

Southern Planning Committee

Updates

Date: Wednesday, 26th June, 2013
Time: 1.00 pm
Venue: Council Chamber, Municipal Buildings, Earle Street, Crewe
CW1 2BJ

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

Updates (Pages 1 - 10)

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Application No: 12/4741N

Location: Land at COG Training and Conference Centre, Crewe Road, Nantwich, Cheshire

Proposal: Application to erect 60 dwellings and associated works at land at COG Training Centre, Crewe Road, Nantwich

ADDITIONAL REPRESENTATIONS

Objection

A report has been received from Access HDPC Highways Consultants acting on behalf of a neighbouring resident. The report concludes that:

- *In view of the information contained within this report, I am satisfied that the proposed visibility splays and access arrangements cannot safely accommodate any additional traffic generated by this development. The proposed access must be redesigned to conform to current design standards to enable safe movement for all road users. The turning movements will also need to be clearly demonstrated to accommodate all road users and include a right turn lane off Crewe Road. A stage 1 safety audit should be carried out to assist the highway authority with their recommendation along with trip rate assessment using 85th percentile speeds.*
- *From a highways safety perspective, I have looked at and examined the implications of traffic generated by this proposed development. There are, in my professional opinion clear technical reasons for recommending refusal on highways safety grounds.*

The full text of the report can be viewed on the Council's website.

An additional objection has been received noting that there are errors in the "site map" attached as page 41 to the agenda for the Southern Planning Committee to be discussed on the 26 June 2013.

This map does not show the correct land registry entry areas for properties on the Western and Eastern sides of the proposed access road. (Numbers 118 & 120 Crewe Road) the site map incorrectly shows that a large swath of land on the Eastern Side (120 Crewe Road), approx. 4 Metres wide and 40 Metres deep has been shown as available as part of the site plan. This land is and always has been part of land registered as part of 120 Crewe Road. Likewise on the Western side the "red line" is shown adjacent to 118 Crewe Road removing a strip approx. 1.8 Metres x the full length from this property.

This is total misrepresentation and will give all members of the Planning Committee a totally wrong basis to make any judgement as to the acceptability of this planning submission.

Support

An e-mail has been received from the occupier of 4 Regent's Gate stating that having learned that the application is to go to the planning committee next Wednesday, and spoken again to the applicant, they are of the opinion that the revised layout - with the line of trees retained along the boundary with Regents Gate and altered house layout - is an acceptable one.

As such, they do not wish to continue with their earlier objection.

Nevertheless, they still consider that there is an even greater need to see the trees are well protected by a TPO.

The smaller number of trees that are now to remain are recognised by builder and planning authority that they are worthy of retention.
Their amenity value will increase with the new residents inside the site.

A TPO on those critical trees to be left will appear in Land Charge Searches for all new residents and will give clearer statutory control well into the future. Ordinary planning conditions will not have the status and enforceability of a TPO.

They thank officers for all their help over the past months

ADDITIONAL CONSULTEE RESPONSES

The Strategic Highways Manager has examined the resident's consultant's report and has produced a detailed response which concludes as follows:

- The Access HDPC report seeks to create a position of statement which would see the application refused on highway grounds.
- Unfortunately there are a number of fundamental errors in the report which compromise its conclusions.
- The commentary within the Strategic Highways Manager's response discusses the main points around which the report is built and the factual aspects of the site in comparison.
- The Strategic Highways Manager finds that there is insufficient factual matter in the AHDPC report upon which a sustainable reason for refusal could be based and recommends to the Local Planning Authority that the reasoning and conclusions included in that report have insufficient weight to influence a recommendation against the development on highway grounds.
- The Strategic Highways Manager would add that until the internal layout is finalised with an acceptable detail in line with his requirements for: layout quality, service strip provision, accessibility for refuse vehicle and acceptable geometry for regular vehicle movements within the site, that his recommendation for deferral be maintained.

The full text of the Strategic Highways Manager's response can be viewed on the Council's website.

The Strategic Highways Manager has also confirmed that he is now happy with the layout – all details look acceptable on drawing W0255/PL/101 - Rev J.

