



# **Southern Planning Committee**

## **Updates**

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**Date:** Wednesday, 12th February, 2014  
**Time:** 1.00 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 - 16)

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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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**SOUTHERN PLANNING COMMITTEE –12<sup>TH</sup> FEBRUARY 2014**

**UPDATE TO AGENDA**

**APPLICATION NO.**

13/0971N

**LOCATION**

*Land to rear of 315-319 Weat Street, Crewe.*

**UPDATE PREPARED**

10<sup>th</sup> February 2014

**Erratum**

The report should have contained the paragraph below following the section on conditions.

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 Interim 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 – 12<sup>th</sup> February 2014**

**UPDATE TO AGENDA**

**APPLICATION No.**

**13/4194N** – Conversion of existing detached dwelling into 4 apartments, erection of 2 two-storey detached dwellings & 4 two-storey semi-detached dwellings and associated works

**LOCATION**

'The Limes', 425, Crewe Road, Winterley, Sandbach, Cheshire, CW11 4RP

**UPDATE PREPARED**

10<sup>th</sup> February 2014

**ERRATUM**

**Summary recommendation should read:**

**APPROVE subject to conditions and a S106 Agreement to secure a commuted payment of £21,693 towards primary school education**

**ADDITIONAL REPRESENTATIONS:**

Since the receipt of the updated layout plans showing the highways infrastructure, 1 additional letter of concern has been raised. The main concern is the impact upon Highway safety. More specifically, the impact of the second access on his property on the opposite side of the road

**OFFICER COMMENT**

**Access and Parking**

Since the publishing of the committee report, the Strategic Highways Manager has raised a fresh concern with the proposed development.

More specifically, he is not satisfied with the position of the proposed bin store on the updated layout plan which is located towards the rear of the site. This is due to the proposed position not being easily accessible for the bin lorry's to collect the waste. It is proposed that the bin store be moved closer to the public highway.

As such, should the application be approved, it is recommended that the wording of the approved plans condition be updated to include (excluding the proposed bin store on the approved layout plan). A condition seeking the prior

submission of plans for a bin store is retained.

As a result of the above, once conditioned, it is considered that the development would adhere with Policy BE.3 of the Local Plan.

### **Other Matters**

The concerns raised by the objector are not shared by the Strategic Highways Manager who is satisfied with the proposed development. As such, the development is deemed to adhere with Policy BE.3 of the Local Plan.

### **Conclusions**

In conclusion, the proposed changes to the disused, locally listed building would be done in a sympathetic manner that would not compromise its listing. The proposed 6 new dwellings would also be of an acceptable design that would respect the local character of the area.

The scheme would not create any significant issues in terms of neighbouring amenity, trees, protected species or highway safety and sufficient affordable housing shall be provided. As such the proposed development would adhere with the following policies within the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011; BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), BE.4 (Drainage, Utilities and Resources), BE.5 (Infrastructure), BE.6 (Development on Potentially Contaminated Land), BE.13 (Buildings of Local Interest), RES.2 (Unallocated Housing Sites), RES.3 (Housing Densities), RES.4 (Housing in Villages within Settlement Boundaries), RES.7 (Affordable Housing within The Settlement Boundaries of Nantwich and the Villages Listed in Policy RES.4), NE.5 (Nature Conservation and Habitats) and NE.9 (Protected Species). The proposal would also accord with the NPPF.

### **OTHER PROCEDURAL / ADMINISTRATIVE MATTERS**

The following update to the original submission that was considered by Southern Planning Committee on the 11<sup>th</sup> December 2013, was mistakenly omitted from the updated committee report and should be included in the determination of this application.

#### **Infrastructure**

Policy BE.5 of the Local Plan advises that the Local Planning Authority may impose conditions and/or seek to negotiate with developers to make adequate provision for any access or other infrastructure requirements and/or community facilities, the need for which arises directly as a consequence of that development. It is advised that such provision may include on site facilities, off site facilities or the payment of a commuted sum.

