

# **Southern Planning Committee**

## **Updates**

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**Date:** Wednesday, 19th September, 2012  
**Time:** 2.00 pm  
**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.

**Updates** (Pages 1 - 8)

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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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**APPLICATION NO:** 12/1989N

**PROPOSAL:** Residential Development Comprising 24 Dwellings Including Access, Parking, Landscaping and Associated Works

**ADDRESS:** Land off ST ANNES LANE, NANTWICH

**APPLICANT:** P E Jones (Contractors) Limited

### **OFFICER COMMENT**

#### **IMPACT ON PROTECTED SPECIES**

It is noted that within this section of the main report reference is made to PPS9, however this statement has been superseded by the National Planning Policy Framework 2012, and therefore does not hold any weight in the decision making. Therefore consideration is given to the NPPF.

The NPPF advises LPAs to ensure that appropriate weight is attached to protected species "Where granting planning permission would result in significant harm .... [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm. In the absence of such alternatives [LPAs] should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where ... significant harm ... cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused."

Furthermore, NPPF encourages the use of planning conditions or obligations where appropriate and again advises [LPAs] to "refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm."

As noted by the main report the application was supported by an acceptable ecological assessment and recommends an improved landscape scheme to include native species and conditions should be attached with regards to breeding bird surveys and mitigation measures. It is therefore considered that there is sufficient information has been submitted in reference to Protected Species and the proposal is therefore in compliance with the NPPF.

#### **AFFORDABLE HOUSING**

In accordance with the Affordable Housing Interim Planning Statement the LPA requested that the applicant alter the tenure split of the affordable housing from 2 x 2 bed apartments for intermediate tenure and 1 x 2 bed apartment for social/affordable rent, to 2 x 2 bed apartments for social/affordable rent and 1 x 2 bed apartment for intermediate tenure. The applicant states that this mix of tenure would reduce the viability of the scheme further and therefore are not able to provide the required tenure mix. It is considered that although it is unfortunate that requested housing mix

is not possible, given the clear viability issues with the site the proposed provision is considered to be acceptable and can be secured by legal agreement.

## **OTHER MATTERS**

Concerns have been raised that a fire engine would not be able to access the site through the under pass. The Councils Building Control department has noted that the pump requires 3.7m and the high reach requires 4m in height. The arch has a height of 4.1m and therefore it would be sufficient to allow a fire engine into the site.

It should be noted by the committee members that the plans shown to them at the site visit were not the most recent plans. The elevation facing Whitehall Court has been altered to include an underpass between plots 3 and 4 to allow access from the front of the site to the rear (drawing number 1761 – 112 Revision D). These plans were received prior to the main report having been written and therefore the amended elevation was considered as part of the main officer's report.

**The recommendation of APPROVAL therefore remains the same with an alteration to the heads of terms to state,**

- **A provision of 12.5% affordable housing (3 units) to be provided with a tenure mix of affordable social rent and intermediate tenure of 2 x 2 bed apartments provided as an intermediate tenure sold at 70% of the open market value and 1 x 2 bed apartment provided as affordable/social rent**
- **A contribution towards local education provision of £43, 385**
- **A commuted sum in lieu of onsite open space for footpath improvements to Weaver Valley Riverside Park (£20,000)**

**Recommended conditions to remain unchanged**

**APPLICATION NO:** 12/2508C

**PROPOSAL:** Outline Application for Residential Development to Include the Demolition of Lyndale

**ADDRESS:** Lyndale & No 2 Somerford View, HOLMES CHAPEL ROAD, BRERETON, CONGLETON, CW12 4SP

**APPLICANT:** Mr & Mrs F Bailey & Mr M Beech

### **CONSULTEES**

#### **HIGHWAYS**

The revised plan with dimensions and the junction design is in excess of that required to serve such a low number of plots.

The Strategic Highways Officer is not prepared to accept that high level of access design as such a road would have the capacity to serve up to 200 units. If they gained permission for this level of access without an appropriate design for a right turn lane off the A54 there would be the potential for issues if they applied for more units off the land beyond.

**JODRELL BANK** – No comments received at time of writing this update report.

#### **GREENSPACES**

With reference to the plans for the erection of 10 dwellings based on 2 and 4 bedroom properties, if the development were to be granted planning permission (in accordance with, Drawing No 12/1378/FB, dated June 2012) there would be an excess of Amenity Green Space provision but a deficiency in the quantity of children and Young Persons provision, having regard to the adopted local standards set out in the Council's Open Space Study. Should the housing schedule change, figures would need to be recalculated.

#### **Amenity Greenspace**

Whilst there is no requirement for new open space, a qualitative deficit has been identified in the existing open space accessible to the new development and in order to meet the needs of the new development, an opportunity has been identified for enhancing the quality of an existing facility at Brereton Heath Local Nature Reserve.

