

Southern Planning Committee

Updates

Date: Wednesday, 12th December, 2012
Time: 1.00 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 - 22)

Please contact Julie Zientek on 01270 686466
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APPLICATION NO: 12/2808N

LOCATION: Land at 2 Railway Bridge Cottages, Baddington Lane,
Baddington, Nantwich

PROPOSAL: Change of Use of Land to Use as a Residential Caravan Site
Including Extension of Existing

UPDATE:

1 additional letter of representation received. The salient points raised are as follows:

- This development is very highly visible across open fields from mine & neighbouring properties. The existing stables (now hidden) were brown and unobtrusive in keeping with the agricultural character of this area. From my property the stables are now completely hidden behind the white / cream coloured sides of two large mobile homes, several touring caravans, cars & vans;
- At night the site remains visible as it is quite well lit.
- I am concerned that the change of use is clearly being implemented ahead of planning approval. If the planning application is approved I hope that the site is effectively screened in a manner that re-instates & protects the agricultural character of the area.
-

OFFICER RESPONSE: Whilst the concerns of the objector are noted all of the above issues raised have been covered in the officer report.

APPLICATION NO: 12/3847C

LOCATION: Thimswarra Farm, Dragons Lane, Moston, Sandbach.

PROPOSAL: Change of Use of Land to Use as a Residential Caravan Site for Two Gypsy Pitches.

An amended Ownership Certificate has been received. The agent has completed Certificate B and served Notice on Mr. Sheridan. It is acknowledged that the Location Plan has not been amended as the northern part of the site is still edged in blue. However, it is considered that this is a minor discrepancy and is not a sufficient justification to warrant a refusal of the application.

RECOMMENDATION: The recommendation for approval subject to conditions still stands providing the applicant states where the horses are to be grazed.

APPLICATION NO: 12/3603C

LOCATION: Land on the South Side of Dragons Lane, Dragons Lane, Moston, Sandbach.

PROPOSAL: The Use of Land for the Stationing of Caravans for Residential Purposes for 4no. Pitches.

REPRESENTATIONS

3 additional letters of representation received. The salient points raised are as follows:

- The Environmental issues have not been addressed, in fact there are greater concerns. No active Environmental Checks have taken place to see if this development may cause the loss of habitat to Great Crested Newts or other wild species;
- The destruction of a section of long established hedgerow, under The Hedgerow Regulations 1997. Paragraph 6 1C, would cause the loss of nesting sites to native birds as well as having a negative visual impact on the area;
- Road Safety concerns have not been addressed. Moving back the entrance gate 16 metres would still not allow traffic coming from the Sandbach direction a view of vehicles leaving the site until a few metres away because of the brow of the hill;
- Although a country lane this is a busy stretch of road, used as a link from the A533 to the A530, in an effort to bypass Middlewich which suffers from congestion. There are serious Road Safety implications;
- The Environmental issues have still not been addressed for this site or the adjoining application sites, and a request for information under the freedom of information act 2000 is yet to be satisfied.
- In fact there are now greater concerns since a fence has been erected on the site recently which has had an immediate impact and is now causing large scale flooding of the site where it was not once present, this indicates to me that the drainage of the land has been seriously altered/damaged and further substantiates my claim that the ecological & environmental impact of this area is greater than Cheshire East planning department are leading the general public and the authorities to believe
- It is ridiculous to even consider a change of use for this land for such purposes.
It is a rural field not a suitable place for a Gypsy or any other type of residence, the land and area does not lend itself to building development due to its rural location.
- The place for this type of development is already established a short distance away on Middlewich Road with lots of room for expansion on the site already there.

OFFICER COMMENT

All the above issues raised have been covered in the officer report.

In addition to the above the applicant has submitted an amended planning application, which clearly makes reference to trees/hedgerows. The applicant has not yet submitted a hedgerow assessment, but they are preparing to do one.

RECOMMENDATION: The recommendation for approval subject to conditions and the satisfactory receipt of a hedgerow assessment.

APPLICATION NO: 12/3735N

LOCATION: ALVASTON HALL HOTEL, PEACH LANE, WISTASTON, CREWE, CW5 6PD

PROPOSAL: Alterations and Extensions to Existing Hotel/ Leisure Site Including Part Demolition of Existing Buildings, New Build Bedroom Accommodation, Extension and Refurbishment of Dining/ Cabaret/ and Lounge Areas with Associated Parking and Landscape Works.