The Council's Education Officer advised in response to the previous submission that:

*'...the development will generate 2 primary aged pupils. The local schools are cumulatively forecast to be oversubscribed therefore the sum of £21,693 will be required towards primary education.'*

As such, a financial contribution shall be required with this application to cater for the extra pressures on local primary schools.

### **Levy (CIL) Regulations**

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The development would result in increased demand for primary school places as there is limited spare capacity. In order to increase capacity of the schools which would support the proposed development, a contribution towards primary school education is required. This is considered to be necessary, fair and reasonable in relation to the development. The commuted sum sought is £21,693.

On this basis, the S106 recommendation is compliant with the CIL Regulations

### **AMENDED RECOMMENDATION**

**APPROVE** subject to completion of Section 106 legal agreement to secure the following:-

- **A commuted payment of £21,693 towards primary school education**

And the following conditions

- 1. Time (3 years)**
- 2. Plans (excluding the proposed bin store on the approved layout plan)**
- 3. Prior submission of facing and roofing details**
- 4. Prior submission of hard or soft surfacing materials**
- 5. Hours of construction**
- 6. Hours of piling**
- 7. Prior submission of a piling method statement**
- 8. Prior submission of lighting details**

9. 30% Affordable Housing requirement
10. Tree protection
11. Tree pruning specification
12. Landscaping – Details
13. Landscaping – Implementation
14. Boundary Treatment
15. Bat mitigation - Implementation
16. Prior submission of drainage
17. Prior submission of bin storage details
18. Prior submission of bin drop-off point
19. PD removal A-E of Locally Listed Building
20. PD removal for retention of garage spaces on plots 1 & 2

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 Interim 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.

Should this application be the subject of an appeal, authority be delegated to the Interim Planning and Place Shaping Manager 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 Heads of Terms for a S106 Agreement.

#### **Informatives**

1. NPPF
2. Section 184 and 278 Agreements (Highways)

**SOUTHERN PLANNING COMMITTEE – 12<sup>th</sup> February 2014**

**UPDATE TO AGENDA**

**APPLICATION No.**

**13/4911C** – Outline application for 13 new dwellings (Resubmission)

**LOCATION**

Land off Moss Lane, Sandbach

**UPDATE PREPARED**

10<sup>th</sup> February 2014

**ADDITIONAL APPLICANT'S SUPPORTING INFORMATION**

Since completion of the Committee Report, an additional internal consultation response has been received.

**ADDITIONAL CONSULTATIONS (External to Planning)**

**Education (Cheshire East Council)** – No objections, subject to a financial contribution towards primary and secondary school education as the local schools are cumulatively forecast to be oversubscribed.

Primary = £21,692

Secondary = £32,685

**ADDITIONAL OFFICER COMMENT**

**Infrastructure**

Policy GR19 of the Local Plan advises that the Local Planning Authority may impose conditions and/or seek to negotiate with developers to make adequate provision for any access or other infrastructure requirements and/or community facilities, the need for which arises directly as a consequence of that development. It is advised that such provision may include on site facilities, off site facilities or the payment of a commuted sum.

The Council's Education Officer has advised that:

*'...The local primary and secondary schools are cumulatively forecast to be oversubscribed therefore a contribution will be required for all of the pupils which the Service anticipates the development will generate.*

*Primary = £21,692*

*Secondary = £32,685.'*



As such, in order to adhere with the potential capacity on local schools, should the application be approved, it is recommended that a contribution of £54,377 be provided in order to aid these local schools in being able to deal with this increase.

This would be secured via a S106 Agreement.

As such, subject to the above being secured via legal agreement, it is considered that the development would adhere with Policy GR19 of the Local Plan.

### **Levy (CIL) Regulations**

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The development would result in a deficiency in the quantity of provision of public open space within the area. In order to offset this loss, a contribution towards of site enhancement and maintenance is required. This is considered to be necessary, fair and reasonable in relation to the development. The commuted sum sought is £6,842.20.

