

Southern Planning Committee

Updates

Date: Wednesday, 1st February, 2017
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.

6. **16/4792N Land To The West Of Close Lane, Alsager: Outline planning application for residential development and access, all other matters reserved for C R Muller, Muller Property Group (Pages 3 - 4)**
10. **16/2732N Greenbank Cottage, Welshmans Lane, Henhull, Nantwich, Cheshire CW5 6AB: Plot substitution [Change of house type from the previous application 13/4656N] for the creation of 19 dwellings for Mr Sam Leuty-Milner, Tesni Properties Limited (Pages 5 - 8)**
11. **16/5848C 35, Woodside Avenue, Alsager, Stoke-On-Trent, Cheshire ST7 2DL: Change of use of an existing double garage into a two bedroom dwelling house, including the provision of a new pitched roof for Mr Steve Mellor (Pages 9 - 10)**
13. **16/5403N The Wig Centre, 166 Edleston Road, Crewe, CW2 7EZ: Proposed change of use from ground floor shop and first floor residential use into a 8 Bedroom Sui Generis HMO property for Matthew Little, Aevum Investments Ltd (Pages 11 - 12)**
14. **16/5562C Rectory Farm, Old Knutsford Road, Church Lawton ST7 3EQ: Outline application for the erection of up to 5 residential dwellings, with primary access defined up to 20 metres, ancillary facilities and associated infrastructure. All matters reserved except access for North West Heritage Ltd (Pages 13 - 16)**

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 – 1 Feb 2017

APPLICATION NO: 16/4792N

PROPOSAL: Outline planning application for residential development and access, all other matters reserved

ADDRESS: Land To The West Of, CLOSE LANE, ALSAGER

APPLICANT: Muller Property Group

Officer Comment

Report Corrections –

P36, para 3. Delete the word ‘and’ from the end of the sentence

P 38 In the ecology section, 2nd para add the letter ‘t’ to the word ‘no’ to make the word ‘not’

P 36- Agricultural Land Quality

The Applicant has provided further information about the survey undertaken by their appointed Agricultural Land Consultant. It is accepted that the Agricultural Land Quality report has provided sufficient information to conclude the site comprises Grade 3b Agricultural land. As Grade 3b land does not comprise Best and Most Versatile Agricultural Land, it is considered this reason could not be substantiated on Appeal.

The Applicant has also queried the locational sustainability distances quoted by the Strategic Highways Manager who has opined that the circa 800m distance quoted by the Strategic Highways Manager have not taken into account the shortest route through the development site via the (recently completed) footpath link to the Close Lane site frontage required by condition on 13/1305N. The Applicant considers this link reduces the accessibility distance.

The Applicant is of the view that the site is on the periphery of a town where development can be expected. Whilst more central sites will undoubtedly have better accessibility, the site would nonetheless have access to a wide range of facilities via walking, cycling and public transport. There are a number of directly adjacent developments, also on the edge of Alsager granted on appeal that were considered by Inspectors to be locationally sustainable.

The Strategic Highways Manager has revisited this in the light of the Applicants information and maintains his original objection based on the significant distance that future residents would have to walk through the proposed site, the Yew Tree Farm site and the original site (13/1305n) to get to the pavement on Close Lane to then access the hail and ride bus stop on

the other side of Delamere Close. Other sites quoted by the appellant are not similar to the circumstances here, which relies upon a bus stop which operates on week days after 10 am and stops before evening peak

It is considered that the walking distance varies depending upon where you measure from within this proposed site. At best the distance, when going through all the phases of development on the most direct route, is between 700-750m from the mid point/rear of the site, where a significant number of the up to 74 indicated dwellings are likely to be sited.

National Guidance recommends a walking distance of 400m to a bus stop. This scheme is sited significantly more than the recommended distance. Additionally the bus stop does not operate at peak times.

RECOMMENDATION:

No change to reason for refusal no 1

Delete reason for refusal no 2

SOUTHERN PLANNING COMMITTEE – 1st FEBRUARY 2017

UPDATE TO AGENDA

APPLICATION NO.

16/2732N

LOCATION

GREENBANK COTTAGE, WELSHMANS LANE, HENHULL, NANTWICH, CHESHIRE, CW5 6AB

UPDATE PREPARED

CLARIFICATION

- Further details

Members on the site visit requested confirmation if the amended house types will have the same plot coverage/density as those previously approved.

This has been demonstrated in the presentation with the approved and proposed layouts shown side by side which shows that the properties would take a similar location on the site with some minor changes to the location of the plots to the east.

CONSULTATIONS

- Education

Confirmation has been sought from the Councils Education Department to consider if the contribution amount has changed since the previous approval back in 2015. The comments will be reported at the committee.

- Highways

Comments received from the Councils Highways Team advised they would have no objection subject to condition for footway works. This was not included in the original list of conditions and has now been added.