OUTSTANDING ISSUES

Members may recall that the recommendation in the main report was subject to the resolution of 3 matters:

- the receipt of amended drawings to address issues of the inaccurately drawn site boundary, lack of levels information and proximity of the proposed coach parking to Grade A Oak tree no. 45
- an updated Arboricultural Method Statement
- no objection from the landscape officer

AMENDED PLANS / ADDITIONAL INFORMATION

Additional Information key documents considered include:

- Detailed Planting plan W1598/1001,
- Courtyard Detail plan W 1598/1002
- Hard Landscape surface finishes plan W1598/1003 – (All provided on 28/11/12).
- B J Unwin Forestry Consultancy BS 5837 Tree Survey Nov 12 revision and associated plans (provided on 4/12/12)

Landscape

- The sited edged red has been adjusted.
- An amendment has been made to the coach parking area to improve the relationship to a retained mature tree.
- Additional screen planting has been proved to the car park to the west.
- The soft landscape proposals are acceptable.
- Hard landscape and lighting proposals need to be considered by case officer.
- An indicative plan of the golf course and driving range reconfiguration is provided. As this is outside the site edged red it appears the works do not form part of the formal submission.

Forestry

- An amendment has been made to the coach parking area to improve the relationship to retained mature trees and the AMS and Tree protection plan have been update.

OFFICER COMMENT

Landscape

The Council's Landscape Officer has examined the proposals and has commented that overall she is satisfied the proposals are now acceptable in relation to landscape and forestry issues. However, she recommends that conditions be attached to secure:

1. Implementation of submitted landscape proposals.
2. Submission and approval of details of service routes.
3. Submission and approval of a site construction method statement to include details of demolitions works, spoil management, site compound, and construction routes.
4. Adherence to submitted tree protection measures.
5. Submission and approval of an addendum to the (Arboricultural Method Statement) AMS to include:
 - Contact details of all relevant parties for project including retained arboriculturalist.
 - A specified programme of arboricultural supervision and reporting for the project.
 - Any amendments required in relation to services provision.
6. Adherence to revised AMS.

Other matters

The applicant's agent has expressed concern about the condition requiring provision of car parking prior to first occupation as this will be a phased development.

It is therefore recommended that this condition is amended to require the provision of the approved parking within 6 months of the completion of the development and that an additional condition is added requiring submission of a construction management plan to include details of phasing, site compound, contractor parking and temporary customer/staff parking during each phase of the development.

AMENDED RECOMMENDATION

APPROVE subject to the following conditions:

1. **Standard**
2. **Materials to be submitted and approved**
3. **Provision of car parking prior to first occupation**
4. **Cycle parking to be provided prior to first occupation**
5. **Submission and approval of details of service routes.**
6. **Scheme of drainage to be submitted and implemented**
7. **Submission of details of lighting**
8. **Development to proceed in accordance with bat mitigation strategy unless varied by subsequent Natural England License.**
9. **Provision of features for breeding birds**

10. Breeding Bird survey prior to works commencing in nesting season.
11. Implementation of submitted landscape proposals.
12. Submission and approval of details of service routes.
13. Submission and approval of a site construction method statement to include details of demolition works, spoil management, site compound, and construction routes.
14. Adherence to submitted tree protection measures.
15. Submission and approval of an addendum to the AMS to include:
 - (i) Contact details of all relevant parties for project including retained arboriculturalist.
 - (ii) A specified programme of arboricultural supervision and reporting for the project.
 - (iii) Any amendments required in relation to services provision.
16. Adherence to revised AMS.
17. Construction Management plan to include details of phasing, site compound, contractor parking and temporary customer/staff parking during each phase of the development.

APPLICATION NO: 12/3807C

LOCATION: Land adj. Rose Cottages, Somerford

PROPOSAL: Construction of 25 dwellings

DEVELOPER'S REPRESENTATIONS

In support of their case, the developer has submitted the following letters:

D&G Bus

- D&G operates bus service no.42 past this location. It is a service operated under contract to Cheshire East Council but all the revenue taken from passengers flows to D&G. They therefore have an interest in attracting as many passengers as possible onto the service, and moreover the more people using the service, the more likely it is that it will be continued to be supported by the Council.
- This development is ideally placed to allow the new residents to make use of their bus and they therefore express their support for it.

Cheshire East Chamber of Commerce and Enterprise.

