

Strategic Planning Board

Updates

Date: Wednesday, 16th December, 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 committee agenda.

7. **14/1193C - Land south of Old Mil Road, Sandbach: Outline planning application for up to 200 residential dwellings, open space with all matters reserved for Muller Property Group (Pages 1 - 2)**

9. **15/3673C - Land at Manor Lane, Holmes Chapel: Erection of a foodstore (Use Class A1), together with associated service area, car parking, landscaping and access for Liberty Properties Developments Limited for Liberty Properties Developments Limited (Pages 3 - 8)**

Please contact Gaynor Hawthornthwaite on 01270 686467
E-Mail: gaynor.hawthornthwaite@cheshireeast.gov.uk with any apologies, requests for further information or to arrange to speak at the meeting

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STRATEGIC PLANNING BOARD – 16th December 2015

APPLICATION NO: 14/1193C

PROPOSAL: Outline planning application for up to 200 residential dwellings

ADDRESS: Land south of Old Mill Road, Sandbach

APPLICANT: Muller Property Group

ADDITIONAL INFORMATION FROM THE APPLICANT:

Following the publication of the officers report a letter has been received from the applicants which raises the following points:

- The committee report states that no assessment of the indicative access has been undertaken by the applicants. This is incorrect and a Highways Technical Note was submitted during the course of this application.
- The Technical Note concludes that the alternative access is acceptable in highways terms.
- On 20th July 2015 a full public re-consultation exercise took place in order that the additional material could be considered.
- The applicants have provided details of the proposed alternative access and its likely impact upon traffic.
- The application is in outline form and does not indicate a '*preferred access point*'. It has been made clear that a land ownership dispute potentially affecting access to the site via the existing roundabout had prompted the modification to the application. The revisions to the application allow the alternative access to be considered in principle allowing the applicant to progress the development on the basis of the alternative access point should this prove necessary.
- The committee report states that the access off the Old Mill roundabout is 'preferable'. This is not stated within the highways consultation response and its is not clear where this has come from.
- The erroneous suggestion that there is a preferred access off the existing roundabout should not be used in order to avoid considering the highways issues in respect of the alternative access option.
- As a result it is not considered that condition 4 is a correct statement of the position and is not appropriate.
- The suggested condition 4 does not serve the purpose of allowing the development to proceed by mitigating the adverse effects where it would have been otherwise necessary to refuse planning permission.

APPRAISAL

Highways

Preference is given to the previously approved access off the existing roundabout, but after further consideration of the points made it is now the view that an informative should cover the highway matters (rather than a condition) and that the specific details would be picked up at reserved matters stage.

RECOMMENDATION:

Approve as per the original report but with the removal of Condition 4 but the addition of an informative to advise that:

Informative:

Notwithstanding the access points as indicated as part of the submitted details this permission does not convey or imply that a vehicular access directly onto the A534 is acceptable in principle to the Local Planning Authority. This would be dealt with at the reserved matters stage.

APPLICATION No: 15/3673C

PROPOSAL: Erection of a foodstore (Use Class A1), together with associated service area, car parking, landscaping and access

LOCATION: Land At, Manor Lane, Holmes Chapel

CONSULTATIONS

Revised / updated consultation comments have been received as per below;

Environmental Protection - No objections, subject to the following conditions; a restriction on the hours of operation; a temporary restriction over the hours of delivery; the prior approval of the acoustic specification and locations of any fixed plant equipment; the prior approval of a dust mitigation scheme; the prior approval of a floor floating method statement; that 2 rapid electric vehicle charge points shall be provided; the prior approval of a staff travel plan; Implementation of dust mitigation measures; the submission of the results of a watching brief for contamination prior to the first use of the site; the submission of a verification report to demonstrate that the soil forming materials for use of landscaping is contamination free.

In addition, informatives relating to hours of construction and contaminated land are proposed.

Head of Strategic Infrastructure (HSI) - No objections, subject to a condition requiring the provision of the proposed bus stop prior to the first use of the site

Jodrell Bank (University of Manchester) – Raise concerns that there will be an impact, but the impact will be minor

REPRESENTATIONS:

Since the drafting of the committee report, 2 further letters have been received. These comprise of 1 letter of support and 1 letter of objection.

The main objections raised include;

- Retail impact – Lack of detail to objections raised by local food stores regarding the potential hard to the viability and vitality of Holmes Chapel with specific reference to the turnover figures quoted.

APPRAISAL

Principle of Development

Further retail concerns have been raised by a rival local food store with specific reference to the lack of detail submitted in relation to the impact the development would have upon the viability and vitality of the Holmes Chapel Village Centre.

The Council's Planning Policy Officer, who has an employment history of working as a Retail Planner, has reviewed the submitted information provided by the applicant with specific reference to the impact the development would have upon the viability and vitality of the Holmes Chapel Village centre and has no significant concerns in this regard.

Environmental role

Highways Implications

Since the receipt of the original Highways comments, the HSI has provided updated comments making reference to the proposed bus stop on Manor Lane. The HSI has advised that he has no objections, subject to a condition to secure the provision of the proposed bus stop prior to the first use of the food store.

Social Role

Amenity

Since the drafting of the Committee Report, the applicant has challenged a number of the proposed conditions put forward by the Council's Environmental Protection Team (EPO). More specifically, the conditions relating to; hours of operation, hours of delivery and the provision of electric vehicle charging points.

In response, the Council's Environmental Protection Officer (EPO) has advised that they are willing to amend the hours of operation condition to allow extended bank holiday opening to 08:00 to 22:00hrs.

