



Southern Planning Committee

Updates

Date:	Wednesday, 18th September, 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: 13/2529N

LOCATION: Lakeside Superbowl, Unit 1 Phoenix Leisure Park,
Dunwoody Way, Crewe, CW1 3AJ.

PROPOSAL: Change of Use of part of building from Class D2 (Leisure)
to Class A3 (Restaurants)

APPLICANT'S SUBMISSION

The applicant has submitted a further letter, explaining the benefits of the scheme in terms of trees, improved access, town centre impact and increase in employment.

Having regard to town centre impact, it states that a full assessment of the impact of the proposal on the town centre cannot be justified as the site is defined on the Proposals Map as being within the town centre. It then goes on to outline the policy context of both the adopted and the emerging local plan and the National Planning Policy Framework, with which the application is in accordance.

In the letter, it is also put forward that the cinema would employ an additional 12 to 15 people (full time or part time equivalent) and the restaurant units would employ an additional 50 full and part time employees. This would be in excess of the 22 staff employed at the bowling alley.

The benefits that the improved cinema complex would have are outlined in the letter including drawing people in to the town of Crewe rather than them going out to other nearby towns.

Recommendation: Approve subject to conditions.

APPLICATION NO: 13/1573N

LOCATION: Huntsbank Business Park, Crewe Road, Wistaston,
Crewe, CW2 6QT

PROPOSAL: Demolition of existing warehouse / showroom and adjoining single-storey brick office structure forming Unit 1. New build extension to adjacent industrial buildings to provide two new units to replace Unit 1

OFFICER COMMENTS

During the Members site visit, clarification was sought about the level of parking provision. As discussed on page 43 of the Agenda Reports Pack, amendments have been made to the 'in and out' access arrangements to the site and additional parking has been provided so that 30 spaces are provided instead of the 20 originally proposed. These amended plans will be included within the presentation to Members.

RECOMMENDATION

No change to recommendation.

APPLICATION NO: 13/2553N

LOCATION: 285, Nantwich Road, Crewe

PROPOSAL: Change of Use from large six bedroomed residential home to a residential house of multiple occupancy housing 8 tenants.

CONSULTEES

Highways: have made the following comments;

"This application states that 8 off-street car spaces are to be provided as existing.

It is not apparent from the application detail where these spaces are and there is a clear need to ensure that this sufficient number of spaces is provided so that displacement onto the public highway is avoided.

The Strategic Highways Manager therefore requires that an accurate parking layout plan be provided so that the validity of the offered provision can be confirmed.

As a result the Strategic Highways Manager recommends that this application be deferred until a satisfactory parking layout is provided as the recommended condition for the provision of a 'parking scheme' in the planning committee report does not mean that it can necessarily be provided."

OFFICER COMMENT

The Highways Authority has indicated a parking layout is required. The application site is an extremely sustainable location and therefore Officers do not consider that parking is necessary to justify approval of the application, albeit some provision would be advantageous. The applicant has been requested to provide a layout to show what proposed provision can be made. This plan is awaited.

RECOMMENDATION

It is recommended that the condition for a scheme of parking is retained to cover vehicles and also cycle storage.

APPLICATION No. 13/2841C

LOCATION: Land North of Moss Lane, Sandbach

PROPOSAL: Outline application for 13 new dwellings

APPLICANT'S SUPPORTING INFORMATION

Since completion of the Committee Report, additional information has been submitted to the Council. The additional information received includes;

- A Tree Survey and Arboricultural Impact Assessment
- Hedgerow Regulations 1997 Assessment – Record Office
- Highways statement and associated Highways Location Plan, B Speed Readings and B Speed Results

CONSULTATIONS (External to Planning)

In response to the additional information submitted:

Strategic Highways Manager – *‘Subsequent to the original recommendation of refusal on lack of information the applicants have commissioned a highway report to address the traffic impact from this proposed development.*

In a telecom with the consultant, and due to the sensitive nature of the Moss Lane traffic environment the S.H.M. requested an assessment of the junction of Moss Lane with the A533 and comparison to the resolved traffic impact from the Foden's development Transport Assessment. This would have demonstrated or otherwise the available capacity at the junction and given a firm position for judgement.