- The Chamber represents 300 local businesses
- They have met with Bloor to discuss this and other proposals they have across Cheshire
- As an organisation concerned with the progress of businesses, communities and other groups across Cheshire East they feel compelled to write to firmly express their support for the proposals
- The economic benefits of the plans, from the Chambers perspective, clear to see:
 - High levels of spending by new residents in the local economy over the coming years
 - Job creation as a direct result of construction but also through the local supply chain. The Chamber is conscious that there are a high number of people claiming Job Seekers Allowance who looking for work in the construction sector. This scheme alone is forecast to create 34 jobs, many of which could be filled locally.
 - A mix of housing which will encourage workers who wish to live near to their place of employment as well as those who want to get "on the ladder" to locate to Cheshire East.
 - In the region of £216,000 New Homes Bonus monies which can be spent locally and this may mean local suppliers can benefit from projects in the community.
- We are living in a difficult economic environment and they would ask that Cheshire East Council show vision by approving scheme such as the Bloor Homes proposals in Somerford, that construction jobs and the future vibrancy of the local economy and community.

ADDITIONAL OBJECTIONS

- In the table (page 125/126 of the planning committee papers) where the report looks at the North West Sustainability Checklist it says there is an "Amenity Open Space (500m)" 482m from the 12/3807C site and also that there is a "Public park or village green (larger, publicly accessible open space (1000m)" also 482m from the 12/3807C site.
- Using a OS Explorer map residents measure the distance from the Congleton edge of the site on the A54, along the A54 and then down Brereton Heath Lane to even the first point of contact with the Brereton Heath Country Park to be over 1,000 metres.
- The 4 bus services listed in the sustainability section as being available from the proposed site opposite Rose Cottages in Somerford are not in fact available as three of the services do not go past the site (service 49, service H50 and service 319) with the closest point being Brereton Green which is about three miles from the proposed site and the fourth service (Rural Rider Service 41) appearing to no longer exist.
- Having checked at the local bus stop and on the Cheshire East Transport website and the current bus service which stops 200m from the proposed site is Service 42. This service is between Congleton and Crewe and passes along the A54 stopping at the bus stop on the corner of Holmes Chapel Road and Brereton Heath Lane. The first bus in the morning, Monday to Friday, is at that bus stop at 8.43am and since it goes via Leighton Hospital it does not reach the centre of Crewe until 9.50am. Going the other way the first service stops at the above mention stop at 9.17am, reaching Congleton bus station at 9.30am.
- This service is therefore not suitable for anyone getting on the bus at this stop and needing to be at a place of work in one of the nearby Service Centres at a normal starting time which these days is probably before or at the latest, 9am. The same is true for children and young adults going to school or some other place of education. The service is very infrequent in the evenings. There is a much reduced service on Saturdays and no service on Sundays.
- It seems that this does not offer a sufficient bus service to cater for the vast majority of travel requirements for any potential occupants of the proposed development who will therefore have to use cars to fulfill those requirements.
- With regard to the availability of pedestrian footpaths linking the proposed development to other local areas. In the sustainability section, near the bottom of page 124 of the Southern Planning Committee paper the following is said: "The proposed development site is served by existing pedestrian infrastructure...."
- In the section on Highway Safety, in the second bullet point, the following is said:
- "There is an established network of footways located within the vicinity of the site providing links to the surrounding residential areas"
- Currently there is a paved footpath along the A54 at the Broomfields development and it can be acknowledged that the work on the Ivanhoe development will create a paved footpath on the A54 frontage of that development joining the Broomfields one.
- The proposal 12/3807C contains a paved footpath along the A54 which would also join with the Broomfields one.
- However this would leave no suitable footpath on the south side of the A54 going in the Holmes Chapel direction from the 12/3807C site. Also there will be no suitable footpath on the south side of the A54 from the end of the Ivanhoe development going in the Congleton direction. Indeed the

aforementioned bus stop would not be able to be accessed on a suitable footpath.

- There is not an established network of footways located within the vicinity of the site providing links to the surrounding residential areas and that therefore there is not an existing pedestrian infrastructure in the area.

OFFICER COMMENT

Members will note from the officer report the site scores badly on distance from most facilities under the North West Sustainability Checklist. Furthermore, it is acknowledged that given its rural location, public transport links are not as good as they would be from a site within, or on the edge of, one of the Borough's Towns.

For Members determining the application, it is a matter of balancing this against other considerations, such as housing land supply matters, provision of rural affordable housing, the fact that this site is largely within the infill boundary line and the fact that, as noted above, the proposal will help to sustain the limited rural bus service that does existing in this location.