OFFICER COMMENT

Plans

As pointed out by residents, the site plan on Page 41 of the committee agenda does not accurately reflect the site boundary. It is merely for Members to locate the site. It is not the legally enforceable plan which defines the extent of the land covered by the planning application and any subsequent permission. The location plan which forms part of the application (and would be referred to by number on any decision notice) is within the Key Plans booklet and will be displayed as part of the Officer presentation at planning committee. It is also available to view on the website.

Trees

The main officer report comments that the latest version of the site plan available at that time showed some minor encroachment into root protection areas which would require due consideration in the turning head redesign and that this issue was the subject of on-going negotiations with the developer. Amended plans have now been received, and the Council's Principal Forestry and Arboricultural Officer has confirmed that this matter has been adequately resolved and that he is now satisfied with the amended plans.

Highways

The main report also highlighted a number of detailed highways design issues in respect of the internal layout, which still requires amendment. These matters have been brought to the attention of the developer, and amended plans have been submitted. The Strategic Highways Manager has therefore also confirmed that he is satisfied with the amended plans

With regard to the highways report submitted on behalf of local residents, the Strategic Highways Manager has provided a detailed analysis and it would appear that the report contains a number of factual errors and that therefore, its conclusions are unsound. The Strategic Highways Manager is satisfied with the adequacy of the access arrangements as shown on the amended plans, and on this basis it is not considered that a refusal on highways grounds could be sustained.

RECOMMENDATION

As per main report

APPLICATION NO: 13/1708C

PROPOSAL: Change of Use from office to 6 bedsit flats

LOCATION: 92-94 Nantwich Road, Crewe, CW2 6AT.

An additional plan has been submitted showing an acceptable bin storage area and how it is to be accessed.

Condition 4 should now require that the development is implemented and retained in accordance with the approved plan showing bin storage.

Recommendation: Approve subject to conditions.

Application No: 13/1843N

Proposal: Variation of condition 3 on planning permission 12/1488N- Reserved Matters Planning Application Relating to Outline Permission P05/0121 for the Erection of 13 no. Detached Dwellings, Parking and Amenity Space; and the Retention of Public Open Space/Childrens Playground

Location: Land Off, Marsh Lane, Nantwich

CONSULTATIONS

Nantwich Town Council – no objections

APPLICATION No: 13/1864N

PROPOSAL: **Reserved Matters Application following Outline Planning Approval 11/2241N re Access, Appearance, Landscaping, Layout and Scale.**

LOCATION: **Land Adjacent Royal Oak, 94, Main Road, Worleston**

ADDITIONAL PLANS / AMENDED PLANS

Since completion of the Committee Report, the applicant has sought to satisfy the proposed pre-commencement conditions that were proposed.

This includes details to satisfy conditions relating to materials, drainage, nesting birds, breeding bird features, lighting, piling, bin storage and tree and pond protection measures.

CONSULTATIONS (External to Planning)

The Council's Environmental Health were re-consulted as a result of the additional information submitted regarding the proposed bin storage and lighting. Furthermore, comments from the Strategic Highways Manager have been received since the Committee Report was drafted.

Environmental Health – Advise that both the revised plan showing the position of the proposed bin storage and the lighting details submitted are acceptable.

Strategic Highways Manager – No objections, subject to an informative advising that the applicant needs to enter into a Section 184 Agreement under the Highways Act 1980 with regards to the provision of the vehicular crossings to the proposed development properties.

OFFICER REPORT

Layout

Condition 18 of the approved Outline Planning Permission 11/2241N was for the prior submission of bin storage details. It was proposed that this condition be included once again as part of this Reserved Matters application as no details had been provided and furthermore, Environmental Health had suggested the condition.

The applicant has subsequently submitted a revised landscape plan to show the location of the bin storage area for each property. This would be to the side of the properties towards the rear and would be screened from the streetscene by a proposed 1.8-metre-tall boundary fence. It is considered that the position of this storage area would be acceptable and Environmental Health have confirmed that they are satisfied with this siting.

As such, should the application be approved, it is proposed that the bin storage condition be amended to be carried out in accordance with the revised plan and retained in such a manner thereafter.