This information is not included in the submitted report and in fact the completed survey work refers only to the current traffic situation and not the future situation when the Fodens site is built out and observes that there is currently very little traffic. This is a fact as the Fodens site is not yet generating much traffic.

The report also estimates trip rates for the site without appropriate analysis of the TRICS database however on this small number of units it does rightly state that traffic generation from this small number of units will be low and quotes the NPPF stating that the impact from this development would not be severe and therefore there is no reason to refuse this application on highway grounds.

This is correct against current NPPF guidance and on balance the S.H.M. must advise that whilst the highway report does not present ideal information

it would not be sustainable at inquiry to try to uphold a reason for refusal on highway grounds for this site.

The Strategic Highways Manager recommends that the following condition and informative be attached to any permission which may be granted for the above development proposal:

Condition:- *The development will provide off-road parking in accordance with the emerging CEC draft parking standards as described in the new Draft Local Plan.*

Informative:- *The developer will enter into and sign a S184 agreement under the Highways Act 1980 for the construction of vehicular crossings to each unit and provide them prior to first occupation.'*

Cheshire Archaeology - No objections with regards to the impact upon hedgerows.

OFFICER REPORT

Access

The indicative layout plan shows that the proposed new dwellings would be served by their own individual accesses onto Moss Lane which would lead to private driveways which are large enough to accommodate 200% parking.

The Council's Strategic Highways Manager originally advised that insufficient information had been provided in order to make an effective assessment. It was advised that an analysis of the junction of Moss Lane with the A533 to prove capacity for the traffic generation was required.

The applicant subsequently submitted a Highway Statement and associated documentation.

In response to this, the Council's Strategic Highways Manager has advised that the submitted statement is correct when it advises that the scheme would adhere with the NPPF. It is further advised that whilst the submitted report does not provide all of the information sought, it would not be sustainable at appeal '*...to uphold a reason for refusal on highway grounds.'*

As such, subject to the recommended condition as detailed above, it is considered that the proposed development would adhere with Policy GR9 of the Local Plan.

Landscape

The proposed development is enclosed on the southern (front), eastern (side) and western (side) boundaries by hedgerow.

There are no protected trees on the site.

It is advised within paragraph 3.4 of the submitted Design and Access Statement that *'The design proposes to retain the existing hedges on the site boundary. A new hedge is to be planted to the northern boundary to the agricultural field. Each new property proposed will be open fronted with its own private parking space and private amenity space.'*

Landscape

The Council's Landscape Officer has advised that although the loss of the existing landscape would be regrettable, in the event of approval, at reserved matters stage, it would be essential to secure a soft landscape boundary treatment to the northern and western boundaries.

Trees

The Council's Landscape Officer originally advised that a tree survey was required in order for the submission to adhere with BS 5837:2012 Trees in relation to design, demolition and constrictions. The submission originally included insufficient information in order to make an effective assessment in relation to trees.

The applicant subsequently submitted a Tree Survey.

In response, it has been advised that the Tree Survey considered the roadside hedgerow and two Oak trees within the hedge line. All of these features are afforded Grade A in the survey.

The survey recommends that the features be retained and suggests that both trees and lengths of the hedge would be retained with an appropriate layout. The indicative layout shows that the scheme would have a direct impact upon one tree.

Notwithstanding the hedgerow concerns which are addressed below, as the application is 'Outline with all Matters Reserved', the layout has not been agreed. As such, there is scope as part of the Reserved Matters submission to address this concern and therefore is not an issue in the determination of this application.

Hedgerows

With regards to hedgerows, the Council's Landscape Officer originally advised that the scheme would have an impact upon the roadside hedgerow fronting Moss Lane. If this hedgerow is over 30 years old it should be assessed against the criteria in the Hedgerow Regulations 1997 in order to ascertain if they qualify as 'important'. If they are deemed to be 'important', this would be a material consideration.

In response to the above the applicant provided a letter from the 'Cheshire Archive and Local Studies Service' who confirmed that the south side of the

site boundary, directly fronting Moss Lane is considered to be an 'important' hedgerow.

Policy NR3 (Habitats) of the adopted Congleton Borough Local Plan First Review, states that proposals for development that would result in the loss or damage to important hedgerows will only be allowed if there are overriding reasons for allowing the development, and where the likely effects can be mitigated or the habitat successfully recreated on or adjacent to the site and there are no suitable alternatives. In order to comply with the policy, all of these criteria must be met.