RECOMMENDATION

As per main report.

APPLICATION NO: 12/3879N

PROPOSAL: Outline application for re-submission of application 12/3086N - demolition of existing steel portal vacant office building. Construction of four dwellings with associated garage, access and parking

LOCATION: OFFICE PREMISES, THE FORMER GENUS PLC, ROOKERY FARM ROAD, TARPORLEY, CHESHIRE

FURTHER INFORMATION FROM THE APPLICANT

The applicant has submitted an amended site plan showing the position of the trees on the site in relation to the proposed development. An email accompanies the revised plans stating that the large indigenous trees are sited outside the application site. There are two semi mature sycamore trees located on the northern boundary; these are sited some distance from the development. There are two large specimen oak trees either side of entrance. A number of mature trees were identified just outside the western boundary with some overhanging low level branches which may require attention although not in position to unduly affect the proposed development. To the front of the buildings there are a number of ornamental trees planted as screening of existing building some of which are diseased and require removal. The existing garden screen planting to the existing building is proposed to be removed prior to demolition. Any replacement planting/ landscaping can be covered by appropriate condition on planning permission.

OFFICER COMMENT

The Councils Landscape Officer notes that the plan submitted has not been carried out to British Standard 5837:2012 and therefore does not reflect the true position and size of the trees on the site. However, after consideration of the details submitted it is in the Planning Officers opinion that the plan show a fair indication of the trees currently on the site and four dwellings could comfortably be sited within the application site. Therefore given the application is at outline only a detailed Arboricultural report can be required by condition of the outline and the siting of the dwellings altered to ensure they do not have a detrimental impact on the existing mature trees. This condition was proposed on the main officer's report and therefore shall remain.

RECOMMENDATION

Therefore the officer's recommendation for **Approval with conditions** remains.

APPLICATION NO: 12/3902N

PROPOSAL: PROPOSED DWELLING IN CURTILAGE OF BEECH HOUSE
2 CEDAR GROVE

LOCATION: PROPOSED DWELLING IN CURTILAGE OF BEECH HOUSE
2 CEDAR GROVE

REPRESENTATIONS

A further letter of objection has been received from the occupier of No. 1 Cedar Grove. The main issues raised are;

- Queries consultation and why they were not consulted,
- Impact on turning and parking in the narrow road,
- The road is a private road and therefore any damaged caused by contractors would require payment by all residents.

CONSULTATIONS

Highways – No objections

OFFICER COMMENTS

Procedural Matter

It is noted that the neighbour at No.1 Cedar Grove was not consulted. This is due to the application site being edged in red and the existing dwelling at No.2 Cedar grove being edged in blue, No.1 Cedar Grove was therefore not picked up as an adjoining neighbour to the development site, in accordance with the Council's Neighbour Notification Procedure. The Planning Officer explained the situation to the neighbour and noted that she was able to make comments up to the date of the committee should they wish.

Impact on Highway Safety

The Highways Authority have raised no objection to the proposed access and parking arrangements for the new dwelling and therefore it is considered that these are acceptable at the indicative level. With regards to the impact the construction traffic on the road itself this is a private civil matter and is not a material planning consideration.

The recommendation of APPROVAL therefore remains

APPLICATION No: 12/4082C

PROPOSAL: Construction of three new residential dwellings (Resubmission of Application Reference 12/0106C)

LOCATION: Tall Ash Farm Triangle, Buxton Road, Congleton,

ADDITIONAL INFORMATION

Revised plans

Revised plans have been received by the Local Planning Authority which show amendments to the proposed access to the site and provide greater information with regards to the impact of the scheme upon the public right of way adjacent to the site. Both of these changes have been made to address the concerns raised by the council's highways and public rights of way section.

Submitted information

Extended Phase 1 Habitat Survey

Tree Survey

Arboricultural implications method statement

Proposed tree plan

REPRESENTATIONS

CONSULTATIONS

Since completion of the Committee Report a number of further consultations have been received. These consultations have been received from statutory internal and external consultees and occupiers of neighbouring properties.

Consultations external to planning

Strategic Highways Manager – Plan SCP/11248/F01 is acceptable, but the entry radii on the Proposed Site Plan 792-101D differs in showing tighter and unacceptable radii.

