

# **Southern Planning Committee**

## **Updates**

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**Date:** Wednesday, 29th May, 2013  
**Time:** 1.00 pm  
**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.

**Updates** (Pages 1 - 10)

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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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**APPLICATION NO:** 13/1064C

**PROPOSAL:** Construction of pre-fabricated pre-school and associated works

**ADDRESS:** Holmes Chapel County Primary School, Middlewich Road, CW4  
7EB

### **REPRESENTATIONS**

Letter from Fiona Bruce MP that has forwarded the objections of the occupiers of 32 Bessancourt in respect of issues of traffic, parking, access, noise, disturbance and proximity of proposed buildings.

Holmes Chapel Technical Services Committee resolved at their meeting of 9<sup>th</sup> May 2013 to comment that information has now been provided to show that the increase in traffic arising from the proposals will be minimal and that efforts were being made to mitigate concerns relating to parking issues.

Sport England has sought clarification that the recommendation is on the basis of a temporary 3 year condition as that is the basis on which their objection was withdrawn.

### **OFFICER COMMENTS**

The issues raised in the further letter of objection are addressed in the main body of the report to Committee. The comments of the Parish Council are noted.

The proposed planning conditions attached to the report are intended as a summary and would be expanded to include detailed wording. In respect of condition 1 the temporary permission would specify that after the expiry of the 3 year period the buildings would be removed and the land restored to its previous condition (should permission be granted). This matter has been clarified by Officers to Sport England.

**The recommendation of APPROVAL therefore remains**

**Application No: 11/3349C**

**Proposal: Single Detached Dwelling**

**Address: Plot 1, Land Adjacent to, 6 Heathend Road, Alsager.**

**Responses to Issues by the Applicant**

The applicant has submitted a document addressing what he considers to be errors or omissions in the report before Committee.

Firstly he outlines the time scales for determining the application and how this has been affected by the extensive amount of information submitted to object to the application. In addition he cites the involvement of Councillor Robinson and her referral of the application to Claire Storey of Natural England.

Having regard to Natural England, Mr Girvin outlines that there has been conflicting advice given by officers representing Natural England. In that Claire Storey has stated that a licence would be required and other senior officers at Natural England have stated that *“Unfortunately Natural England is unable to determine whether a Great Crested Newt (GCN) mitigation licence is required for the works you propose to undertake. It is the responsibility of the developer (usually on the advice of a consultant ecologist) to make this decision on the basis of survey information, specialist knowledge of the species concerned and the specific nature of the works and the habitats present. A licence is required if it is considered, on balance, that the proposed works are reasonably likely to result in an offense under the legislation.”* He is concerned that this was not referred to in the report.

Mr Girvin is also concerned that the comments of Claire Storey do not reflect the guidance published by Natural England, which is that it is the applicant who is responsible for commissioning the proposed activity, taking into account the advice of the consultant ecologist.

Mr Girvin considers that where the report states that he challenges Natural England’s position, it is incorrect. What he has stated is that Claire Storey’ position contradicts her own organisation, published advice and that he is in no way challenging Natural England themselves.

Mr Girvin has also submitted a response to information submitted by Mr & Mrs Greenhough from Derek Patch relating to the impact of the development on trees. This information has been assessed by the Council’s Principal Forestry & Arboricultural Officer, as has all the information submitted by Mr Girvin and as the report recommends, the impact on trees is to be controlled by conditions which is considered to be an acceptable approach by the Council’s expert.

As members are aware, it is not practical for every single item of submitted information on applications to be included in a committee report and it is for officers to assess all the available information and collate and précis it in order for members to make an informed decision. Members are all aware that the full documentation is available on the website.

**Objections to the Application**

Mr Girvin has expressed strong concerns about the content of several of the objections submitted by his neighbours, Mr & Mrs Greenhough. These have now either been amended or removed at the request of Mr & Mrs Greenhough.

**OFFICERS RESPONSE**

As members are aware, it is not practical for every single item of submitted information on applications to be included in a committee report and it is for officers to assess all the available information and collate and précis it in order for members to make an informed decision. Members are all aware that the full documentation is available on the website.

**The recommendation remains the same.**

**APPLICATION NO:** 12/4318C

**PROPOSAL:** 3 New Houses

**ADDRESS:** Land adjacent to Sandyacre, 51 Main Road, Goostrey

**Affordable Housing**

Given the nature of the site and the proposed dwellings Housing Officers will accept a financial contribution to affordable housing as opposed to on-site provision. This financial contribution could be secured via a Planning Obligation. It is considered that this would be necessary and reasonable and in compliance with the CIL regulations.

As a result the second reason can be removed leaving just the one reason.

**Application No: 13/0762N**

**Proposal: Proposed new detached car port with loft over**

**Location: 4, Park Lane Mews, Park Lane, Hatherton, CW5 7QX**

## **REPRESENTATIONS**

Since completion of the Committee Report, the following consultations have been received.

## **VIEWS OF THE PARISH COUNCIL**

**Hatherton Parish Council** – Object to the proposal due to the following concerns:  
Design - Overdevelopment of site, not in keeping with local vicinity.

## **OTHER REPRESENTATIONS**

**2 Park Lane Mews** – Object to the proposal due to the following concerns:  
Design – Out of character, overdevelopment of site, finish of proposed development.

## **RECOMMENDATION**

All of the above issues raised have been addressed in the design section of the Committee report. It has been concluded that the development is of an acceptable design.

