



Southern Planning Committee

Updates

Date:	Wednesday, 14th September, 2011
Time:	2.00 pm
Venue:	Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ

The information on the following pages was received following publication of the committee agenda.

Updates (Pages 1 - 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 UPDATE – 14th September 2011

APPLICATION NO: 11/2520C

PROPOSAL: A 1200 Wide Hardwood External Staircase From The Yard At The Rear Of The Licensed Premises With A New Timber 850x1600 Exit Gate Faced One Side To Match Existing Fence To Give Access To Booth Avenue (Retrospective)

ADDRESS: The Sandpiper, 62, The Hill, Sandbach, CW11 1HT.

APPLICANT: Unicorn Brewery

CONSULTATION RESPONSE

The consultation response has now been received from the Police Crime Reduction Advisor which makes the following recommendations:

"We are against the gate being permanently opened up, however if it does remain in situ we would highly recommend that there are some conditions applied:-

The proposed gate should be shut at midnight at the latest

The gate off the Hill should be kept shut whenever the proposed gate is open so people can only use the proposed gate to access the Pub and not as a cut through."

RECOMMENDATION

The condition proposed in the recommendation to Committee would ensure that the gate was shut before midnight. The option of ensuring that the gate to the Hill being closed whenever the gate to Booth Lane would not be reasonable or enforceable. There is therefore no change to the recommendation.

SOUTHERN PLANNING COMMITTEE UPDATE – 14th September 2011

APPLICATION NO: 11/2241N

PROPOSAL: Outline Application for Residential Development, Associated Access and landscaping Works

ADDRESS: Land South of The Royal Oak, Main Road, Worleston

APPLICANT: Mr. R. Hollinshead

REPRESENTATIONS

Additional Plan and comments received from applicant.

The indicative plan site plan shows the removal of the service road/driveway to the existing mobile home with 5 separate points of access proposed. The position of the pair of semi-detached properties has been shown to be moved a further 1.4m from the public house.

The plan also shows the level of beer garden which would also be retained, which includes an area of land immediately to the south of the pub and a larger area of land to the east of the large car park to the north of the public house. Reference is made to additional amenity space within the village.

The additional comments confirm that only 5 car parking spaces would be lost. Residents have no legal right to park on the applicants car park however the applicant would continue to allow local residents to use his car park.

Further letter of objection received from residents of Worleston on behalf of 24 residents. The main points raised are:

- Live music is performed at the site every Tuesday evening and has been for 20 years. Details of performers submitted from the Cheshire FM Country Gig Guide
- Reference made to a larger development at the site, information still on a website
- Development will be built very close to a pub with a licence
- Would the pub get a licence if houses were in place?

KEY ISSUES

The main committee report contains additional information with regard to Environmental Health comments. The report states that should Environmental

Health Department receive and substantiate complaints of noise nuisance arising from the pub playing music, they have the option to request a review of the licence, under the above legislation, and the option is there to remove or reduce the music element of the licence. Further, local residents have the power to request a review of the licence, under the Licensing Act 2003. Furthermore the Environmental Protection Act 1990 is also available to the Environmental Health Department, should the Council wish to pursue action for a Statutory Nuisance in relation to music from the pub

Whilst there is marketing information for a larger development, it should be reiterated that this is an outline planning application for 5 dwellings only. The marketing information is irrelevant to the determination of this application and any consideration should be given to the application submitted.

The amended indicative site plan shows the removal of an access road through the site. Each dwelling, as indicatively shown, would be accessed by individual points of access. There is satisfactory visibility in both directions for such accesses and an appropriate level of turning and manoeuvring space. The plan demonstrates that all dwellings can be satisfactorily accessed. it should be reiterated that this is an outline application with all matters reserved. However, a condition can be attached to any permission to ensure that each dwelling is served by individual points of access.

The proposed scheme would result in the loss of 5 parking spaces. The site has a large primary car park to the north of the building which is of sufficient size to meet parking demand. With regard to the loss of residential parking, there is no requirement for the applicant to provide parking for residents but has stated that he will continue to allow residents to use his parking.

With regard to the loss of beer garden, it is considered that there would be no loss of a community facility as the public house would be retained. Furthermore, the revised indicative plan shows that there will be beer garden retained to the south and north of the public house.

RECOMMENDATION

No change to recommendation (Approve subject to completion of a legal agreement and subject to conditions). However, an additional condition for single points of access for each dwelling is suggested.

SOUTHERN PLANNING COMMITTEE UPDATE – 14th September 2011

APPLICATION NO: 11/2370N

PROPOSAL: New detached house, garage, driveway

ADDRESS: 44 Marsh Lane, Nantwich, Cheshire, CW5 5LH

APPLICANT: E. Leetham, N. Cleave

AMENDED PLANS

Amended plans and drawings which show a reduced projection at the rear by 2 metres making the overall depth 12.8 metres, reduced from 14.8. The first floor side window serving bedroom 3 has also been removed with the addition of 2 no. roof lights on the front facing roof slope to serve that room.

A plan has also been received which shows the position of the dwelling in relation to existing trees on the site and their crown spread and root protection zones as identified in the submitted tree survey.

OFFICER COMMENTS

Character and Appearance of the Site and Surroundings

The size, scale and proportions of the proposed dwelling, with the reduced projection at the rear, are more in keeping with the site which as stated in the committee report is somewhat constrained. The dwelling would be better balanced and appropriate to its context. Overall it is considered a dwelling of the size and scale now proposed could be accommodated within the site and would not unduly harm the character and appearance of the area.

Trees

The Arboricultural Drawing shows the trees it is proposed to remove, namely those labelled TP15, TP16, TP19, TP20, TP22, TP23 and TP24. Trees labelled TP15, TP16 TP19 and TP20 are category C trees and have therefore been identified as being of low quality and value. The removal of these trees is therefore accepted as their loss would not be to the detriment of the character of the area.

The main concern is with the impact of the development on trees at the rear of the site. Although the overall projection has been reduced by 2 metres the plan still shows some encroachment into the root protection zones of TP21 and TP26. The development would also encroach into the crown spread of TP21 and

therefore some cutting back would be required. Additionally the plan indicates trees TP22, TP23 and TP24 would be removed. TP22 is identified as Category A and TP23 and TP24 Category B. As such these trees are considered to be of high/moderate quality and value respectively. Indeed TP22 is listed in the submitted Arboricultural Impact Assessment as one which should be left untouched.

These trees are not protected by a Tree Preservation Order however regardless they are considered to offer important screening of the proposed development which would allow it to sit within the landscape more comfortably and screen the development from properties to the rear. The submitted plan show the development would relate poorly to the existing trees and would create pressure for their removal. The loss of Category A and B trees is undesirable and it is not considered the siting and layout of the development conserves the natural features of the site. It is therefore considered the first reason for refusal in the committee report should stand.

RECOMMENDATION

Refuse for the following reason:-

The proposed development, by virtue of its siting would have an adverse impact on a group of important and high value trees along the rear boundary of the site which would be to the detriment of the character and appearance, and visual amenity of the area and a wildlife habitat. This is contrary to Policy NE.5 (Nature Conservation and Habitats) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

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