

Southern Planning Committee

Updates

Date: Wednesday, 31st May, 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.

5. **16/6144C Land West of Goldfinch Close, Congleton: Reserved Matters application (appearance, landscaping, layout & scale) following approved Outline application 13/3517C - Outline application for erection of up to 230 dwellings, access, open space and associated landscaping and infrastructure for Seddon Homes Ltd (Pages 3 - 6)**
6. **16/6087N Land to the north of Wistaston Green Road, Wistaston, Crewe, Cheshire: Reserved matters approval for the appearance, landscaping, layout and scale of 150 dwellings, comprising 126 no. 2, 3, 4 and 5 bedroomed houses and 24 no. 1 and 2 bedroomed apartments, sub-station, gas governor, pumping station, public open space including a new ecological pond, attenuation basin and a locally equipped area of play, laying of footpaths and associated works for Jane Aspinnall, Bellway Homes Limited (Pages 7 - 8)**
7. **17/1574N Land At Grand Junction Way, Crewe CW1 2AT: Demolition of an existing building, part demolition of the former PET Hire building, erection of a retail unit (Class A1) measuring 1.207 sq.m. (GIA), alterations to access road, service area and car park layout for Triton Property Fund (Pages 9 - 12)**
8. **17/1643N 22, Heathfield Road, Audlem CW3 0HH: Application for approval of reserved matters on approval 14/3976N for Mr Mark Ellis, Markden (Audlem) Projects Ltd (Pages 13 - 16)**

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 MAY 2017

UPDATE TO AGENDA

APPLICATION NO.

16/6144c

LOCATION

Land west of Goldfinch Close Congleton

UPDATE PREPARED

26th April 2017

Additional Comments received

Congleton Sustainability Group has commented on the Report. They consider that the increase in bungalows by 2 no since the last Committee is not acceptable. They consider that Congleton has a higher than the national average proportion of over 65's and that there is a pressing need for older persons accommodation. They consider that this site, being so close to the town centre, as opposed to other sites to the periphery of town with the benefit of planning permission, should provide a mix to meet local need. They consider that the Neighbourhood Plan (yet to reach Regulation 14 Stage anticipated at the end of May) should be utilised as the evidence base for this application. They consider this site will not meet the identified local need for older and vulnerable persons housing and that the development should provide a minimum of 24 bungalows.

They comment about the poor condition of Bridleway No.4 between the end of Howey Lane and the open field (field W4).

Their main concern is that this length of the Bridleway is currently very wet and muddy throughout the winter months and at other times of heavy rain. They note that the applicant proposes a number of direct accesses from both sides of the development onto the Bridleway. This Bridleway leads via Howey Lane and Moody Street directly to the town centre and is therefore, potentially a well-used route for walkers and cyclist. However, the current poor condition is a severe disincentive to its use for anything other than for recreational walking and cycling.

To address this they ask that a condition be applied requiring the applicant to upgrade this section of the Bridleway to an all-weather surfaced track and that they become responsible for maintaining the Bridleway to this standard in perpetuity.

They request an additional condition be imposed to upgrade the PROW.

Updated Landscape Plan

An updated plan has been received which provides a scheme of additional wildflower planting. The Council's Ecologist has advised this is acceptable. Accordingly it is recommended that condition 12 on page 30 is deleted.

Officer Comment

Bungalows

At the time of writing this update, the Congleton Neighbourhood Plan has not reached Regulation 14 Stage. No weight can be apportioned to it. Upon achieving Regulation 14 Stage, no weight will be capable of being apportioned to it as a material consideration given that the policy which seeks to provide 20% of all housing as bungalows is a policy for the supply of housing. Given that the Council can not demonstrate a 5 year supply of housing, in line with the NPPF, it is an out of date policy and is therefore not a policy that can be considered to be determinative in this case.

Bridleway

The Officers Report already considers the use of PROW No4 Howey Lane. Condition 10 is proposed to ensure an appropriate scheme of management ensures the future use of the Bridleway as a result of the PROW Team and the Countryside Access Officer representations. It would not be usual to expect the developers to maintain the route.