Ecology – The ecological assessment submitted in respect of Tall Ash Triangle is acceptable. The Council's Nature Conservation Officer does not anticipate there being any significant ecological issues associated with the proposed development.

The applicants ecologist has suggest that bat boxes are incorporated into the development. To secure this I recommend the following condition is attached if planning permission is granted:

Prior to the commencement of development the applicant to submit detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds. Such proposals to be agreed by the LPA. The proposals shall be permanently installed in accordance with approved details.

Reason: To secure an enhancement for biodiversity in accordance with the NPPF.

Consultations (Internal)

Forestry and Landscape - The additional arboricultural information indicates that the dwelling on plot three would be outside the crown spread of adjacent trees but would encroach into a section of the root protection area of one specimen. The

applicant's arboricultural consultant judges this encroachment to be acceptable, subject to tree protection measures.

On the basis of the submitted information, the Council's Forestry and Landscape Officer has advised that subject to a condition requiring adherence to the tree protection measures proposed, she does not consider there are arboricultural grounds to refuse the application. It should also be noted that it is advised that details of the proposed levels would be preferable.

REPRESENTATIONS

110 Buxton Road, Congleton – Details received via an attachment which cannot be opened.

10 Tall Ash Triangle – Object to the proposal on the following grounds;

- Contrary to Open Countryside planning policy
- Site is not sustainable location

Also has concerns regarding highway safety & recommends removal of permitted development rights.

12 Tall Ash Triangle – Object to the proposal on the following grounds;

- Would set a precedent of semi-rural housing
- Unit would have more bedrooms than surrounding properties
- Highway / pedestrian safety
- Amenity – Overlooking

KEY ISSUES

Highways

The Strategic Highways Manager originally raised concerns about the proposal. No turning facility was to be provided which would have required visitors and deliveries to reverse back onto the main road to exit the site. There is no safe parking opportunity on Buxton Road given the level of traffic and the blind summit. In addition, the proposed site plan showed a very tight entry and exit radii which would be unacceptable for movements off a busy 40pmh road as they would involve vehicles braking almost to stop to enter the site.

As a result of these comments, a revised layout scheme was provided to try and address these issues. In response to this revised plan, the Strategic Highways Manager has advised that the revised plan is acceptable however, there are still concerns regarding the radii. A further revised plan has been received to nullify this later concern. As such, it is now considered that the proposed development adheres with Policy GR9 of the Local Plan.

Ecology

The Council's Nature Conservation Officer originally advised that insufficient information had been submitted in order to fully assess the ecological impacts of this development. It was advised that an Extended Phase 1 Habitat Survey, a desk based study, a great Crested Newt Survey/assessment, mitigation proposals and proposals for ecological enhancement were required. In light of this information, the applicants submitted the required data.

In response, the Council's Nature Conservation Officer advised that the submitted ecological assessment was acceptable and he does not envisage there being any significant ecological issues associated with the proposed development. The applicant's ecologist does however suggest that bat boxes are incorporated into the development and as such, a condition requiring such features is proposed should the application be approved.

As such, subject to this condition, it is considered that the proposal adheres with Policy NR2 of the Local Plan.

Trees

The Council's Landscape Officer originally advised that insufficient information had been submitted in order to fully assess the impact of the development upon trees. It was advised that a topographical survey, soil assessment, tree survey, tree categorisation, tree constraints and root protection areas identified to influence design, an Arboricultural Impact Assessment and a Arboricultural Method Statement were required. In light of this information, the applicants submitted much, but not all of the required data.

In response, the Council's Forestry and Landscape Officer advised that *'The additional arboricultural information indicated that the dwelling on plot three would be outside the crown spread of adjacent trees but would encroach into a section of the root protection area of one specimen. The applicant's arboricultural consultant judges this encroachment to be acceptable, subject to tree protection measures. On the basis of the submitted information, subject to a condition requiring adherence to the tree protection measures proposed, I do not consider there are arboricultural grounds to refuse the application. I remain of the view that it would be advisable to secure details of proposed levels.'*

As such, subject to the conditioning of tree protection and levels, it is considered that the proposal adheres with Policy NR2 of the Local Plan.

Other Matters

In response to the concerns/objections raised by neighbouring properties, namely, the proposal being contrary to policy, not in a sustainable location, highway safety and amenity, it is considered that all of these issues have either been addressed within the committee report or this update to committee.