No change to initial recommendation.

RECOMMENDATION

Approve subject to the conditions listed below and the completion of a s106 Agreement for a contribution of £32,536.00 to primary and the provision of 30% affordable housing.

1. Commencement of development
2. Approved plans
3. Details of materials to be submitted
4. Retention of trees identified for retention within the site
5. Submission of tree protection measures
6. 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.
7. Provision of one electric vehicle charging point for each dwelling
8. Submission of details of foul and surface water drainage
9. Submission of details of hard and soft landscaping
10. Implementation of landscaping scheme
11. Protection for breeding birds
12. Incorporation of features for breeding birds
13. Submission of details of external lighting
14. No works to be undertaken to Tree T1, located within the garden of Plot 1 without written agreement of the LPA
15. Updated Badger survey to be submitted prior to commencement of development
16. Submission and implementation of footway works

Informatives:

I. The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2012 and the current Building Control Regulations with regards to contaminated land. If any unforeseen contamination is encountered during the development, the Local Planning Authority (LPA) should be informed immediately. Any investigation / remedial / protective works carried out in relation to this application shall be carried out to agreed timescales and approved by the LPA in writing. Furthermore, any soil or soil forming materials to be brought to site for use in garden areas or soft landscaping should be tested for contamination and suitability for use prior to importation to site. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

II. The applicant will be required to enter into a Section 38 Agreement regarding the construction and future adoption of the internal road layout.

III. The applicant will be required to enter into section 278 agreement for the proposed footway works.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) has delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that

the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the following Heads of Terms for a 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. Primary School Education Contribution of £32,536.00

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SOUTHERN PLANNING COMMITTEE – 1st FEBRUARY 2017

UPDATE TO AGENDA

APPLICATION NO.

16/5848C

LOCATION

35 WOODSIDE AVENUE, ALSAGER, STOKE-ON-TRENT-CHESHIRE

UPDATE PREPARED

Ward Member Comment

Ward Councillor Martin Deakin has requested the following be read out at Committee

Dear Members of the Southern Planning Board, Thank you allowing me to call in this application on behalf of a resident's request. Unfortunately I can't attend today due to other commitments, however I would ask that the members present go against the officer's recommendation and refuse this application on the following grounds.

Not only is it contrary to section 6 paragraph 48 of the NPPF, but also the entrance and exit is on a narrow track which cannot take two sides of traffic and this can only be solved by widening the narrow track.

As well as this, the application is for a two bedroom dwelling, however there is insufficient space for off street parking and insufficient car parking spaces within the garden.

Finally, there is also a loss of amenity space and gardens in residential areas are not classed as brownfield. These are worthy of protection and I believe that this application will be detrimental in doing so.

I realise that this may seem a comparatively small application, however I worry that a trend will set in whereby residents making a request to build a dwelling in their garden will almost certainly be granted permission every time and, given that Alsager is already seeing various other applications approved, I believe that this is a genuine concern.

Officer comment

The Councils Highway Engineer is satisfied with the parking and access arrangements subject to condition requiring the footway to be widened.

Whilst the proposal would result in the loss of part of the existing garden area of No.35 Woodside Avenue, there is no local policy which restricts the use in this way.

Finally the proposal would provide the 65sqm of garden area as recommended by the SPG (Provision of private open space in new residential developments). The proposal therefore accords with adopted policy.

With regard to setting a trend, as referred to by Cllr Deakin, Members will be aware that each application is treated on its own merits having regard to policy and material planning considerations when that application is submitted.

No change to initial recommendation.

RECOMMENDATION

APPROVE subject to the following conditions:

And the following conditions:

- 1. Standard time 3 years**
- 2. Approved Plans**
- 3. Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays**
- 4. Submission and approval of details of materials**
- 5. Landscaping details including boundary treatment to be submitted and approved**
- 6. Implementation of landscaping**
- 7. Submission of a noise assessment**
- 8. Provision of an electric vehicle charging point**
- 9. If, during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.**
- 10. Submission and implementation of footway works**

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Planning and Place Shaping Manager has delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

SOUTHERN PLANNING COMMITTEE – 1st FEBRUARY 2017

UPDATE TO AGENDA

APPLICATION NO.

16/5403N

LOCATION

THE WIG CENTRE, 166 EDDLESTON ROAD, CREWE, CW2 7EZ

UPDATE PREPARED

Further comments have been received from Housing Standards & Adaptations Team advising the following:

We're expecting an amendment to the Housing Act 2004 legislation later this year to confirm double rooms will need to measure at least 10.23sqm and single 6.52sqm in HMO property. Therefore, unless they meet those specific requirements, we'll only issue a licence for the room you've mentioned to be occupied by a single person only.

