

Strategic Planning Board

Updates

Date: Wednesday, 17th September, 2014
Time: 10.30 am
Venue: The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

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

5. **13/4049N - Land to the West of Wrenbury Heath Bridge, Nantwich Road, Wrenbury: Development of marina with associated dredging to accommodate this development; Associated marina amenities including facilities building, boat workshop, car parking and hardstanding, and landscaping; and A new access road and farmer's entrance to the existing field, footbridge and associated footpaths (Pages 1 - 2)**

6. **14/1579N - Land North of Cholmondeley Road, Wrenbury Frith: 2.37 hectare 200 berth marina basin with pump out facilities, lighting and landscaping, fuel pump and storage, waste pump out; a new canal connection to the Llangollen canal with new tow-path bridge over canal connection; a main sewer connection; a facilities building to include the following incidental/ancillary uses; boat hire/time share and brokerage; management offices, toilets, showers and laundry block and cafe with retail space and public toilets; chemical effluent and household waste recycling facilities; and existing site access onto Cholmondeley Road to be upgraded to highways standard to serve a new internal road to car parking and services areas; diversion and enhancement of public footpath no. 3, wildflower meadow and bat/barn owl tower (Resubmission of 13/4286N) (Pages 3 - 4)**

Please contact Gaynor Hawthornthwaite on 01270 686467
E-Mail: gaynor.hawthornthwaite@cheshireeast.gov.uk with any apologies,
requests for further information or to arrange to speak at the meeting

7. **14/3371M - Land North of Chelford Road, Ollerton WA16 8SA: Change in use of land and the construction of a single-storey building to create a golf driving range with associated car parking and new access (Pages 5 - 6)**
8. **14/3389N - Land North of Parkers Road, Leighton, Crewe: Application to vary condition 4 to vary the approved house types of permission 11/1879N; hybrid planning application seeking residential development for up to 400 new dwellings with open space; comprising a full planning application for Phase A of 131 dwellings and Phase B which seeks outline planning permission for up to 269 dwellings with access and associated infrastructure. In respect of the outline element (Phase B), only access is sought for approval and all other matters are reserved for determination at a later date. (Pages 7 - 8)**
10. **14/0134C - Land South of Holmes Chapel Road, Congleton: Development of land for up to 70 dwellings and associated works (Pages 9 - 12)**

STRATEGIC PLANNING BOARD – 17 SEPTEMBER 2014

UPDATE TO AGENDA

APPLICATION NO: 13/4049N

**LOCATION LAND TO THE WEST OF WRENBURY HEATH
BRIDGE, NANTWICH ROAD, WRENBURY**

An email from the agent has been received relating to the reasons for refusal as set out in the report and in response to queries from officers.

OFFICER APPRAISAL

The agent has queried the reasons for refusal specifically relating to ecology and landscape impact. In respect of landscape impact, the landscape architect has expressed concerns as land levels would be raised not lowered and would have an adverse landscape visual impact in some locations and result in a poor relationship with the canal and there are conflicts between the Biodiversity Enhancement Plan and the Arboricultural Impact Assessment. Therefore there are outstanding landscape concerns. Therefore there is a professional difference of opinion between the agent and the Council's landscape architect on this issue.

Turning to ecology, there have been on going discussions between the Council's ecologist and the Applicants ecologist. The Council's ecologist has confirmed that Otter mitigation could be conditioned provided that the Habitat Regs are satisfied, however, one of the tests require that no reasonable alternative can be provided. An alternative in a more sustainable location is proposed above (14/1579N) and whilst there are issues in respect of flood risk and highway safety, there issues are not necessarily insurmountable to the extent that there is no reasonable prospect of these proposals coming forward in the future. In addition, the development has to be in the public interest. Given that it is an unsustainable location this development, it is difficult to argue that this development is in the public interest (hence the reason for refusal). Therefore the proposals do not satisfy the habitat regs. In addition, there is a conflict between the Ponds containing GCNs and the access road which is to date, unresolved.

The Officers Report references the impact upon hedgerows within the reason 3 for refusal. To clarify, a hedgerow assessment has been submitted however the Landscape Architect considers that as the hedgerows may be Important, the impact on Important Hedgerows has not been considered.