In response to this policy, given that this 'important' hedgerow would be retained, but punctuated in order to provide individual domestic accesses, the historical line of the hedge would remain unchanged. Therefore, the impact upon the landscape is considered to be limited. This line is further supported in the landscape by the orientation of Moss Lane itself which lies parallel to this hedgerow. As a result of this, in addition to the fact that the Council's Nature Conservation Officer and the Cheshire Archaeology Service have raised no objections to the proposal, subject to conditions, it is considered that the proposed impact upon this 'important' hedgerow would be acceptable in this instance.

CONCLUSION

Reasons 2 and 3 in the main report have now been resolved leaving just the first reason for refusal.

RECOMMENDATION: REFUSE

- 1. The proposed residential development is unsustainable because it is located within the Open Countryside, contrary to Policies PS8 and H6 of the Congleton Borough Adopted Local Plan First Review 2005 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 and creates harm to interests of acknowledged importance. The Local Planning Authority can demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy Framework, consequently the application is premature to the emerging Development Strategy since there are no material circumstances to indicate that permission should be granted contrary to the development plan.**

APPLICATION NO:13/3223N

LOCATION: Holly Bush Inn, Crewe Road, Winterley

PROPOSAL: Outline Planning permission for three new detached two storey dwellings on land to the rear of Public House with associated external works including new access road

PARISH COUNCIL

Haslington Parish Council note changes to the layout and a reduction from 4 to 3 houses, but still object to the proposed development and wish to highlight the following issues:

- The proposed access would create a fifth junction onto Crewe Road in the short distance between Alsager Road and Elton Lane at the entrance to the built up area of the village. The existing pub access has very poor visibility, the proposed development would be worse. The parish council speed monitoring equipment has consistently recorded vehicles exceeding the 30mph limit by a considerable margin, recent figures show 38% of vehicles exceed the 30mph limit. Visibility splays for the access submitted appear to cross land not controlled by the applicant and may be subject to obstruction by vehicle parking. There does not appear to be a response available from Highways, however the parish council are most concerned with the highways safety of the proposed application.
- Loss of car parking space for the Holly Bush, given that this permission is to enable funding to increase the size of its dining area, and hence expected number of customers visiting the pub at any one time. The proposed development could impact the viability of the pub; residents do not want to lose it. About 20 existing parking bays appear to be lost within the pub car park. The parking analysis demonstrated a need for 38 spaces for the normal operation of the pub, this leaves absolutely no spare capacity for any functions with increased levels of customers to be accommodated and hence a negative impact on commercial viability. There is no safe offsite parking available in the vicinity, roadside parking already causes safety issues for vehicles leaving the site - with restricted visibility due to residents parking on the road.
- A further issue is potential noise levels for existing residents. The noise assessment report relates to the potential noise levels within the proposed properties it does not address the important issue of noise levels arising from the relocated beer garden closer to the neighbouring properties on Crewe Road and the impact of beer garden noise reflected off the proposed properties back towards existing private gardens.

The Parish Council have also submitted data from the speed display unit opposite the Holly Bush Public House which can be found in the table below:

