

Southern Planning Committee

Updates

Date: Wednesday 25th May 2016
Time: 10.00 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.

5. **15/4326C Croxtonbank, 36, Croxton Lane, Middlewich, Cheshire CW10 9EZ:**
Outline application for development comprising the demolition of one existing dwelling (36 Croxton Bank) and construction of 27 residential units, including a new access, affordable housing provision and area of public space for Lizzie Smith, Renew Land Developments Ltd (Pages 1 - 2)

7. **16/0953N Land South of Sandfield House, Station Road, Wrenbury CW5 8EX:**
Erection of 27 dwellings and associated infrastructure for Holyhead Estates (Wrenbury) Ltd (Pages 3 - 6)

Please contact Julie Zientek on 01270 686466
E-Mail: 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 – 25th May 2016

UPDATE TO AGENDA

APPLICATION No.

15/4326C– Outline application for development comprising the demolition of one existing dwelling (36 Croxton Bank) and construction of 27 residential units, including a new access, affordable housing provision and area of public space.

LOCATION

Croxtonbank, 36, CROXTON LANE, MIDDLEWICH, CHESHIRE, CW10 9EZ

UPDATE PREPARED

23rd May 2016

OFFICER REPORT

Representations:

Middlewich Town Council has provided the following comments:

“No objection however concerns regarding part of development is on green belt land, Footpath 13 public right of way remains, a bat survey is required, no adverse effect on reptile population, play area is secured, traffic calming measures are prominent, concerns over 3rd access onto Croxton Lane path to have 106 allocated to enable traffic calming and maintain visibility”.

Officer Appraisal:

Following deferral of this application for a Members site visit, officers have been liaising with the agent to secure the updated bat surveys that are required and also to secure an amended plan which indicates the provision of a footpath along the frontage of the site to assist with pedestrian movement into Middlewich Town Centre.

Ecology:

The proposals indicate that the existing dwelling (no. 36 Croxtonbank) will be demolished to make way for the proposed development. The submitted ecology surveys indicate previous bat roosting by common pipistrelle bats in the house roof void, although no evidence of current roosting could be found at the time of survey. However, to provide greater certainty that bats are not evident within the building, further survey work was recommended. The additional updated bat surveys are presently being undertaken in accordance with these recommendations. As such, it is recommended that authority be

delegated to officers to approve the application subject to the satisfactory receipt of the updated surveys.

Accessibility:

The agent is presently exploring the potential to provide a footpath along the frontage of the site to provide greater accessibility for pedestrians. The outcome of this will be reported to Members via an oral update.

Town Council Comments:

With reference to the comments made by Middlewich Town Council, it is important to note that the site is not within the Green Belt. The site is partly within the settlement zone line for Middlewich with the remaining part within Open Countryside.

The Council's Public Rights of Way Unit (PROW) is satisfied that the proposals would not affect Footpath 13.

Additional bat surveys are being undertaken and the impact on reptile population is acceptable subject to reasonable avoidance measures put forward by the applicant.

The highways and access strategy including visibility are acceptable

RECOMMENDATION

That authority is delegated to the Planning and Enforcement Manager in consultation with the Chairman and Vice Chairman of the Southern Planning Committee to approve the application in accordance with the S106 Agreement and conditions as recommended on page 29 of the agenda reports pack subject to:

1. the receipt of satisfactory updated bat surveys
2. an amended plan to show footpath provision at the front of the site

APPLICATION NO: 16/0953N

PROPOSAL: Erection of 27 dwellings and associated infrastructure.

ADDRESS: Land South of Sandfield House, STATION ROAD,
WRENBURY, CW5 8EX

APPLICANT: Holyhead Estates (Wrenbury) Ltd

CONSULTEES

Archaeology – No objections subject to condition for the implementation of a programme of archaeological work.

Ecology – No objections subject to conditions for fencing, updated badger survey, barn owl habitat management plan, nesting birds, and a lighting scheme

ADDITIONAL INFORMATION FROM THE APPLICANT

A representation received by the applicant, stating they apologise they cannot attend the meeting but endorse the officer's report and recommendation, and respectfully remind members of the appeal decision on the adjoining site.

OFFICER COMMENT

Archaeology

Previous comments made by the Archaeology Planning Advisory Service concerning the adjacent developments at Sandfield House (14/5250N & 15/1857N) indicated that the proposals lie close to the site of a prominent mound which is recorded in the Cheshire Historic Environment record (CHER 352), where it is noted that it has been suggested that the feature may represent a prehistoric burial mound or a windmill mound. Alternatively, it could represent a natural raised area of sandy soil adjacent to a former meander of the Wrenbury Brook. Such features are known to have been attractive for early settlement and often produce assemblages of flint tools.