Recommendation remains for refusal but reasons clarifies as:

1. Unsustainable form of development
2. Adverse impact upon landscape character
3. Adverse impact upon protected species and habitats

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APPLICATION NO: 14/1579N

**LOCATION LAND NORTH OF, CHOLMONDELEY ROAD,
WRENBURY FRITH**

Officers notified of email from objector (Susan Lowe) to Councillors related to alleged burials of cattle infected with Foot and Mouth. Email correspondence submitted by the agent from DEFRA on this issue confirming that DEFRA are not aware of any burials and applicants are to contact DEFRA if any found.

Objection from G Philips raising the following new issues:

- information out of date/ misleading and inaccuracies in submission
- water seepage/ subsidence
- over-use would discourage boat use
- CRT not in support
- poor visibility
- not in accordance with hedgerow legislation
- canals at capacity
- where waste soil will go
- car parking below CRT recommendations
- detailed concerns regarding highways, nature conservation, demand, landscape and archaeology.

Highways – Insufficient information/ further clarification required within the Transport Assessment regarding the proposals. Without this information, recommend refusal.

Erratum – Committee Report refers to 60mph speed limit along Cholmondeley Road at the site and this should read 30mph.

OFFICER APPRAISAL

In response to concerns of residents regarding burials, DEFRA have no records of this. If remains are found, the agent would need to contact DEFRA to organise safe disposal. This is not strictly a planning issue, however an informative could be imposed relating to this issue in the event of approval.

The detailed comments from G Philips are noted. The letter raises a number of issues many of which have been addressed in the report. The comments in respect of heritage assets, archaeology, nature conservation and landscape impact are duly noted however these documents have been provided by suitably qualified and experience professionals and duly considered by the Council's own in-house heritage and design specialists. As the proposals are deemed to be acceptable by the Council's Conservation Officer, Archaeology Officer, Ecologist and Landscape Architect, the impacts of the proposals are not significantly adverse in respect of these issues. However the comments in respect of highway safety are noted, and the Council's highways engineer has not raised similar concerns regarding the information submitted. An email was sent to the applicants highways consultant, however a response has not been

received at the time of writing this update report. The comments related to subsidence would be a building control/ civil issue and lack of demand would not constitute a reason for refusal as there is no policy requirement to demonstrate a need for the proposals. In event of approval, the applicant would need contracts in place relating to soil removal prior to excavations. Officers are aware of inaccuracies etc and have determined whether or not this is relevant to the planning considerations within the officers report and in this update report.

Following on from detailed highways comments now received there is insufficient information to determine that the proposals would not have a significant adverse impact upon highway safety. This is supported by comments from residents and knowledge of officers regarding the levels of traffic movement within Wrenbury already and the impact of this upon highway safety. As such a major development could very well have a significant adverse impact, this would substantiate a reason for refusal on highways grounds.

The recommendation remains for REFUSAL BUT with an additional reason relating to Highway Safety as follows:

2. There is insufficient information within the submitted Transport Assessment and the submission to demonstrate that the traffic generated by this development during the construction period and post construction would not have a significant adverse impact upon highway safety in this location. The proposals would be contrary to policy BE3 within the Crewe and Nantwich Replacement Local Plan 2011, Policy CO4 within the emerging Local Plan and guidance within the NPPF.

STRATEGIC PLANNING BOARD – 17 SEPTEMBER 2014**UPDATE TO AGENDA**

APPLICATION NO: 14/3371M

LOCATION Land north of Chelford Road, Ollerton

UPDATE PREPARED 15 September

APPLICANT'S SUBMISSION

As requested, a Hedgerow Regulations (1997) Survey Report has been submitted in support of the application. This concludes that the roadside hedge that is to be partially removed as part of the proposal is not 'important' in accordance with the Hedgerow Regulations (1997) criteria.

CONSULTATIONS

Forestry: agree with the conclusions of the submitted Hedgerow Regulations (1997) Survey Report. No objections are therefore raised on forestry grounds to the removal of the section of hedgerow.

CONCLUSION

The original recommendation of APPROVAL subject to conditions and the prior completion of a S106 legal agreement remains as stated in the original report.

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STRATEGIC PLANNING BOARD – 17th SEPTEMBER 2014

APPLICATION NO: 14/3389N

PROPOSAL: Application to vary condition 4 to vary the approved house types of permission 11/1879N; hybrid planning application seeking residential development for up to 400 new dwellings with open space; comprising a full planning application for Phase A of 131 dwellings and Phase B which seeks outline planning permission for up to 269 dwellings with access and associated infrastructure. In respect of the outline element (Phase B), only access is sought for approval and all other matters are reserved for determination at a later date.