RECOMMENDATION

APPROVE subject to the following conditions

- 1. Development to be carried out in accordance with plans**
- 2. Accordance with details of boundary treatments**
- 3. Scheme of signage for pedestrians/cyclists**
- 4. Accordance with levels**
- 5. Notwithstanding any plan approved in condition 1, details of materials for parking spaces, hard landscaping, shared surfaces and paths through POS to be submitted, approved and implemented**
- 6. Accordance with 5m buffer zone along watercourse**
- 7. Removal of permitted development rights classes A-E (extensions and outbuildings) for smaller units**
- 8. Materials to be submitted and approved**
- 9. Removal of permitted development rights for walls and other means of enclosure forward of front building line**
- 10 Public Rights of Way/Bridleway scheme of management to be submitted and approved**

11 Integral garages to be retained for the parking of motor vehicles/Conversion to living accommodation to require planning permission (with the exception of the Brierley housetype on plots 1, 3, 9, 12, 15, 16, 25, 34, 42, 44, 52, 62, 74 defined as store)

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SOUTHERN PLANNING COMMITTEE – 31ST MAY 2017

UPDATE TO AGENDA

APPLICATION NO.

16/6087N

LOCATION

Land to the north of Wistaston Green Road, Wistaston Crewe

UPDATE PREPARED

26th April 2017

Erratum

On pages 35, 38 and 39 of the report the breakdown of housing numbers is incorrect. It should read as follows;

Private

- 2 x 5 bed dwellings
- 20 x 4 bed dwellings
- 71 x 3 bed dwellings
- 10 x 2 bed dwellings
- 2 x 2 bed bungalows

Total 105

Affordable

- 6 x 1 bed apartment
- 18 x 2 bed apartment
- 6 X 2 bed dwellings
- 2 x 2 bed bungalow
- 13 x 3 bed dwellings

Total 45

Therefore site total is 150 dwellings with 45 affordable dwellings which is in accordance with the outline permission.

On page 44 within the Flood Risk and Drainage assessment, the report erroneously refers to the majority of the site as being within Flood Zone 3 , this is incorrect, the majority of the site is within Flood Zone 1.

RECOMMENDATION

There is no change to the recommendation

SOUTHERN PLANNING COMMITTEE UPDATE – 31st May 2017

APPLICATION NO: 17/1574N

PROPOSAL: Demolition of an existing building, part demolition of the former PET Hire building, erection of a retail unit (Class A1) measuring 1.207 sq.m. (GIA), alterations to access road, service area and car park layout

ADDRESS: Land at Grand Junction Way, Crewe, CW1 2AT

APPLICANT: Triton Property Fund

ADDITIONAL REPRESENTATIONS

Three additional letters of objection have been received from local businesses/residents. These objections raise the following points;

- The construction works will have a detrimental impact upon the area
- An existing business on Rainbow Street holds delicate animals which require high quality environmental conditions.
- Dust and contamination could have a detrimental impact upon livestock and the business (both in the short and long terms as it takes time to establish a stable eco-system)
- The effects of the work would be devastating to the busy junction of Earle street/Rainbow Street
- Impact upon pedestrians using Rainbow Street
- The development will result in an increase of 36 units per week using the Rainbow Street junction
- Normal precautions taken during demolition and roadworks, to protect the public, simply will not be of sufficient standard to protect this delicate aquatic livestock at the existing business. The filtering equipment will not cope with the overload expected from this project.
- M & S are in the process of moving to the retail park.
- The use of the Rainbow Street access will cause traffic problems.

An e-mail has been received from the applicants which makes the following points;

- Conditions 8 and 9 are not necessary to make the development acceptable
- Within the retail impact section of the report it is confirmed that because the proposal is below 2,500 sq. m, there is no requirement to assess impact. No reference is made to specific ranges of goods being more or less harmful to the vitality and viability of the town centre.
- In respect of the sequential approach the Report confirms that the applicant has undertaken a comprehensive assessment, including the former BHS unit. The officer confirms that the assessment demonstrates there are no sequentially preferable units, and the application site therefore passes the sequential test. Again, as part of

the assessment, no reference is made to the proposed development being a bulky goods retail unit.

