

Strategic Planning Board

Updates

Date: Wednesday, 22nd May, 2013
Time: 10.30 am
Venue: Council Chamber, Municipal Buildings, Earle Street, Crewe
CW1 2BJ

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

Planning Updates (Pages 1 - 4)

Please contact Sarah Baxter on 01270 686462
E-Mail: sarah.baxter@cheshireeast.gov.uk with any apologies, requests for further
information or to arrange to speak at the meeting

This page is intentionally left blank

Application No: 12/3300N

Location: Land North of, WESTON LANE, SHAVINGTON

Proposal: Erection of 54 dwellings, landscaping including the creation of a newt corridor, new access and associated infrastructure

Applicant: David Wilson Homes (North West)

Expiry Date: 10-Dec-2012

ERRATUM

The description of development at the top of the report should read “54 units” to reflect the amended plans which have been received.

Accordingly the first paragraph under “Details of Proposal” should read “*The application is seeking full planning permission for 54 new residential properties, of which 16 will be affordable houses.*”

ADDITIONAL REPRESENTATIONS

Natural England

This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development.

It is not clear from the information in support of this application what the impact on protected species will be. Natural England would encourage the authority to ask the applicant to provide further information that clearly describes the impact of the proposal on protected species and any proposed mitigation together with evidence to show how they concluded what the impacts will be.

If protected species are using the site, and are likely to be affected by the development, then the authority should ensure that appropriate mitigation is proposed and secured through the use of conditions. Further guidance is provided in our standing advice.

ADDITIONAL INFORMATION

It was noticed in the committee report that the image on page 27 of the Design & Access Statement was referred to on the entrance and changes to the gateway (Viewpoint 1). This predated the submission of amended plans in respect of the access. The developer has therefore sent an updated Viewpoint 1 to substitute based on the submitted revised plans. To describe the changes the western wall (left on image) is retained and repaired in situ with a pedestrian route around the western end just visible, and the eastern wall (right) reconstructed to the new position.

RECOMMENDATION

As per main report

Strategic Planning Board 22nd May Update Report

The following comments are to be included as an update to the report for item 11, Brereton Neighbourhood Area Application and are to replace the text under paragraph 8:

8. Legal Implications (Authorised by the Borough Solicitor)

8.1 Chapter 3 of the Localism Act 2011 (sections 116 to 121), in force since 15 November 2011, introduced the concept of Neighbourhood Planning. It made substantial amendments to the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004. It provided that any qualifying body (including a Parish Council) is entitled to initiate a process for the purpose of requiring a local planning authority in England to make a neighbourhood development order. Such an order would grant planning permission in relation to a particular neighbourhood area as specified in the order, for development as specified in it, or for development of any class specified in the order. A “neighbourhood area” can be an area within the local planning authority’s area; power to designate as such is only exercisable where a relevant body (including a Parish Council) has applied to the local planning authority, and the LPA is determining the application; the legislation includes some restriction on this power in Section 61G (5). Schedule 4B of the Town and Country Planning Act 1990 (as inserted by the Localism Act) sets out a detailed process for the making of neighbourhood development orders, including a process for submitting any draft for independent examination, and, on the making of an order, a referendum. The Secretary of State has made the Neighbourhood Planning (General) Regulations 2012 under powers conferred by the 1990 and 2004 Acts, and these Regulations, which came into force on 6 April 2012, make further detailed provision on this subject.

This page is intentionally left blank