

# **Southern Planning Committee**

## **Updates**

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**Date:** Wednesday, 2nd September, 2015  
**Time:** 10.00 am  
**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.

11. **15/2232C Land at Mossley House, Biddulph Road, Congleton, Cheshire CW12 3LQ: Full planning application for the erection of 10 no. dwellings with associated garages, car parking, landscaping, means of access and site infrastructure for Elan Homes Ltd (Pages 1 - 4)**
  
18. **Land to the East of Hermitage Lane, Goostrey (Pages 5 - 6)**

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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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**SOUTHERN PLANNING COMMITTEE – 2<sup>ND</sup> SEPTEMBER 2015**

**UPDATE TO AGENDA**

**APPLICATION NO.**

15/2232C

**LOCATION**

*Land at Mossley House, Biddulph Road, Congleton, CW12 3LQ.*

**UPDATE PREPARED**

28<sup>th</sup> August 2015

**Open Space Provision**

In accordance with the advice, standards and formulae contained in the CBC Interim Policy Note on “POS Provision for New Residential Development” 2008 , I have assessed what POS would be needed to serve the outline proposals for up to 12 mixed dwellings shown on the proposed Planning Layout, Drawing no CO-PL-001 Rev E, dated 23 January 2015.

The Policy Note provides for (1) amenity greenspace (AGS) and (2) childrens play provision, other land typologies such as woodland, buffers, wildlife or semi natural areas are not a standard requirement therefore these areas go beyond policy requirements and are not for ansa to consider.

***Amenity Greenspace (AGS)***

The developer is not providing on site AGS due to viability issues and size of development constraints. Having calculated the existing amount of accessible AGS within 800m of the site and the existing number of houses which use it, 12 new homes will generate a need for 510 sq m of new amenity greenspace

The existing amenity greenspace at Marshall Grove is within accessible distance but would need to be enhanced to cater for the extra demand placed on it by the new families.

Applying the standards and formulae in the 2008 Guidance the Council would need £2,694.33 to enhance Marshall Grove. The Council would need a commuted sum of £6,030.75 to maintain an area of this size.

Although the developer is not providing on site AGS, an opportunity has been missed to connect the development to the existing POS at the rear of the site. It is requested further consideration be given to the development layout to incorporate access.

### ***Children and Young Persons Provision***

Having calculated the existing amount of accessible Children and Young Persons Provision within 800m of the site and the existing number of houses which use it, 12 new homes will generate a need for new play facilities however due to the size of development this is not practical on site.

The existing POS at Marshall Grove is within accessible distance but would need to be enhanced to cater for the extra demand placed on it by the new families.

Applying the standards and formulae in the 2008 Guidance The Council would need £4,670.07 to enhance Marshall Grove. The Council would need a commuted sum of £15,223.50 to maintain an area of this size.

### **RECOMMENDATION**

**Approve subject to the completion of a s106 Agreement to secure £5,000 for the provision of off-site, replacement tree planting, £28,618.65 for enhancement and maintenance and the following conditions:**

- 1. Commencement**
- 2. Approved plans**
- 3. Materials in accordance with details submitted with the application**
- 4. Retention of trees identified for retention within the site**
- 5. Submission of tree and hedgerow protection measures**
- 6. Submission of a Construction Method Statement for the no-dig access off Biddulph Road**
- 7. Submission of a tree pruning/felling specification, including a 10 year management plan for the protected woodland fronting Biddulph Road**
- 8. Submission of an Arboricultural Method Statement**
- 9. The proposed access off Biddulph Road shall be constructed in accordance with the agreed specification (condition 6) and constructed prior to the commencement of any other development on the site**
- 10. Submission and approval of a Construction Management Plan including a construction compound within the site**
- 11. Restriction on hours of piling to 9am to 5.30pm Monday to Friday, 9am to 1pm Saturday and no working on Sundays or public holidays.**
- 12. Submission of an updated Remediation Strategy for contaminated land**
- 13. Provision of electric vehicle charging points for each dwelling**
- 14. Breeding bird survey for works in the nesting season**
- 15. Submission of details of features suitable for use by breeding birds including Sparrows and Swifts for inclusion within the site**
- 16. Submission of details of bat boxes for inclusion within the site**

**Informatives:**

1. It is recommended that the hours of noise generative\* demolition / construction works taking place during the development (and associated deliveries to the site) are restricted to:

<b>Monday – Friday</b>	<b>08:00 to 18:00 hrs</b>
<b>Saturday</b>	<b>09:00 to 14:00 hrs</b>
<b>Sundays and Public Holidays</b>	<b>Nil</b>

2. The developer will be required to enter into section 278 agreement of the Highways Act 1980 with the Highway Authority for the proposed works (illustrated in ashleyhelme drawing number 1087/SP/04 rev A but revised to include pedestrian crossings as conditioned above) that are within the existing highway boundaries.

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## CHESHIRE EAST COUNCIL

### SOUTHERN PLANNING COMMITTEE

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**Date of meeting:** 2<sup>nd</sup> September 2015  
**Report of:** David Malcolm – Head of Planning (Regulation)  
**Title:** Land to the east of Hermitage Lane, Goostrey

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## UPDATE REPORT

### 1.0 Planning Balance

- 1.1 It is considered that the impact on the efficient working of Jodrell Bank is an important consideration in the overall planning balance and in the determination of whether or not the proposal is sustainable.
- 1.2 As such it should be referred to in the first reason for refusal which deal with the planning balance, as well as being a stand-alone reason for refusal.
- 1.3 It is therefore considered that the first reason for refusal should be rephrased as set out below.

### 2.0 Amended Recommendation

- 2.1 To agree to the part withdrawal of the reason for refusal 1 in respect of housing land supply and to instruct the Head of Planning (Regulation) not to contest the issues at the forthcoming Appeal. The appeal will still be contested on open countryside and Jodrell Bank grounds. The appeal will be defended on the following grounds:

- 1. The proposed residential development is unsustainable because it is located within the Open Countryside and Jodrell Bank Consultation Zone, contrary to Policies PS8, PS10, GR5 and H6 of the Congleton Borough Adopted Local Plan First Review 2005, Policy PG5 of the emerging Cheshire East Local Plan Strategy – Submission Version and the principles of the National Planning Policy Framework. These policies seek to ensure that development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and that the efficiency of the Jodrell Bank Radio Telescope, in terms of its ability to receive radio emissions from space with a minimum of interference from electrical equipment is maintained. As such it creates harm to interests of*

*acknowledged importance, including the landscape and the efficient working of Jodrell Bank.*

- 2. The proposed development would have an adverse impact upon the efficient operation of the Jodrell Bank Observatory. As such, the proposal is contrary to Policy PS10 of the adopted Congleton Borough Local Plan First Review 2005 and Policy SE14 of the emerging Cheshire East Local Plan Strategy – Submission Version.*