3. Primary, Secondary and SEN School Education Contribution of £159,899

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SOUTHERN PLANNING COMMITTEE – 1st March 2017

UPDATE TO AGENDA

APPLICATION NO.

16/3286C

LOCATION

130, HOLMES CHAPEL ROAD, CONGLETON, CW12 4NY

UPDATE PREPARED

24th February 2017

Strategic Infrastructure (Highways) have agreed a minor adjustment to the scheme with the Agent and a revised drawing has been received to reflect this (drawing P-110 Rev 02). The revised drawing shows that; for the proposed dwelling on the corner of Holmes Chapel Road and Delamere Road, there is enough space for 2 cars to park and enter/exit the parking area. The revised drawing also shows the distance from the edge of Holmes Chapel Road to the proposed drop kerb for this unit.

Highways

The proposal would result in only a few additional vehicle trips during a peak hour and other than a minor rear shunt, there have been no recorded accidents at the Delamere St/Holmes Chapel Rd junction over the past 5 years. Off-road parking provision is in accordance with CEC standards.

No objection is raised.

Recommendation

No change to the recommendation.

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SOUTHERN PLANNING COMMITTEE – 1st March 2017

UPDATE TO AGENDA

APPLICATION NO.

16/3464N

LOCATION

LAND ADJACENT TO CHORLTON LANE

UPDATE PREPARED

Cllr Clowes has commented as follows :

Much of this application is for retrospective permission to actions already commenced on site (Indeed some have already been curtailed due to on-going enforcement activity by CEC).

In principle, the Parish Council have no issue with the request to use the land for appropriate agricultural/ equestrian purposes however this is the third application on this site for retrospective work (applications have repeatedly lagged behind work actually being enacted on the site).

The plans that you are looking at today are still incomplete and lacking in material detail (despite on-going liaison between the applicant (tenant) the landowner, planning officers and enforcement officers). I share the concerns of residents that you are being asked to approve an application that does not accurately reflect buildings / structures / activities already being carried out on site.

I would ask you to compare (for example) the diagram of the chicken shed included in your plans and on the CEC Planning website with that of the photographs taken 16 days ago.

Please ask yourselves; Are you approving a retrospective flimsy scaffold for netting (as per the photo) or a future substantial building for a poultry business? There is no detail to confirm what is being requested (the same is true of the dog kennel)

There is already a legal condition on this site prohibiting the use of the site for any 'residential purposes' (This has been substantiated by the CE Enforcement Officer, Mr Craig Wilshaw and the CE legal Team) - yet there remains a substantial mobile home that is inappropriate in scale and function to the agricultural/equestrian purposes identified in this application.

Please note the comments of the Parish Council in the 2nd call-in document. There is no issue with the land being used for equestrian/agricultural purposes but lack of any clear planning documents and failure to remove the

mobile home will simply enable the continued abuse of this site, associated enforcement activity on the site and PROW (with the costs for CEC) and on-going loss of amenity for residents at Jubilee Farm and along Chorlton Lane and walkers on the PROW. (The livestock fence requested by Network rail has still not been constructed).

Therefore in the interests of clarity and consistency, I would ask that you defer your decision today until you have had the opportunity to conduct a site visit where you will be able to see first-hand the inconsistencies between this retrospective application and the 'actual' situation on site.

Officer comment

It is not considered that the comments result in any change to the initial officer recommendation. Any works/activity which have previously occurred/taken place on site would not prejudice the determination of the current application which should be assessed on its own individual merits.

Officers also consider that the plans provided detail what is being proposed along with the material and appearance.

It should also be pointed out that the mobile home/tack room is being investigated by the Councils Planning Enforcement Team and does not form part of the current planning application.

Finally, any fencing requested by Network Rail is not relevant to the determination of a planning application and would be dealt with under legislation separate from planning.

Recommendation

No change to initial recommendation.

APPROVE as per report