- There is no justification as to why the proposed floorspace should be restricted to the sale of bulky goods only. If the LPA is satisfied the proposed development will not have any significant adverse impacts upon Crewe town centre, then there is no requirement to restrict the permitted range of goods. Similarly, the proposal is below the 2,500 sq. m threshold for requiring an impact assessment. As the proposal is significantly below the threshold, this implies that the small scale of the proposal means that it will not cause adverse impacts on Crewe town centre, again demonstrating that a restriction to bulky goods sales is not required.
- At the pre-application meeting it was stated that the new retail unit will be for the sale of non-food goods.
- In light of the above conditions 8 and 9 should be removed. The applicant is willing to accept a condition which states that the unit should be used for the sale of non-food goods.

Officer Comment

The points raised in the additional letters of objection are covered within the main officer report.

Conditions 8 and 9

The points made in the e-mail summarised above are accepted. In this case it is not considered that a bulky goods condition is reasonable or necessary. These conditions will be removed from the recommendation and a condition to restrict the development to be used for non-food goods will be attached.

Improved Linkages to Crewe Town Centre

The Councils Regeneration Team has costed the scheme of works to improve the links to Crewe Town Centre as follows;

- £40k Earle Street Pedestrian Improvements
- £5k Earle Street Bridge Improvements (Painting, etc)
- £10k Promotional Banners for Town Centre
- £22k New and update Highway Signage
- £23K Roundabouts and sponsorship.

These costings have been provided to the applicant who has confirmed that they are happy to make this contribution.

RECOMMENDATION:

Approve subject to the completion of a S106 Agreement with the following Heads of Terms;

- **A contribution of £100,000 towards strengthening the physical connectivity between the Retail Park and the town centre**

And the following conditions;

- 1. Standard Time 3 years**
- 2. Approved Plans**
- 3. Materials to match the adjacent units**
- 4. The off-site highway works proposed on the approved plans should be complete prior to commencement of development of the retail unit.**
- 5. Contaminated Land**
- 6. Surface Water Drainage details to be submitted and approved**
- 7. Overland Flow details to be submitted and approved**
- 8. Restriction on goods sold from the unit to non-food goods**
- 9. Fast charge car charging point to be provided**

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 his 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:

- A contribution of £100,000 towards strengthening the physical connectivity between the Retail Park and the town centre**

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SOUTHERN PLANNING COMMITTEE – 31ST MAY 2017

UPDATE TO AGENDA

APPLICATION NO.

17/1643N

LOCATION

22 Heathfield Road, Audlem.

UPDATE PREPARED

26th April 2017

Erratum

On Page 68 of the report in the paragraph discussing Policy H5 of the neighbourhood plan, the figures are incorrect. It should read:

Policy H5 relates to the type of new homes and specifies that residential development should have only one-third detached dwellings with the rest being bungalows, terraced or semi-detached. In response to the Parish Council the proposal has been amended to include 4 bungalows, meaning that 11 of the dwellings would be bungalows, terraces or semi-detached. Whilst this does not fully comply with the requirements of the ANP, it should be noted that the outline approval (albeit indicative) showed 18 of the proposed dwellings as detached.

Key Plans

The key plans pack wrongly includes a plan for house type 6. This is no longer part of the proposal and has been replaced on plot 19 by house type 9.

ADDITIONAL CONSULTATION RESPONSES

Audlem Parish Council

We would like to thank to Mr Ellis for responding to our comments. This is the first time a developer has taken the trouble to do so. Hopefully, this bodes well for the future and means that we can work together to ensure that the development goes ahead in the best possible way for both existing residents of Audlem and the developer.

We wish to respond to Markden's comments as follows:

H4 and H5

We are pleased to see that revised plans have been put forward and that four 3-bedroomed dormer bungalows have been included in the plan to replace the 4- and 5-bedroomed houses.

H6

We are pleased to see from the comments made by CEC Housing that the percentage of properties to be built before affordable homes are built has been reduced from 80% to 50%. This alleviates our concern. Although we must point out that no such information provided by the applicant is shown on the Planning Portal.