The development would also result in a deficiency in the quantity of provision of children's space within the area. In order to offset this loss, a contribution towards of site enhancement and maintenance is required. This is considered to be necessary, fair and reasonable in relation to the development. The commuted sum sought is £15,602.80.

The development would result in increased demand for primary and secondary school places as these local schools are cumulatively forecast to be over-subscribed. In order to increase capacity of the schools which would support the proposed development, a contribution towards primary and secondary school education is required. This is considered to be necessary, fair and reasonable in relation to the development. The total commuted sum sought is £54,377.

On this basis, the S106 recommendation is compliant with the CIL Regulations 2010.

### **Conclusions**

The additional consultation response does not alter the original conclusions. However, reference to the heads of terms at the base of the recommendation has been updated to reflect the comments received from Education. In

addition, the text at the base of the recommendation regarding the correct committee and lead officer has been corrected.

## **ERRATUM**

At the base of the committee report, there is an error as the Chairman of the Strategic Planning Board and Planning and Place Shaping Manager are referred to on 2 occasions. These should be replaced with Chairman of the Southern Planning Committee and Interim Planning and Place Shaping Manager.

## **AMENDED ECOMMENDATION**

## **REFUSE**

- 1. The proposed residential development is unsustainable because it is located within the Open Countryside, contrary to Policies PS8 and H6 of the Congleton Borough Adopted Local Plan First Review 2005 and the principles of the National Planning Policy Framework which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use. As such it and creates harm to interests of acknowledged importance. The Local Planning Authority can demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy Framework and consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.**

**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 Interim 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.**

**Should this application be the subject of an appeal, authority be delegated to the Interim Planning and Place Shaping Manager 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 Heads of Terms for a S106 Agreement.**

**Heads of terms;**

- 1. A commuted payment of £6,842.20 towards off-site Public Open Space enhancement and maintenance**
- 2. A commuted payment of £15,602.80 towards off-site Children's Play Space enhancement and maintenance**
- 3. A commuted payment of £21,692 towards local Primary School provision.**
- 4. A commuted payment of £32,685 towards local Secondary School provision.**
- 5. 30% Affordable Housing provision – All 4 units to be socially rented. Pepper-potted and tenure blind, provided no later than 50% occupation. Transferred to registered provider.**

**SOUTHERN PLANNING COMMITTEE –12<sup>TH</sup> FEBRUARY 2014**

**UPDATE TO AGENDA**

**APPLICATION NO.**

13/4968N

**LOCATION**

157 Crewe Road, Haslington.

**UPDATE PREPARED**

10<sup>th</sup> February 2014

**Erratum**

The report should have contained the paragraph below following the section on conditions.

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 Interim 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.

**Updated Highways Consultation Response:**

The footways on the northern part of Gutterscroft seem to have been removed and replaced by a grassed verge on the western side, and sections of verge with driveway crossovers on the eastern side.

Small sections of grassed verge between driveway crossovers (grass squares) are to be avoided in highways for adoption due to difficulty in maintenance. A footway should be provided on the eastern side of Gutterscroft in place of the verge/crossovers shown.

The above will need to be addressed during the s.38 process, if the road is to be adopted. However; subject to this, I have no further comment or objection in relation to the proposals.

**Response of Haslington Parish Council to the Report**

*Issues for the Meeting*  
*Introduction*

Haslington Parish Council have various concerns with the proposed development on what is substantially a greenfield site in the centre of the village of Haslington, in close proximity to existing established dwellings and the only parish owned community centre in the village.

Any approval needs to address the potential for conflict between the new dwellings and the existing users of the Gutterscroft and neighbours.

