



Strategic Planning Board Updates

Date: Wednesday, 29th July, 2015
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 - 8)

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STRATEGIC PLANNING BOARD – 29th July 2015

APPLICATION NO: 15/1552N

PROPOSAL: Outline Planning Permission for Residential development for up to 99 dwellings (Use Class C3), with public open space, vehicular access and associated infrastructure.

ADDRESS: Land off East Avenue, Weston

APPLICANT: Gladman Development Ltd

APPRAISAL

Contaminated Land

The application is for new residential properties which are a sensitive end use and could be affected by any contamination present. This site is adjacent to a known landfill site which has the potential to create gas.

The gas monitoring undertaken at the site has identified elevated concentrations of methane at a single location. Methane levels at this location were initially generally low. However during the last 3 visits high methane concentrations were recorded. Methane levels at all other locations were found to be below the limit of detection on all monitoring visits.

The applicant states that the most likely source of the elevated methane is considered to be the dark grey, organic, peaty clay with root fragments that was recorded at the borehole. This material was absent from the remaining four boreholes, which were drilled through Glaciofluvial sands. However, in order to prove this hypothesis the applicant intend to employ a specialist ground gas consultant to undertake gas sampling and laboratory gas analysis from the borehole and two other selected boreholes, and also to undertake purge and recovery tests within those same boreholes.

However the applicant has now stated that their report will not be with ready in time for the Strategic Planning Board meeting.

As a result the Councils Environmental Health Officer has confirmed that the recommendation for refusal on contamination grounds stands. Insufficient information has been submitted with the application relating to the development in order to assess adequately the impact of the proposed development having regard to land contamination issues. In the absence of this information, it has not been possible to demonstrate that the proposal would comply with material planning considerations.

RECOMMENDATION:

REFUSE for the following reasons:

- 1. The proposed residential development is unsustainable because it is located within the Open Countryside contrary to Policies NE.2 (Open Countryside), NE.12 (Agricultural Land Quality) and RES.5 (Housing in the Open Countryside) of the Crewe and Nantwich Replacement Local Plan, Policy PG5 of the emerging Cheshire East Local Plan Strategy – Submission Version 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 creates harm to interests of acknowledged importance.**
- 2. The proposal would result in loss of the best and most versatile agricultural land. The use of the best and most versatile agricultural land is unsustainable and contrary to Policy NE.12 of the Borough of Crewe and Nantwich Replacement Local plan 2011 and the provisions of the National Planning Policy Framework.**
- 3. The scale of this development would exceed the spatial distribution for Weston and would not respect the scale of Weston which is at the lowest tier of the settlement hierarchy. The development would be contrary to Policies PG2 and PG6 of the Cheshire East Local Plan Strategy - Submission Version.**
- 4. The application site is adjacent to a known landfill site and as a result the land has the potential to be contaminated and there may be ground gas being generated on this site. Insufficient information has been submitted with the application in relation to gas risk and as a result it is not possible to determine whether there will be an adverse effect from pollution on the health of the future occupiers of the proposed development. The development is therefore contrary to Paragraph 120 of the NPPF and Policy BE.6 of the Borough of Crewe and Nantwich Replacement Local Plan 2011.**

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 her absence the Vice Chair) of Strategic Planning Board, 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:

- 1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:
 - The numbers, type, tenure and location on the site of the affordable housing provision****

- The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing
 - The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
 - The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
2. Provision of Public Open Space and a LEAP (5 pieces of equipment) to be maintained by a private management company in perpetuity
 3. Primary School Education Contribution of £206,079.51

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Application: 15/2256M

Location: Robinsons Nurseries, Yew Tree Road, Heald Green/Handforth, SK8 3PG

Proposal: Glass House with Associated Water Tanks and Heat Storage Tank

Applicant: Mr P Robinson

NOTE RE ORIGINAL REPORT

It is noted that within the original report under the heading of 'consultations' it was stated that comments from the Landscape Officer were awaited. However, the consultation comments from the Landscape officer were received shortly before finalising the report and they were referred to within the 'Officer appraisal' section of the report; but the 'consultations' section of the report was not up-dated. Hence, to confirm, the Landscape Officer does not object, subject to conditions re screening planting.

CONSULTATIONS: DRAINAGE & FLOODING

CE Flood Risk Management

CE Flood Risk Management Team requested further details re drainage and flooding. Such information has now been submitted and assessed by the Flood Risk Manager, who is satisfied with the principle of what is proposed re management of water within the site to avoid flooding. A condition is recommended for details of the proposals for surface water disposal (inc. storage and regulated discharge) to be submitted to and agreed prior to commencement of development.

Environment Agency

No comments have been received from the EA. However, given that the site is within Flood Risk Zone 1 (where there is a low risk probability) CE Flood Risk Manager considers it likely that the EA will simply refer the matter to the CE Flood Risk Team to deal with.

REPRESENTATIONS

1 No additional representation has been submitted. The author has already commented on the application but has submitted further detailed comments. The attention of members is drawn to the comments, which are available on file. A summary of the points raised is provided below:

- Concerns about the procedures and processes around advertising the application, site notice and neighbour notification letters
- Author would like access to all communications between the Council and the agent/applicant as additional information submitted by the agent/applicant appears to be selective/misleading/incorrect

- The amended plans make very little difference; there are no details of possible landscaping and therefore the effect of such landscaping is unclear; the proposed glass house will impact on the amenities of the occupants of the properties adjacent to the site in all respects, i.e. in the gardens and at ground and first-floor levels
- A comprehensive traffic assessment should be undertaken to clarify movements to and from the site (photographs submitted); considered that the impact on the road has not been fully appreciated
- Switching off the existing siren is a welcome goodwill gesture. However, it is still considered that the proposed development will inevitably lead to increased noise pollution
- It is considered that insufficient detail has been provided to be able to assess the impact on air quality. It is assumed that an increase in production will have a corresponding impact on air quality
- Few people will benefit from such a large development
- The use of the borehole is important and the provision of such information has allayed some misconceptions within the community
- Conditions/informatives recommended in relation to the footpath indicate there is a safety concern and the matter should not be glossed over
- The suggestion by the applicant that the concerns of local residents amount to nimbyism is appalling
- The ecological assessment appears to have shortcomings and therefore it is concluded that the proposed mitigation measures must be flawed
- The additional information submitted by the Agent appears to be a response to concerns raised by Officers regarding the proximity of the glass house to residential properties. The apparent suggestion to further 'indent' the building would seem sensible
- There appears to be 'wasted' glasshouse space on the site, i.e. current glass houses not fully utilised
- It is essential that all the information is available to all to ensure a full and complete appraisal of the application.

CONCLUSION

The additional consultation comments and representations outlined have been considered. Concerns raised in representation are understood. However, the proposed development accords with all relevant Development Plan policies and in accordance with the NPPF, such sustainable forms of development should be approved without delay. The recommendation as previously proposed remains.

RECOMMENDATION

Delegate approval to Chair of Strategic Planning Board in discussion with the Head of Planning (Regulation) subject to no objection from Environment Agency with the conditions as listed.

ADDITIONAL CONDITION

Details of proposals for disposal of surface water (including a scheme for the on-site storage and regulated discharge) to be submitted and approved prior to commencement.

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