Furthermore it was suggested that this archaeological potential may very well extend to its immediate environs including the application area, and that if planning permission was granted, a programme of archaeological mitigation comprising of a developer-funded watching brief in order to identify and record any archaeological deposits revealed by the work, to be written up into a report should be secured by means of a planning condition.

The Archaeology Planning Advisory Service remains of this opinion, and that a similar scheme of archaeological mitigation would be considered

appropriate for the current proposed development, and would therefore recommend that such works are secured by condition.

Ecology

A revised ecological survey has been received and the Council's ecologist has considered the information and made the following comments,

Brook

A brook is located to the south of the red line of the application site. At its closest point the brook is 8.5m from the red line of the application site. In order to avoid any adverse impacts on the brook it must be ensured that all construction activities including the storage of materials and movement of vehicles is restricted to the red line of the application site.

In order to safeguard the brook it is recommend that a planning condition requiring proposals for the fencing off of the southern red line of the application site during the construction phase to be submitted with any reserved matters application.

Badgers

Evidence of badger activity was recorded on site and a badger sett was found 20m from the application site boundary. In addition a badger day bed was also recorded on the application site. The council's Ecologist has spoken to the applicant's consultant who has confirmed that the underground tunnels associated with the sett do not run under the area proposed for development. An acceptable outline mitigation method statement has been submitted. The precise impacts of the development on badgers would however depend upon the status of badgers on the site when development commenced and the final layout proposed at the reserved matters stage.

It is therefore recommend that if outline consent is granted a condition should be attached requiring any future reserved matters application be supported by an updated badger survey and mitigation method statement.

Bats

Bat foraging activity on site was concentrated around the south west corner of the application site close to the ash trees and south east of the site adjacent to a large oak tree. The submitted ecological assessment states that these features would be retained and this is confirmed by the submitted design and access statement.

Barn owl

Barn owls were recorded as foraging to the south of the application site. It is advised that barn owls may potentially also forage on the application site, although the grassland habitats within the red line appear less suitable. The submitted ecological assessment states that the proposed development would have a minor negative impact upon this species due to the loss of foraging habitat and further states that it is impossible to mitigate for this impact on

site, but suggests the provision of a barn owl nest box as a means of compensating for this loss.

It is advised that the loss of barn owl foraging habitat associated with the development could be compensated for through the appropriate management of the grassland habitats located between the application site and the River Weaver to the south which occur within the blue line of the application.

The Council's ecologist recommends that if planning permission is granted a condition should be attached requiring the submission and implementation of a barn owl habitat management plan to be submitted with any future reserved matters application.

Bird and bat box conditions

If planning consent is granted it is recommend that a condition be attached to ensure some provision is made for nesting birds as part of the development of the site.

Lighting

If planning consent is granted a condition should be attached requiring any lighting scheme associated with the development to be submitted and agreed with the LPA as part of any future reserved matters application.

RECOMMENDATION

The recommendation of APPROVAL still remains with the below additional conditions:

Approve subject to the completion of a Section 106 Agreement.

Heads of Terms:

- **£65,370.76 to secondary education**
- **provision of 30% affordable housing**

and the following conditions:

- 1. Commencement**
- 2. Submission of reserved matters (all matters other than access)**
- 3. Approved plans**
- 4. Submission of a Phase I Contaminated Land Survey**
- 5. Submission of soil or soil forming materials**
- 6. Submission of piling foundations**
- 7. Submission of Dust Control**
- 8. Submission of major development construction phase environmental management plan**
- 9. Reserved matters to include details of any external lighting.**
- 10. Access to the site shall be completed prior to the commencement of any other form of development**

11. Submission of drainage scheme to include foul and surface water including sustainable drainage systems
12. Reserved Matters to include Arboricultural Impact Assessment (AIA) including Tree Constraints Plan / Tree Protection Plan
13. Reserved Matters to include Arboricultural Method Statement in accordance with BS5837:2012 Trees in Relation to Design Demolition and Construction – Recommendations
14. Reserved Matters to include details of existing and proposed levels.
15. Reserved Matters to include detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds including house sparrow and roosting bats and barn owls
16. Reserved matters to include details of boundary treatments
17. Reserved matters to include details of bin/cycle storage
18. Reserved matters to include a single electric vehicle charging point for each dwelling
19. Finished floor levels to be no lower than 68.25m above ordinance datum
20. Reserved matters to include the submission and implementation of a programme of archaeological work in accordance with a written scheme of investigation
21. Reserved matters to include a barn owl habitat management plan for the blue line land located between the redline of the outline application and the river weaver. Management plan to be implemented for a period of 10 years from the commencement of development.
22. Reserved matters to include the submission of updated badger survey and mitigation strategy
23. Reserved Matters to include proposals for the fencing off of the southern boundary of the application site during the construction phase to be submitted