This site has had several planning approvals granted over recent years, the most recent in March 2012 for 11 houses. The planning approval process has involved many iterations of revised designs and imposition of planning conditions. This application is for a larger area of land than the last approval as it requires the demolition of 157 Crewe Road, but provides only 10 houses - i.e. a lower density of development over a larger area. Despite the lower density three of the proposed properties are crammed into the area that faces The Gutterscroft Road, resulting in a poor design and loss of amenity for existing residents and users of the Gutterscroft Community Centre. Access and parking for those properties should be provided from within the development - not directly from the existing Gutterscroft roadway, in a similar manner to the proposed properties that face Crewe Road, but are accessed from the estate road.

#### *Specific Issues Outstanding*

Whilst the principle of residential development on this greenfield site has been established in previous applications - that earlier permission included agreement to provide a resurfaced road upto the Gutterscroft Community Centre. Each time development is proposed on this site - existing residents and the community appear to lose out on facilities. The Parish Council is only able to support the development of this greenfield site if access to the Gutterscroft Community Centre is maintained - this currently benefits from parking along the whole length of the Gutterscroft road. The proposed development adds an estate road access point and three private driveways onto the Gutterscroft, removing the facility of Gutterscroft Centre users to park and turn as they have been able to in the past. The Officer report states that it is not considered reasonable to require the development to provide parking and turning facilities for Gutterscroft Centre users. The Parish Council holds that it is entirely reasonable to require parking and turning facilities to be provided, they are required because this development will take away the existing facility. Existing parking facilities will not be available as additional access points (private drives) will be added, that should not be obstructed by visitors. A single field gateway will be replaced with 3 private drives and an estate road junction. Without additional parking potential occupiers of plots 1,2 & 3 are very likely to have their driveways obstructed, limiting access to their properties. The design needs to be improved.

The Gutterscroft road needs to be brought up to adoption standard, with the replacement of the existing parish council lights conditioned into any planning permission - with future maintenance responsibility passing to Cheshire East Council. Does condition 14 External lighting address any of this concern?

The application does not clearly demonstrate how refuse lorries can access and turn within the development. Part of the improved Gutterscroft Road and the internal site road will be adopted - has it been demonstrated that the standard Cheshire East refuse wagon can access and turn on the proposed roadways.

As with the previous development proposals, any construction needs to take account of the existing users of The Gutterscroft, i.e. many cars delivering and collecting small children to the pre-school, and sessions of Brownies etc, children also use this route to school. A high priority needs to be given to minimising mud during the construction period, and keeping deliveries and construction traffic away from the existing road. Approval will require conditions restricting construction vehicles, to keep the Gutterscroft Road clear of parked construction vehicles at all times; a condition to require at least a base layer of roadway between Crewe Road and the Gutterscroft Centre before any foundations for houses are dug - i.e. provide appropriate access before any other construction. The timing of proposed Condition 13 is far too late. Also require a construction/method statement on how access and parking will be provided for existing residents and users of The Gutterscroft Centre as development progresses - this was requested for 11/3867N and condition 19 was provided "19. Prior to the commencement of development a method statement shall be submitted to and approved in writing by the Local Planning Authority, which outline the method of construction, details of deliveries to the site during construction, how and where materials will be unloaded and details of where contractor's vehicles will park. The development shall then be constructed in complete accordance with the method statement. Reason: In the interests of highway safety to minimise disruption to vehicular traffic/pedestrian routes and to protect the residential amenity of local residents. To comply with policy BE1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan 2011."

Need to restrict future development rights to protect the privacy of existing properties on The Dingle, Plot 6 needs to retain obscure glazing to the first windows on the Northwest elevation, and again with Plot 5 on the North elevation. This has not been addressed in the report - it is required to protect the amenity of existing residents and potential occupiers of two of the proposed properties. It is both necessary and proportional. A condition to install and retain obscure glazing in specific windows is required, similar to Condition 20 in the permission granted to application 11/3867N.