Appearance

Condition 4 and 5 of the approved Outline Planning permission detailed that details of all facing, roofing and hard surfacing materials should be submitted to the Council for prior approval. These conditions were proposed as part of this application.

The applicant has since submitted a materials schedule. It is advised that the bricks will be an Ibstock Tattershall blend with smooth red brick contrast heads, brick cills and features.

The front elevation cills would be Artstone, red sandstone in colour.

The roof tiles would be Redland Richmond 10 flame red (weathered colour).

The driveways would be constructed from Bitmac with concrete edgings and the paving would be pre-cast concrete with a riven stone effect finish.

Samples of the brick and tiles have also been received.

It is considered that these material choices would respect the local character and are therefore deemed to be acceptable. As such, it is proposed that the material conditions be amended to be implemented in accordance with these submitted details.

Landscaping

In response to the proposed tree and pond protection measures, the applicant has advised that the submitted Tree report covers the protection of retained trees and recommendations for the retention and enhancement of the pond were also submitted.

In response, the Council's Landscape Officer has advised that *'The tree report is dated 2011 and does not comply with the revised BS5837:2012 Trees in relation to design, demolition and Construction – Recommendations.'*

As such, it is proposed that the prior submission of tree protection condition be retained.

With regards to the Pond, this is considered in the Protected Species section below.

Amenity

The applicant has submitted the lighting details that are sought externally within the site. Specifically, it is advised that the lighting will be the 'Mill View Neston' external light specification. They would consist of a 5 panel half lantern design which would be constructed from black aluminium.

It is advised within the submitted details that this external light would be positioned to the side of the front and rear doors of each property and would consist of a light sensitive photo cell and movement sensor and would be controlled with a manual override.

Environmental Heath have advised that these details are acceptable.

As such, should the application be approved, it is proposed that this condition be amended to be a condition that advises that the lighting must be implemented in accordance with the submitted details.

The proposed piling condition shall remain in the event that piling be required.

Protected Species

The applicant has advised that details regarding the timing of the works and details of how it is proposed that features for the enhancement of the breeding birds have be incorporated.

In response, the Council's Nature Conservation Officer has advised that although a native hedgerow is proposed, the provision of nesting boxes, specifically for Swift and House Sparrows (as per outline) in appropriate locations providing details regarding the make and model of boxes would still be required. As such, it is proposed that this condition remains.

In terms of the condition regarding the timing of the works, it was advised within the ecology report submitted with the outline application that no works would commence in this window.

It is proposed that this condition remain to ensure that if any works are to take place within the breeding birds season, details of how the development would not impact upon these birds should be submitted.

With regards to the pond protection measures, the Council's Nature Conservation Officer has confirmed that this condition is still appropriate in order to protect it during the construction phase of development.

Other Matters

Although the applicant has advised that United Utilites are satisfied with the proposal, no such confirmation has been submitted to the Local Planning Authority by United Utilities as part of this Reserved Matters submission. As such, it is proposed that this condition remain.

CONCLUSIONS

The additional submitted information has no impact upon the previous recommendation. However, changes to the proposed conditions are now recommended as a result.

RECOMMENDATION:

APPROVE subject to conditions

1. Time (Standard 3 years)

- 2. In accordance with approved plans**
- 3. Materials in accordance with submitted details**
- 4. Boundary treatment – Implementation**
- 5. PD Removal (A to E)**
- 6. Drainage details to be submitted (Pre-commencement)**
- 7. Landscaping – Implementation**
- 8. Breeding birds mitigation to be submitted and approved**
- 9. Incorporation of features for breeding birds to be submitted and approved**
- 10. Lighting details - Implementation**
- 11. Hours of construction (Mon-Fri 08:00 – 18:00, Sat 09:00 – 14:00 Sun & Bank hol – nil)**
- 12. Piling method, timing and duration to be submitted and approved**
- 13. Bin storage details - Implementation**
- 14. Tree and pond protection measures to be submitted and approved and provided during construction period**

Application No: 13/2051C

Proposal: First floor extension (Resubmission of 13/0766C)

Location: Rue Moss Cottage, Back Lane, Smallwood, Sandbach

CONSULTATIONS

Smallwood Parish Council – support the application