ADDRESS: Land North of Parkers Road, Leighton, Crewe

APPLICANT: Bloor Homes North West

Amended Plans

Since the publication of the officers report an amended layout plan has been received which includes the following minor amendments to the scheme:

- The garage to plot 56 has been increased in size
- Change in house type on plots 15, 25, 27 and 64.

Additional Consultation

Minshull Vernon and District Parish Council: The Parish Council has not submitted comments because, owing to an administrative error, it was not given the opportunity to make any observations on the planning application.

Officer Comment

The alterations to plots 15, 25 and 27 were requested by the case officer to provide dual frontage properties to certain corners at the request of the case officer. These changes improve the design of the scheme and are acceptable.

The alteration to the garage on plot 56 and the change in house type on plot 64 raise no amenity or design issues and are also acceptable.

RECOMMENDATION

No change to the officer recommendation

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STRATEGIC PLANNING BOARD – 17 SEPTEMBER 2014

UPDATE TO AGENDA

APPLICATION NO: 14/0134C

LOCATION Land South Of Holmes Chapel Road, Congleton

UPDATE PREPARED 15 SEPTEMBER 2014

CONSULTEE RESPONSE

NHS England have advised as follows -

The Planning Statement includes no details regarding the provision of healthcare.

Therefore and because there is no indication of house types with the application the usual standard adopted of 2.3 persons per home within NHSE response to the Local Plan and Infrastructure Delivery Plan will be used in these considerations. However it is likely that these will be family homes and families also place a higher than average demand on local health services creating further pressure on health service delivery.

Applying this ratio to the 70 homes proposed for at the site indicates 161 persons. The introduction of a further 161 patients in this locality (potentially in addition to the 8050 anticipated by the Cheshire East Council Local Plan Strategy) will have a very significant impact on the physical infrastructure necessary to provide health services to the local population. The premises already operate above capacity and additional premises infrastructure would be essential to deliver health services to these patients.

This capacity issue was recognised in the Congleton Town Plan Health Impact Assessment which stated that in relation to Primary Care/Community and Hospital Services 'the amount of development proposed is likely to increase the demand for these services, however, the document also identifies the need to increase provision if services in line with current/future need.'

The Appendix to this statement sets out the CIL and IDP formula as it applies to this application and demonstrates the health infrastructure impact of the sites is together an additional:

- 161 persons with high healthcare demands
- 0.09 GPs
- 27 sq. metres of health infrastructure
- Additional Health Infrastructure cost £68,000

Therefore the cost of the additional health infrastructure solely for the application site is estimated at:

Total £68,000

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.

With specific regard to the Health related contribution, it is considered that the information above demonstrates that the mitigation as required is necessary, fairly related to the scale of the development and in all respects compliant with the CIL Regulations

RECOMMENDATION

The recommendation is unchanged however the Heads Of Terms for the S106 are updated to reflect the NHS England requirements

Should this application be the subject of an appeal, authority be delegated to the Principal Planning Manager in consultation with the Chairman of the Strategic Planning Board, 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 to secure:-

- **Affordable housing:**
 - **30% of all dwellings to be affordable (65% social or affordable rented and 35% intermediate tenure)**
 - **A mix of 1, 2 , 3 bedroom and other sized properties to be determined at reserved matters**
 - **units to be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration.**
 - **constructed in accordance with the Homes and Communities Agency Design and Quality Standards (2007) and should achieve at least Level 3 of the Code for Sustainable Homes (2007).**

- no more than 50% of the open market dwellings are to be occupied unless all the affordable housing has been provided, with the exception that the percentage of open market dwellings that can be occupied can be increased to 80% if the affordable housing has a high degree of pepper-potting and the development is phased.
 - developer undertakes to provide the social or affordable rented units through a Registered Provider who are registered with the Homes and Communities Agency to provide social housing.
- Provision of minimum of 1680m² sqm and of shared recreational open space and children's play space to include a LEAP with 5 pieces of equipment
- Private residents management company to maintain all on-site open space, including footpaths and habitat creation area in perpetuity
- Commuted Sum (to be negotiated) towards improvement of the Waggon and Horses Junction and the improvements at Barn Road roundabout or other measures that will provide similar congestion relief benefits to the A34 corridor through Congleton – amount to be confirmed
- Commuted sum of £40000 to upgrade existing Puffin Crossing to Toucan Crossing
- Commuted Sum payment in lieu of health related provision in accordance with the NHS Health Delivery Plan for Congleton of £68,000

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