This will be dealt with when we look to issue a licence for the property to operate as HMO.

Officer comment

Whilst it would appear that some of the rooms would only be granted a licence for use by a single person, this is not a planning issues relevant to the determination of a planning application. In any case it could be argued that less people occupying the property would have less demand travel to and from the site and less waste creation etc.

Recommendation

No change to initial recommendation.

APPROVE Subject to the following conditions

Approve subject to the following conditions:

1. 3 years commencement
2. Compliance with approved plans
3. Materials as specified
4. Details of ventilation
5. Details of glazing
6. Details of acoustic trickle vents / wall ventilators
7. Refuse and cycle storage to be provided as shown

Approve subject to the following Informative:

1. Working hours for constructions
2. Contaminated land

In order to give proper effect to the 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 Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

SOUTHERN PLANNING COMMITTEE – 1st FEBRUARY 2017

UPDATE TO AGENDA

APPLICATION NO.

16/5562C

LOCATION

RECTORY FARM, OLD KNUTSFORD ROAD, CHURCH LAWTON, ST7 3EQ

UPDATE PREPARED

RELEVANT PLANNING HISTORY

33801/3 – Proposed ménage (approved December 2001)

CONSULTATIONS

The Councils Flood Risk Team originally objected based on lack of information relating to drainage calculations. Further information has since been provided therefore the Flood Risk Team to do not object subject to the following conditions:

Condition 1

The development hereby permitted shall not be commenced until such time as; a scheme to demonstrate that floor levels of proposed buildings are set no lower than the 1 in 100 year river flood level for the site, has been submitted to and approved in writing by the local planning authority.

Reason 1

To reduce the risk of flooding to the proposed development and future occupants.

Condition 2

The development hereby permitted shall not be commenced until such time as; a scheme to demonstrate that road levels are set no lower than 84.7m AOD, has been submitted to and approved in writing by the local planning authority.

Reason 2

The discharge of surface water from the proposed development is to mimic that which discharges from the existing site. If a single rate of discharge is proposed, this is to be the mean annual run-off (Qbar) from the existing undeveloped greenfield site. For discharges above the allowable rate, attenuation will be required for up to the 1% annual probability event (1 in 100 years), including allowances for climate change.

The discharge of surface water should, wherever practicable, be by Sustainable Drainage Systems (SuDS). SuDS, in the form of grassy swales, detention ponds, soakaways, permeable paving etc., can help to remove the harmful contaminants found in surface water and can help to reduce the discharge rate. As such we request that the following planning condition is also attached to any planning approval.

Condition 3

The development hereby permitted shall not be commenced until such time as; a scheme to limit the surface water run-off generated by the proposed development, has been submitted to and approved in writing by the local planning authority.

Reason 3

To prevent the increased risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

Condition 4

The development hereby permitted shall not be commenced until such time as; a scheme to manage the risk of flooding from overland flow of surface water, has been submitted to and approved in writing by the local planning authority.

Reason 4

To reduce the risk of flooding to the proposed development and future occupants. During times of severe rainfall overland flow of surface water could cause a flooding problem. The site layout is to be designed to ensure that existing and new buildings are not affected.

SUSTAINABILITY – SOCIAL ROLE

The applicant proposes self-build concept to respond to the government's self-build agenda and market demand.

Officer comment

Agree with the suggested conditions from Flood Risk however it is considered that 1 and 2 could be combined as could condition 3 and 4.

The applicant considers the surrounding house types to be 2 storey dormer style. However the case officer considers the predominant house types to be bungalows/dormer bungalows with some scattered 1 ½ storey properties with rooms in the roof space.

Recommendation

No change to initial recommendation.

APPROVE Subject to the following conditions

1. Time – 3 years of within 2 of last Reserved Matter approval
2. Reserved Matters within 3 years
3. Layout, Scale, Appearance and Landscaping Matters to be submitted and approved with heights reflecting those locally i.e. one and a half storey with the 1st floor within the roof space
4. Approved plans
5. Prior approval of Piling Method Statement
6. Prior approval of dust mitigation scheme
7. Electric vehicle charging points
8. Reserved matters to include details of land levels and road levels
9. Prior approval of foul and surface water drainage
10. Reserved matters to include surface water drainage systems and overland flow of surface water
11. The visibility shown on plan 2015/TC/SR/08(A) should be cleared of any obstructions before first occupation
12. Single access point
13. Reserved matters to include badger mitigation
14. Reserved matters to include replacement hedgerow planting
15. Reserved matters to include Arboricultural Impact Assessment
16. Reserved matters to include tree protection measures
17. Contaminated land standard condition

Informatives

- 1) Working hours for construction
- 2) Positive and proactive

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning Manager (Regulation) in consultation with the Chair (or in there absence the Vice Chair) of the Southern Planning Committee, 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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