Therefore, these updates result in no change to the officer's recommendation.

**No change to recommendation**

**Application No: 13/0927N**

**Proposal: Demolition of Rockwood Hotel/Pub and development of 20 new apartments**

**Location: ROCKWOOD INN, 204, ALTON STREET, CREWE, CW2 7PT**

## **ERRATUM**

### **Principle of Development**

The words.....

*“Furthermore, it must also be acknowledged that according to the applicant the care home proposal would secure and generate 26 jobs full time jobs.”*

.....should be deleted.

## **ADDITIONAL CONSULTATION RESPONSES**

### **Greenspaces**

The Greenspaces Officer has confirmed that there are no open space requirements in respect of this development.

### **Education**

Education have had a look at this now and it seems that work which the Council has undertaken through its basic need programme (i.e. addressing its own need to provide places) has created enough capacity to accommodate these pupils generated by this development.

## **AMENDED CONCLUSION**

The site lies within the settlement boundary for Crewe, where there is a presumption in favour of new development, subject to compliance with other local plan policies. The site is a vacant brownfield site which would be brought back into beneficial use. The proposal would also provide 20 units towards the Council's housing land supply, which will ease pressure on green field sites elsewhere within the Borough.

The proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to the town including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain. It therefore,



The loss of this public house would not conflict with policy CF3 of the Replacement Local Plan 2011 and subject to a suitable condition would meet the Council's affordable housing requirements.

There would be no adverse impact on residential amenity, highway safety, drainage and flood risk, ecology or trees and landscaping. Overall it is considered that this is a good design which respects the character and appearance of the area in which it is located and as such it complies with policy BE2 of the Local Plan and the provisions of the NPPF in respect of design.

The Greenspaces Officer and Education Officer have confirmed that there are no open space or education requirements in respect of this development.

Therefore the recommendation is amended to one of Approve subject to conditions with no section 106 requirements in this case.

### **AMENDED RECOMMENDATION**

**APPROVE** subject to the following conditions:

1. **Standard 3 year time limit**
2. **Compliance with approved plans**
3. **Submission and approval of materials**
4. **Submission and approval of cycle parking within scheme**
5. **Submission and approval of contaminated land mitigation measures**
6. **Dust control measures**
7. **Piling hours to be restricted**
8. **Piling method Statement**
9. **Submission and approval of external lighting details**
10. **Construction Hours to be restricted**
11. **Bin Storage**
12. **Submission and approval of boundary treatment**
13. **Submission and approval of noise mitigation measures**
14. **Submission and approval of landscaping**
15. **Implementation of landscaping**
16. **Provision of Parking**
17. **Access works to be carried out prior to first occupation**
18. **Affordable Housing**
19. **Tree Protection**
20. **Implementation of Tree protection**
21. **Special construction measures under trees**
22. **No surface water, only foul water to discharge to sewer**
23. **Submission of scheme of drainage**

**APPLICATION No: 13/1379C**

**PROPOSED:** Construction of two new dwellings (Resubmission of planning application reference 12/4860C)

**LOCATION:** Ivy House, Holmes Chapel Road, Somerford, Congleton, CW12 4SP

### **ADDITIONAL PLANS / AMENDED PLANS**

The proposed development would involve the creation of a new access onto the A54 and the provision of an access road along the eastern boundary of the site which will access both properties.

Originally, the access to the site would not have been able to achieve acceptable visibility splays. This was because of obstacles on third party land.

Since completion of the Committee Report, the applicant has found a solution to the highway safety issue, the sole remaining concern with the proposal.

The applicant has confirmed that they have the permission of the third party land owner to remove the obstacles and submitted a revised highway plan to show that the required visibility splays can be achieved.

As it involves third party land this will need to be secured by a S106 legal agreement rather than a condition.

### **CONSULTATIONS (External to Planning)**

The Council's Strategic Highways Manager has been re-consulted on this revised access plan and provided the following comments;

**Strategic Highways Manager** – No objections so long as the planning mechanism can secure it. The revised access plan and visibility splays are acceptable.

### **VIEWS OF THE PARISH COUNCIL:**

**Brereton Parish Council** – Object to the proposal on the following grounds;

- No need for housing as Cheshire East Council can now demonstrate a 5 year supply of housing
- Proposal is back-land development which is out of character
- Development is not in a sustainable location

## **OFFICER REPORT**

### **Highways**

The Strategic Highways Manager has agreed to this proposal and is satisfied with the revised access plan and visibility splays.

As such, subject to the addition of a S106 Agreement securing the removal of the obstacles on third party land, in line with the revised access plan, it is considered that the proposed development would adhere with Policy GR9 of the Local Plan.

### **Other Matters**

The issues raised by the Parish Council have been considered in the committee report and do not alter the recommendation.

## **AMENDED RECOMMENDATION**

**APPROVE subject to S106 Agreement to secure the creation and retention of visibility splays on third part land and the following conditions;**

- 1. Time (Standard)**
- 2. Plans**
- 3. Materials to be submitted**
- 4. Electromagnetic materials**
- 5. Hours of construction**
- 6. Pile driving hours**
- 7. Pile driving method statement**
- 8. Landscaping (Details)**
- 9. Landscaping (Implementation)**
- 10. Boundary Treatment (Details)**
- 11. Newt Mitigation (Implementation)**
- 12. Breeding birds**

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