Directions: Eastbound

	Vehicle Speed Classes (Mph)													Total	85th Percentile	Average Voltage
	<15	15 20	20 25	25 30	30 35	35 40	40 45	45 50	50 55	55 60	60 65	65 70	>70			
00:00	0	4	8	25	22	17	6	4	3	0	1	0	0	90	39.5	12.61V
01:00	0	0	3	8	19	11	9	0	1	0	0	0	0	51	39.5	12.61V
02:00	0	2	2	8	11	8	4	0	0	0	0	0	0	35	38.4	12.61V
03:00	0	2	3	9	9	5	3	0	1	0	0	0	0	32	37.5	12.61V
04:00	0	0	2	8	11	4	3	5	1	0	0	0	0	34	44.3	12.61V
05:00	1	1	18	41	32	24	7	2	1	0	0	0	0	127	36.3	12.61V
06:00	2	14	31	90	119	61	16	5	1	0	0	0	0	339	35.7	12.61V
07:00	15	45	81	232	274	139	30	2	2	0	0	0	0	820	35.1	12.61V
08:00	20	60	106	319	312	136	29	8	1	0	0	0	0	991	34.8	12.61V
09:00	16	47	86	311	295	130	24	6	0	0	0	0	0	915	34.7	12.61V
10:00	23	37	116	362	361	153	38	1	2	0	0	0	0	1093	34.6	12.61V
11:00	18	44	111	353	374	157	32	4	1	0	0	0	0	1094	34.6	12.61V
12:00	18	64	115	359	353	191	36	5	0	0	0	0	0	1141	35.0	12.61V
13:00	19	40	115	366	383	141	47	5	1	0	0	0	0	1117	34.6	12.61V
14:00	22	51	119	409	410	185	42	7	1	0	0	0	0	1246	35.1	12.61V
15:00	21	53	137	420	403	194	43	9	0	0	0	0	0	1280	35.3	12.61V
16:00	47	61	131	431	445	209	47	3	1	0	0	0	0	1375	34.9	12.61V
17:00	34	69	129	412	451	215	41	4	0	0	0	0	0	1355	34.9	12.61V
18:00	29	67	146	423	443	205	38	3	1	0	0	0	0	1355	34.7	12.61V
19:00	21	47	141	368	401	140	37	3	0	0	0	0	0	1158	34.2	12.61V
20:00	10	38	95	305	311	132	24	5	1	1	0	0	0	922	34.7	12.61V
21:00	5	18	57	226	212	102	25	3	0	0	0	0	0	648	35.1	12.61V
22:00	4	15	37	119	170	75	19	4	0	0	0	0	0	443	35.9	12.61V
23:00	1	5	17	89	103	60	13	3	0	0	0	0	0	291	36.2	12.61V
AM Total	95	256	567	1766	1839	845	201	37	14	0	1	0	0			
PM Total	231	528	1239	3927	4085	1849	412	54	5	1	0	0	0			
Total	326	784	1806	5693	5924	2694	613	91	19	1	1	0	0			
Percent	1.82%	4.37%	10.06%	31.71%	33.00%	15.01%	3.41%	0.51%	0.11%	0.01%	0.01%	0.00%	0.00%			

OTHER REPRESENTATIONS

Additional letters of objection have been received from 5 local households raising the following points:

- The number of existing access points onto Crewe Road (5 within 100m)
- This application will make it more difficult to leave the driveways of properties which front onto Crewe Road
- The traffic survey was carried out when traffic was at its lightest
- Vehicles are often speeding along Crewe Road
- HGV and large agricultural vehicles often use Crewe Road
- Reduction in the number of parking spaces for the Public House
- If the children's play area is relocated it would create additional noise
- Impact upon wildlife
- Impact upon protected species
- Impact upon the trees which overhang the site
- The development would create an accident black spot
- Loss of the hedgerow to the properties fronting Hollyfields
- Increased noise to the properties which front Hollyfields
- Questions over land ownership
- Lack of parking to the proposed dwellings
- There will be no safe service vehicle access

The full text for all letters of representation/Parish Council comments can be viewed on the Councils website.

OFFICER COMMENTS

Highways

The proposed development relates to a development of 3 dwellings. In relation to the highways impact the NPPF states that:

'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe'

The traffic flows given in the representations from local residents/the Parish Council are light for the type of road which will have a capacity significantly in excess of the figures offered. There is no capacity issues associated with Crewe Road.

The 85th%-ile speed from the resident/Parish Council survey is 34.9mph. The MfS visibility splay for this would be just over 50 metres and they are offering more than that. The Strategic Highways Manager is advising a 2m 'x'-distance which would increase the available splay dimension again. Therefore the proposed visibility splays are in accordance with MfS.

Amenity

In terms of noise from the beer garden this is an existing use and it is not considered that there would be any increase in noise levels to the existing properties.

Given the existing location of the beer garden and the separation distances involved the Environmental Health Officer does not consider that there would be a significant impact in terms of the reflection of noise.

Hedgerow

A revised plan has been provided which shows that the boundary hedgerow to the boundary with Hollyfields would be retained. This could be controlled through the use of a planning condition.

RECOMMENDATION

The recommendation for this application remains unchanged with the addition of the following condition:

13. Retention of the boundary hedgerow along the northern boundary