

Strategic Planning Board Updates

Date: Wednesday, 8th January, 2014
Time: 10.30 am
Venue: Council Chamber, Municipal Buildings, Earle Street, Crewe
CW1 2BJ

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

Planning Updates (Pages 1 - 8)

Please contact Sarah Baxter on 01270 686462
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information or to arrange to speak at the meeting

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Application No: 13/4675N

Location: 414 Newcastle Road, Hough

Proposal: Outline application for the erection of 47 houses of mixed type to include 30% affordable (resubmission of 13/3018N)

Applicant: David Wootton

Expiry Date: 7th February 2014

UPDATE 8th January 2014

OTHER REPRESENTATIONS

Two additional letters of objection have been received raising the following issues:

- Increased traffic
- Vehicles speed along Newcastle Road
- Another entrance on Newcastle Road will be dangerous
- Vehicle movement conflict with the adjacent site
- The application site is designated as open countryside and is contrary to Policy NE.2
- There is no need for additional housing in Shavington as approval has been granted for the Shavington Triangle and Rope Lane.
- Local primary schools are over subscribed
- The number of dwellings has increased on this site.
- Water drainage problems
- Loss of Grade 2 Agricultural land
- A letter from Cheshire East to Edward Timpson MP states that Cheshire East is now able to demonstrate a 5 year housing land supply and new housing will not be encouraged in Shavington

An additional representation has been received from the applicant's agent raising the following points:

- The hedgerow to the front of the site will not be lost to the frontage of the site
- The existing landscape and characteristics of the site will be conserved and enhanced. The notable trees and hedgerows on the site will be retained.
- The land is not in agricultural use and has not been used for arable or livestock production.
- There is a post box located at the junction of Newcastle Road/Crewe Road/Stock Lane which is 50m from the site and not 960m as stated within the officer report.

The full text for all letters of representations can be viewed on the Councils website.

OFFICER COMMENTS

The main points raised as part of the representations above have been considered within the main report.

It is accepted that there is a nearby post box and that this is within 50 metres of the site.

RECOMMENDATION

The Officer recommendation on pages 50 and 51 of the SPB Agenda remains unchanged

Application No: 13/4627C

Location: Land off Dunnocksfold Road, Alsager

Proposal: Erection of up to 95 dwellings and formation of access point into the site to serve the development (resubmission of 12/4146C)

Applicant: The Morris Family & P.E. Jones

Expiry Date: 29th January 2014

UPDATE 8th January 2014

OTHER REPRESENTATIONS

An objection has been received from Alsager Residents Action Group (ARAG) which includes an alternative report with an alternative recommendation for refusal. The main points are summarised below:

- The recent appeal decision at Sandbach Road North found that the Settlement Zone Line and Policy PS4 of the Congleton Borough Local Plan are *'not sufficiently directly to housing land supply that it can be considered time expired for that purpose'*. Instead the Policy is *'Primarily aimed at countryside and Green Belt protection'*.
- The Inspector also noted that *'the lack of a 5 year supply of housing land does not provide and automatic green light to planning permission'*
- The appeal decision provides an adequate reason for refusal of this application which carries significant weight and should be the main reason to refuse this application.
- Due to the significant weight attributed to the principal of residential development on this site, ARAG agree with the objection received from Newcastle-under-Lyme BC in relation to the impact on the regeneration of the Potteries Conurbation. If approved the development would undermine the strategic aim of Policy SP1 of their adopted Core Spatial Strategy and detract from the regeneration of the North Staffordshire housing market and economic base.
- The issues of highways and the loss of the important hedgerow assume increased weight because they are both in conflict with the Cheshire East Pre-Submission Core Strategy and/or Infrastructure Delivery Plan
- The junction of Dunnocksfold Road/Hassall Road/Church Road is identified in the Infrastructure Delivery Plan where it is described as a small junction that is likely to be significantly affected by the planned development in this part of Alsager. The application site is not in the plan and its approval will only serve to exacerbate the problem.
- The recognised important hedgerow which borders the site is recognised in the Local Plan/Core Strategy which commits the Council to the retention of the existing hedgerows in Dunnocksfold Road and Hassall Road.
- The alternative report prepared by ARAG states that the application should be refused on the above grounds.
- The report also picks upon a number of minor typo's within the report.

The full text for all letters of representations can be viewed on the Councils website.

OFFICER COMMENTS

In terms of the weight to be attached to the settlement zone line and the countryside policies this is considered as part of the officer report on pages 68 and 69. The report acknowledges the previous appeal decisions and the Inspectors view on the settlement zone line and the open countryside policies. The decisions also pinpoint that much depends on the nature and character of the site and the individual circumstances to each site. In this case there is not considered to be any significant landscape harm on this site which is the difference to the site at Sandbach Road North.

This site is flat and as part of the previous application no landscape reason for refusal was attached to the decision by the Strategic Planning Board. It is therefore considered that the harm to the open countryside policies is outweighed by the benefits of housing land supply.