CONCLUSION

In conclusion, therefore although the development is contrary to the Congleton Borough Local Plan First Review 2005 Policies PS8 (Open Countryside) and H6 (Residential Development in the Open Countryside and the Green Belt), it adheres with the NPPF.

Whilst the proposal represents a departure from the development plan, there are 'other material considerations' which would outweigh the proposals non-compliance with relevant local plan policies. It is considered that the proposed development is of a suitable design, located in a sustainable location which would not have a detrimental impact upon neighbouring amenity, highway safety or protected species. As such, the proposed development adheres with the following policies within the Congleton Borough Local Plan First Review 2005: GR1 (General Criteria for Development), GR2 (Design), GR4 (Landscaping), GR6 (Amenity and Health), GR9 (Highways &

Parking), GR16 (Footpath, Bridleway and Cycleway Networks), GR20 (Public Utilities) and NR2 (Wildlife and Nature Conservation (Statutory Sites).

RECOMMENDATION

APPROVE subject to conditions.

1. Time (Standard)
2. Plans
3. Materials
4. Hours of construction
5. Hours of piling
6. Piling method statement
7. Prior submission and approval of site compound position
8. Landscaping (details)
9. Landscaping (Implementation)
10. Boundary treatment
11. Obscure glazing (House 3 – First Floor bathroom window on western elevation)
12. Construction management plan
13. Drainage
14. Levels
15. Tree protection
16. Incorporation of bat features

APPLICATION NO: 12/4087N

PROPOSAL: T I Midwood & Co, Green Lane, Wardle, Cheshire.

LOCATION: The Erection of a Replacement Storage and Distribution Unit.

The agent has submitted a letter requesting that the condition relating to noise attenuation is omitted from the report. The agent stresses that the application site is far removed from any residential properties and as such there is no requirement for this condition.

However, colleagues in Environmental Health have been consulted and they state 'The condition is recommended to protect other businesses in the area. We basically don't want fans/ air conditioning units/extract units affecting other units or offices in the area so we just want details of any ancillary equipment, expected noise levels and also details of the acoustic attenuation (if any) that they are putting in prior to the installation'.

RECOMMENDATION: The recommendation for approval subject to conditions (including noise attenuation) still stands.

APPLICATION NO: 12/4107N

LOCATION: Former Earl of Crewe Public House, Nantwich Road Crewe.

PROPOSAL: Construction of foodstore

AGENT'S REPRESENTATIONS

The applicant's agent has made the following comments in respect of the proposed conditions:

Condition 6 – (Landscaping) *Four (A1 size) copies of drawings (V182NES L01 Rev F) were submitted to you on 25 November 2012, whilst the landscaping maintenance schedule was submitted at the time of the application. Therefore nothing further is required.*

Condition 10 – (Bollards) *Full details of the removable bollards were submitted as part of the original application (see bottom right hand side of drawing number 0182A-208 for details), whilst the proposed site layout drawing (0182A-101) shows the location of the six drop down bollards at the entrance. Therefore nothing further is required.*

Condition 11 – (Contamination) *A Geo Environmental Assessment Report prepared by Brownfield Solutions was submitted as part of the application. Whilst the comments from your Contaminated Land team mirror the conclusions of the survey that “the applicant provided a geo-environmental report which, although out of date with current guidance, reveals there to be a low risk with respect to the proposed use. The report recommends that soil be imported for areas of landscaping”. They therefore state that the following condition be attached:*

“Should any adverse ground conditions be encountered during excavation works, all work in that area should cease and this section be contacted for advice”

Clearly, your Contaminated Land team do not require a further report to be submitted in this particular instance and as such we believe that nothing further is therefore required.

Condition 12 – (Renewables) *A report demonstrating the sustainable energy saving features and 10% renewables is currently in preparation and will be forwarded as soon as it is available.*

Condition 13 – (Construction Waste) *A Site Waste Management Plan prepared by CTM Construction was submitted as part of the application. Therefore nothing further is required.*

Condition 15 – (External Lighting) *A Lighting Assessment and CCTV scheme to the car park has been provided as part of the application (see drawing number 2236/E/400 Rev T1) by Omega Associates. In addition, four copies of drawing ref 5003/G/102 to show the ‘light spill’ from the proposed lighting are enclosed. Therefore nothing further is required.*

Condition 17 – (Structural Glazing) *The requirement to incorporate elements of structural glazing to the Sherwin Street elevation was not specifically raised in the pre application meeting, however our client in association with their architects would be happy to investigate this further. In order to be able to commence the development on site at an early stage however, we would request that any condition imposed in relation to this be suitably worded to enable the development works to commence on site. Therefore, we would suggest the following or similar wording be used:*

Prior to the construction of that part of the development, full details of the elevational treatment to Sherwin Street, to incorporate brick modelling and elements of structural glazing, shall be submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details.