The EPO is not prepared to allow unrestricted delivery hours as proposed however, has proposed a more flexible delivery hours period for a 12 months only after which, the delivery hours would need to fall in line with the hours of operation. For 12 months only, delivery hours permitted include; 06:00 to 23:00 Monday to Saturday and 09:00 to 17:00 on Sundays.

The EPO was however not prepared to remove the proposed electric vehicle charging points condition. This is because of the predicted cumulative impact and the size of the proposed development would have upon air quality and the provision of these points would assist in the mitigation of this impact.

Subject to the imposition of these revised conditions where appropriate, the Council's Environmental Protection Officer raises no objections with regards to environmental disturbance.

Jodrell Bank

As the application site falls within the Jodrell Bank Radio Telescope Consultation Zone, it is subject to Policy PS10 of the Local Plan.

Policy PS10 advises that for such sites, development will not be permitted which can be shown to impair the efficiency of the Jodrell Bank Radio Telescope. It is proposed that Policy PS10 will be replaced by Policy SE14 within the emerging Cheshire East Local Plan Strategy – Submission Version. The principles of this policy broadly reflect those of Policy PS10.

The Jodrell Bank Observatory (JBO) have provided comments and advise that the additional potential contribution to the existing level of interference coming from the direction of the proposed food store will be relatively minor. However JBO have advised that they would ask that the LPA take into account the efficiency of the Jodrell Bank Radio Telescope in terms of its ability to receive radio emissions from space with a minimum interference from electrical equipment.

As such, should the application be approved, it is recommended that a condition to ensure that electromagnetic screening measures are incorporated into the development be imposed.

Social conclusion

The creation of a food store at this location would be of convenience to the people of Holmes Chapel as detailed within the large number of consultation letters received. Furthermore, no significant amenity issues would be created subject to the inclusion of a number of conditions as proposed by the Council's Environmental Protection Officer.

Although there would be an impact upon the efficiency of the Jodrell Bank Radio Telescope, given that this impact would be minor, it is considered that this impact could be mitigated against by the use of a planning condition.

As a result of the above reasons, it is considered that the proposed development would be socially sustainable.

Planning Balance

The site is located within the Holmes Chapel Settlement Boundary and relates to an out-of-centre supermarket. The applicant's case is that there are no sequentially preferable sites within the village centre or edge of centre which are sequentially preferable to the application site. Further, the proposals will not give rise to any significant adverse impacts on any existing, committed or planned retail investment within Holmes Chapel Village or other surrounding centres.

Design of the proposed development has been developed to an acceptable standard following discussions between the applicant and the Council's Urban Design Officer, subject to a number of conditions.

In addition, subject to conditions, no landscaping and forestry issues are raised.

No significant highway safety, ecology, flooding and drainage concerns are identified subject to conditions.

No amenity issues would be created subject to a number of conditions proposed in relation to environmental disturbance.

There would be a minor impact upon the efficiency of the Joderll Bank Radio Telescope.

The development would bring positive planning benefits such as; the creation of new employment opportunities, knock-on benefits during construction and benefits with regards to reduced travel expenses and time to access a larger food store for the local residents.

Balanced against this benefit must be the dis-benefits, which in this case are mitigated by conditions.

As such, in this instance, it is considered that economic and social benefits of the scheme outweigh any dis-benefits which can be controlled by conditions.

On the basis of the above, it is considered that the proposal represents sustainable development and is recommended for approval.

RECOMMENDATION

APPROVE subject to the following conditions

- 1. Time (3 years)**
- 2. Plans**
- 3. Prior approval of facing and roofing material details**
- 4. Prior approval of surfacing materials**
- 5. Landscape – Prior approval of details**
- 6. Landscape – Implementation**
- 7. Boundary treatment – Prior approval**
- 8. Prior approval of site hoarding details which will demarcate a construction exclusion zone around the site periphery**
- 9. Prior approval of a plan to demonstrate how access is reserved for servicing vehicles**
- 10. Protection of breeding birds**
- 11. Prior approval of a remediation strategy to deal with the risks associated with the contamination**
- 12. The submission of a verification report prior to the first occupation of the site**
- 13. No infiltration of surface water drainage into the ground shall be permitted where adverse concentrations of land contamination are present**
- 14. No piling or other foundation designs without the written consent of the LPA**
- 15. Proceed in accordance with submitted Flood Risk Assessment**
- 16. Site to be drained on a separate system**

17. Hours of operation - Monday to Saturday 08:00 – 22:00, Sundays 10:00 – 16:00 and Bank Holidays 10:00 – 22.00
18. Hours of delivery - Monday to Saturday 06:00 – 23:00 and Sundays 09:00 – 17:00 for 12 months and then revert to hours of operation also restricted by condition
19. Prior approval of acoustic specification and locations of any fixed plant equipment;
20. Prior approval of a dust mitigation scheme;
21. Prior approval of a floor floating method statement;
22. The provision of 2 rapid electric vehicle charge points
23. Prior approval of a staff travel plan;
24. Implementation of dust mitigation measures;
25. The submission of the results of a watching brief for contamination prior to the first use of the site
26. The submission of a verification report to demonstrate that the soil forming materials for use of landscaping is contamination free.
27. Prior approval of a risk assessment detailing the use of any vibro-compaction machinery/piling machinery
28. Prior approval of bus stop details
29. Implementation of bus stop prior to first use of food store
30. Prior approval of Electromagnetic Screening Measures (Jodrell Bank)

In order to give proper effect to the Board`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 there absence the Vice Chair) of the Strategic Planning Board and Ward Member, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

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