In terms of the impact upon the Potteries and the highway implications this is a difference of opinion between the officer and ARAG. The issue of the highways implications and the impact upon the Potteries are considered within the officer report and did not form a reason for refusal as part of the last application.

In terms of the loss of an important hedgerow, this issue does not outweigh the benefits of the benefits of this application towards the housing land supply. This is similar to the Secretary of State's view as part of the appeal decision at Hind Heath Road, Sandbach.

Therefore the application is acceptable and the recommendation remains unchanged.

RECOMMENDATION

The Officer recommendation on pages 80 – 82 of the SPB Agenda remains unchanged

Application No: 13/4635N

Location: Land to the rear of Woodlands View, 20 Bridge Street, Wybunbury

Proposal: Outline application for residential development at 30 dwellings per hectare net with access off Bridge Street (resubmission of 13/1421N)

Applicant: Mr and Mrs Graham Poole

Expiry Date: 18th February 2014

UPDATE 8th January 2014

OTHER REPRESENTATIONS

Three additional letters of objection have been received raising the following issues:

- Increased traffic
- Main Road and Bridge Street were not designed for the volume and nature of traffic it experiences
- Pedestrian safety
- Long term impact upon the village from increased traffic
- The Council should commission an independent survey of road use in Wybunbury
- The Councils should consider the applications in a holistic manor and consider the long term impact upon the village
- Increased vehicle speed
- The road is dangerous at the site access
- Increased conflict with parents and children at the local school
- Wybunbury is used as a rat run
- There are a number of other hot spots within the village including the school, the nursery and the post office where there is traffic conflict
- There is a lack of a pavement on Bridge Street
- There have been previous traffic collisions on Bridge Street
- The location of the traffic survey is where traffic speeds are at their slowest
- Conflict with parked cars on Bridge Street
- There is a lack of a cycle route and there is a conflict with pedestrians
- Removing parking from Bridge Street would reduce traffic calming and increase vehicle speeds
- Increased traffic will harm the identity of the village
- Piecemeal development is harmful to Wybunbury
- The steep steps on Bridge Street mean that access is not possible for people with prams
- The proximity of the access to Sally Clarkes Lane is not viable to the existing HGV business located off this lane
- Loss of open countryside
- Loss of village identity
- Increased danger to pedestrians

- The local school is at capacity

The full text for all letters of representations can be viewed on the Councils website.

OFFICER COMMENTS

The main points raised as part of the representations above have been considered within the main report.

There is a minor error in the description of development as this originally referred to access off Sally Clarke's Lane. The plans show the access off Bridge Street and the description of development has been amended accordingly.

RECOMMENDATION

The Officer recommendation on pages 216 and 217 of the SPB Agenda remains unchanged

PROPOSAL: **Revocation of Certificate of Existing Lawful Use for the parking and storage of vehicles, machinery and equipment**

LOCATION: **White Moss Quarry, Barthomley**

APPLICANTS SUBMISSION

The applicant's agent has made the following comments in response to the committee report

Given the legal implications I am pleased to see that you have incorporated my comments into your report, however my preference would be that my letter of 7th August be attached in full to the report to members on this decision as by necessity in the way you have reported it some paraphrasing has been used.

I note that at paragraph 5.3 you indicate "While it could be acknowledged that it is not part of the working quarry it clearly has a relationship to the quarry." The reference to the word "could" is not appropriate. When the council considered the certificate and issued it they clearly indicated at Schedule 2 (see para 3.3 of your report) that the land is "*Land Known as Triangular Field adjacent to White Moss Quarry, Butterson Lane, Barthomley, Crewe.*". It is not appropriate for the report to say that the officer advice is that the land "could" be considered as not being part of the quarry and in the notice clearly state that it is adjacent to the quarry. If the land is as you have indicated adjacent to the quarry then it is clearly not part of the quarry and so the use of the word "could" at para 5.3 is incorrect. You will appreciate that central to any legal argument is our view that your assertion that information has been withheld is that the withholding of information is directly related and predicated on the fact that you believe the land to be part of the quarry. This is based on the question you posed "*Given that the site is working quarry it is considered that the following material information must be available and has therefore been withheld under the terms of Section 193 and provides sufficient scope to revoke the decision made.*" The phrase "given that the site is a working quarry" is key in this respect as the alleged withholding of information is based on this assumption by the use of the word "therefore" later in the sentence.

It is not therefore appropriate for the report to give potentially misleading advice in an area that is fundamental to our position. I would be grateful if you could amend the report to remove the ambiguity of the statement at para 3.3 and the statement at para 5.3.

OFFICER COMMENT

The agents refer to the previously issued Certificate identifying the land as being 'and therefore it is flawed to ask questions based upon the site being a 'working quarry'. As a matter of fact and for clarification the original decision notice did refer to the site as '*adjacent to White Moss Quarry*'.

While this point is noted, paragraph 5.3 of the main report confirms that the Certificate site clearly has a relationship to the quarry as it is used for operatives and visitor parking and therefore it is appropriate to ask the questions as they have been proposed as part of the revocation and it is not flawed.