OFFICER COMMENT

Condition 6 – (Landscaping)

The Council's Landscape Officer has confirmed that the submitted proposals are acceptable and that the relevant condition requiring details to be submitted can be removed from the recommendation. However, an implementation condition should still be imposed.

Condition 10 – (Bollards)

The Strategic Highways Manager has commented that the access was acceptable but he felt it could be improved. His concerns are that, at periods when the car park is closed, drivers may still turn in, and then find they have to reverse back onto Nantwich Road. Also when the store is closed the area in front of them may be used for short-term parking, again with drivers reversing out. Thus the bollards may be better along the rear of the footway, as being more readily seen. It is assumed that the bollards are retracted throughout the opening hours (i.e. are not driver-responsive).

The entry radii have been designed to accommodate an artic turning in and out. This results in a very wide crossing point for pedestrians and a relatively fast entry for cars. A tighter entrance would be preferable on road safety, even if it required the one artic day to pull slightly across into the facing lane to turn in. However, he is willing to accept the drawings as these have been previously approved.

In view of the above comments, it is considered a condition requiring revised bollard details should be attached

Condition 11 – (Contamination)

The Environmental Heath Officer has advised that her comments on the application were advisory only and as such a specific contaminated land condition is not required. They would like to take the opportunity to remind the applicant of the advisory comments, and also that all imported material should be suitable for its proposed use – if required, appropriate permits/exemptions should be obtained from the Environment Agency.

In the light of the above it is considered that this condition can be omitted as it does not meet the test of being “necessary” under Circular 11/95.

Condition 12 – (Renewables)

As the report referred to in the applicant's submission has yet to be received it is considered that this condition should still stand.

Condition 13 – (Construction Waste)

The applicant's comments in respect of this condition are noted and it is recommended that the wording is amended to require that the development is undertaken in accordance with the submitted construction waste management plan.

Condition 15 – (External Lighting)

The Environmental Health officer has confirmed that the submitted lighting plan is acceptable and therefore it is recommended that the wording is amended to require that the development is undertaken in accordance with the submitted lighting plan.

Condition 17 – (Structural Glazing)

The applicant's comments in respect of the timing for the submission of these details are noted. It is therefore considered to be appropriate to phrase the condition as follows:

Prior to any work taking place to construct the external walls of the development hereby permitted, full details of the elevational treatment to Sherwin Street, to incorporate brick modelling and elements of structural glazing, shall be submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details.

APPLICATION NO: 12/2225C

LOCATION: 50a Nantwich Rd/Tewkesbury Drive

UPDATE PREPARED 10 Dec 2012

Further to the last Planning Committee, the Applicant has sought to demonstrate that the proposed construction access via Mill Street is appropriate and achievable.

A note has been provided. This states that ;

- The Council Highway Officer has confirmed that there is a Standing Policy that no new access onto the highway network should be created when there is an existing viable alternative.
- Accident records for the UK show that 70% of accidents occur at junctions. The existing junction has a good safety record, therefore why create an additional access close to the existing thereby increasing the risk of potential accidents.
- Any access into the development between 50 Nantwich Road and 3 Malmesbury Close will suffer from poor visibility for traffic turning right into the development.
- The suggested construction access being used as a permanent access is unviable. There is insufficient land to create a permanent adopted access that would meet the Council standards. The land take required to formalise an access is not all within the ownership of Jones Homes.
- Jones Homes have a right of access and egress over this private road and the right has been exercised for many years by the previous owner of 50A Nantwich Road.

Amended Plans

Amended plans have been received which present the front elevation of block 12-14 to the Mill Street frontage with pathway access from Mill Street.

This is considered to be a more active frontage which is more in keeping with the existing street frontage – ie the front elevation of the housing looking forward to the main road rather than to the rear (estate) inner frontage.

COMMENT

The Applicant has satisfactorily demonstrated that construction access is functionally achievable from Mill Street. The Strategic Highways Manager

accepts the temporary scenario subject to appropriate conditions, as suggested.

The design changes to the block of units 12-15 is considered to be an improvement.

RECOMMENDATION

Remains unchanged from the main report