Issues addressed in the application or Officer Report

The replacement vehicle access to 153 Crewe Road needs to be clarified. The latest plan published on the planning website shows two parking places to the rear of 153 Crewe Road.

### **Officer Comment**

In the light of the Strategic Highways Manager's updated comments an additional condition should be added. Condition 13 should also be amended to include refuse collection areas within the curtilages of each property.

The request of the Parish Council for the addition of a condition requiring the submission of a construction method statement is considered to be reasonable and should also be added.

**Amended Recommendation**

**APPROVE subject to the following conditions:**

1. Standard time 3 years
2. Approved Plans
3. Hours of construction limited to 08:00 to 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays
4. Pile driving limited to 09:00 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays
5. Construction method statement
6. Materials to be submitted for approval
7. Landscaping details including boundary treatments to be submitted and approved
8. Implementation of landscaping
9. Prior to the commencement of development details of existing and proposed levels are to be provided.
10. Protection of birds during the breeding season
11. Incorporation of features to house roosting bats and breeding birds, including House Sparrows and Swifts.
12. Protection of retained trees and hedgerows
13. Completion of the widening of Gutterscroft and the surfacing of Gutterscroft and the new cul-de-sac including parking spaces and provision of 2m x 2m refuse collection areas within the curtilages of the dwellings, prior to first occupation of the dwellings
14. Submission of external lighting details
15. Submission of foul and surface water drainage details
16. Notwithstanding the details shown on the approved layout plan, a revised plan showing hard surfacing between the driveways of Plots 1, 2 and 3 and a footway on the eastern side of Gutterscroft shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plan.
17. Prior to the commencement of development a method statement shall be submitted to and approved in writing by the Local Planning Authority, which outline the method of construction, details of deliveries to the site during construction, how and where materials will be unloaded and details of where contractor's vehicles will park. The development shall then be constructed in complete accordance with the method statement.

**SOUTHERN PLANNING COMMITTEE –12<sup>TH</sup> FEBRUARY 2014**

**UPDATE TO AGENDA**

**APPLICATION NO.**

*13/5091N - Outline application for new sports hall, 3G and MUGA pitch*

**LOCATION**

*Reaseheath College, Main Road, Worleston, Nantwich. (13/5091N)*

**UPDATE PREPARED**

*10<sup>th</sup> February 2014*

**ERRATUM**

The site description on the committee report is incorrect and should read as:

Reaseheath College is located approximately two miles north of Nantwich town centre and is accessed off the A51 ring road. The application site is located on the periphery of the college campus in a prominent position adjacent to the Conservation Area. Located immediately to the north of application site is the main college campus. The application site is located primarily on an existing 9 hole golf course and incorporates a number of trees, with more significant specimens located around the periphery. The application site is located wholly within the open countryside.

**ADDITIONAL INFORMATION (Landscape)**

The applicant has submitted an amended plan showing the tree constraints in relation to the proposed pitches. The Councils Landscape Officer has been consulted and raises no object subject to the imposition of conditions including submission for a scheme of tree protection and the implementation of the tree protection measures.

**OFFICER RESPONSE**

It is considered that the proposed development will not have a significant detrimental impact on any protected species and a condition will be attached to the decision notice relating to breeding birds. Overall, the proposal is in accordance with Local Plan Policies and advice advocated within the NPPF



**SOUTHERN PLANNING COMMITTEE –12<sup>TH</sup> FEBRUARY 2014**

**UPDATE TO AGENDA**

**APPLICATION NO.**

13/5139C

**LOCATION**

*Land adjacent 9, Walthall Street, Crewe.*

**UPDATE PREPARED**

*10<sup>th</sup> February 2014*

**Erratum**

The report incorrectly refers to a Section 106 Agreement in the summary recommendation and in the final paragraph after the conditions. There is no requirement for a Section 106 Agreement with this application.

**Highways**

Should permission be granted, an informative relating the creation of the vehicular crossing should be included on the decision notice.

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