An opportunity has been identified on Brereton LNR where by the enhancement of this existing area of Amenity Greenspace various improvements including drainage on the site, and also the existing pathways around the perimeter of the POS would expand the sites capacity further to serve the new development and local community including improved accessibility to the site in terms of DDA requirements.

Given that an opportunity has been identified for enhancing the capacity of existing Amenity Greenspace to serve the development based on the Council's Guidance Note on its Draft Interim Policy Note on Public Open Space Requirements for New Residential Development the financial contributions sought from the developer would be;

|              |                  |
|--------------|------------------|
| Enhancement: | <u>£1,690.56</u> |
| Maintenance: | <u>£3,784.00</u> |

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

Following an assessment of the existing provision of Children and Young Persons Provision accessible to the proposed development, if the development were to be granted planning permission there would be a deficiency in the quantity of provision, having regard to the local standards set out in the Council's Open Space Study for Children and Young Persons Provision.

Consequently there is a requirement for new Children and Young Persons provision to meet the future needs arising from the development.

As there is a quantity deficiency, on site provision would normally be required as there is little scope within the local vicinity, however Open Space Development believe the site size would not make this unfeasible.

The only facility serving Brereton Parish is the community space at School Lane, Brereton Green. This is over the 800m radius threshold, but is the only facility to serve Brereton. If contributions were sort from the developer to increase the capacity at Brereton Green community space instead of on site provision then contributions would be:

|              |                             |
|--------------|-----------------------------|
| Enhancement: | <u>£2,930.24</u>            |
| Maintenance: | <u>£9,552.00 (25 years)</u> |

### **OFFICER COMMENTS**

As noted within the main report amended access details where submitted with Highways comments still outstanding. The Strategic Highways Manager has stated that the proposed access is an over development and would have the capacity to serve up to 200 units. It is therefore considered that the proposed access is unacceptable as it would look out of character with the rural nature of the development site and is over and above what it necessary for 10 dwellings. It is considered that a safe access could be achieved at this point therefore it would not be reasonable to recommend refusal on these grounds. Should the application be approved a further scheme of access would be required to be submitted to the Local Planning Authority prior to the commencement of development to be approved.

As noted within the main report the applicant noted that there is no public open space provided on site and that a contribution towards off site provision could be

provided. The Greenspaces Department have outlined above a requirement for enhancing the capacity of existing Amenity Greenspace to serve the development based on the Council's Guidance Note on its Draft Interim Policy Note on Public Open Space Requirements for New Residential Development the financial contributions sought from the developer would be; Enhancement: £1,690.56 and Maintenance: £3,784.00, and a further contributions sort from the developer to increase the capacity at Brereton Green community space instead of on site provision, of Enhancement: £2,930.24 and Maintenance: £9,552.00 (25 years). It is considered that this is fair and reasonable in lieu of onsite provision and could be secured by a legal agreement.

With regards to the impact the proposal will have on Jodrell Bank. Whilst no comments have been received from Jodrell Bank it is noted that they have examined an earlier proposal nearby at Ivanhoe on Holmes Chapel Road and raised no objection for proposed 11 dwellings. Given that this proposal involves less dwellings, arranged in a similar layout; it is not considered that a refusal on the grounds of impact on Jodrell Bank could be sustained.

**The recommendation of REFUSAL therefore remains**

**APPLICATION NO:** 12/2532N

**PROPOSAL:** Construction of 9 Affordable Homes

**ADDRESS:** Red Acres, Windmill Lane, Buerton, CW3 0DE

This application has been **WITHDRAWN**



**APPLICATION NO:** 12/2990N

**PROPOSAL:** Proposals to provide level access to the principal elevation of the Municipal Building by re-grading the external path to a gradient of less than 1:20 and introducing new steps within the pavement.

**ADDRESS:** MUNICIPAL BUILDINGS, EARLE STREET, CREWE, CHESHIRE, CW1 2BJ

**APPLICANT:** Cheshire East Council

### **FURTHER INFORMATION**

A response has been received from the Architect responding to some of the issues raised within the objection letter. The letter outlines that whilst the proposal does not meet all the regulations noted in the objection letter, this is due to the development being required to fit within the existing site constraints and has been discussed in conjunction with the Building Control and the Highways Authority departments. It has been agreed as an acceptable compromise which would provide a level access to the primary entrance of the building whilst preserving the setting and character of the listed building. The letter also confirms that the gradient of the slope will be less than 1:20 as stated on the proposed plans.

### **OFFICER COMMENTS**

As noted within the main officer's report, the application does not seek planning permission for the proposed works only listed building consent. Health and Safety and Risk Assessments are not a material planning considerations and details of such are not required to determine Listed Building Consent applications. Therefore the officer's recommendation of approval remains.

**The recommendation of APPROVAL therefore remains**

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