D1

There is still no indication that the dwellings will comply with the CEC Design Guide; we will assume that this will be the case if the Planning Officer approves the design.

D3

Whilst welcoming the provision of dormer bungalows, we are concerned that three of them (plots 19 – 21) will still dominate the existing properties on Heathfield Road, albeit to a lesser extent. We suggest that planting is put in place as soon as possible to soften the impact.

D6 and D7

We are happy with the comments which alleviate our concern.

D8

We think that Mr Ellis misunderstood our concern about using Mill Lane. We have no problem with the short-term parking of cars while the main access is prepared. However, we are concerned about 'small deliveries of compound consumables' on Mill Lane. What does this mean?

Additionally, any use of the lane by heavy vehicles will damage the already poor surface of Mill Lane which is maintained by the property owners who use it for access. We ask for full reinstatement to its original condition on completion of Phase 1 and no further use of the lane, especially by delivery vehicles, once the main access has been opened.

We accept the provision of bat boxes as these are encouraged by CEC.

D9

We are happy with the comments which alleviate our concern.

D10

We note that CEC's Environmental Health are still not satisfied with the information provided. We also want to make sure that the water in the existing wells isn't contaminated by any groundworks and also that no historic rights to use of wells are infringed

D11 and D14

We are happy with the comments which alleviate our concern.

Issue A

See D8 above

Issue B

Our concern about this refers back to the original application submitted on behalf of Hockenhull Properties Ltd (13/3210N) in which there was a proposal to have an access road going across from this development to the field on the other side of Mill Lane. Following its refusal, Mr Hockenhull was heard to say that he would get the other field developed at some time in the future. Our concern is that this could still happen with the proposed road construction, which appears to be unnecessary as it now does not provide access to any properties in the latest revised Site Layout. In order to protect the integrity of Mill Lane as a bridleway, it should be made a condition in perpetuity that no future crossing of Mill Lane will be permitted.

Issue C

We would hope that very clear instructions will be given to suppliers and that any delivery out of hours will be refused as it is the responsibility of the supplier to abide by any contractual conditions.

However, we are really concerned that CEC's Environmental Health has stated that the approved working hours are from 08.00 to 18.00 on weekdays, when the applicant stated that they will be from 08.00 to 17.00. Similarly, the Saturday hours have been extended from 13.00 to 14.00 by Environmental Health. The additional hour could have a detrimental impact on the residents of this quiet and semi-rural surrounding area.

Issue D

We are happy with the comments which alleviate our concern.

United Utilities: United Utilities has reviewed the drainage proposals Ref No. ELL-612-MH-W-100, Dated Mar 17) and confirm the proposals are acceptable in principle. This is subject to a condition relating to sustainable drainage management and maintenance.

Flood Risk: The Flood Risk Manager is satisfied with the drainage plan & discharge rate provided. However, in order to discharge any surface water drainage conditions there will need to be calculations demonstrating storm period and intensity (1 in 30 & 1 in 100 (+30% allowance for Climate Change)) & any temporary storage facilities included, submitted / approved by LLFA to ensure adequate drainage is implemented on site. Could the developer also confirm point of discharge, if this falls within ordinary watercourse formal consent will be needed from ourselves (see informative). If identified to be out falling directly into main river Environment Agency will need to be consulted.

The applicant is currently preparing the required information and this will be provided to Members at the meeting, with any additional conditions that may be necessary.

RECOMMENDATION

APPROVE subject to the following conditions:

1. **Approved plans.**
2. **Submission and approval of external materials**
3. **The electric vehicle charging points shall be ‘overnight’ ones with dedicated off-road parking served from a 30amp independent circuit**
4. **Travel information pack for future residents**
5. **Provision of a LAP as shown on the planting plan. The LAP shall be provided prior to the occupation of 75% of the dwellings**
6. **Prior to first occupation of any of the dwellings hereby permitted a sustainable drainage management and maintenance plan for the lifetime of the development, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. The sustainable drainage management and maintenance plan shall include as a minimum:**
 - a) **Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident’s management company; and**
 - b) **Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.**

In order to give proper effect to the 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.