

Southern Planning Committee

Agenda

Date:	Wednesday, 2nd May, 2018
Time:	10.00 am
Venue:	Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ

Members of the public are requested to check the Council's website the week the Southern Planning Committee meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

It should be noted that Part 1 items of Cheshire East Council decision making and Overview and Scrutiny meetings are audio recorded and the recordings will be uploaded to the Council's website.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

To receive apologies for absence.

2. **Declarations of Interest/Pre Determination**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have pre-determined any item on the agenda.

3. **Minutes of Previous Meeting** (Pages 3 - 8)

To approve the minutes of the meeting held on 4 April 2018.

Please contact Julie Zientek on 01270 686466

E-Mail: julie.zientek@cheshireeast.gov.uk with any apologies or requests for further information
Speakingatplanning@cheshireeast.gov.uk to arrange to speak at the meeting

4. **Public Speaking**

A total period of 5 minutes is allocated for each of the planning applications for the following:

- Ward Councillors who are not members of the Planning Committee
- The relevant Town/Parish Council

A total period of 3 minutes is allocated for each of the planning applications for the following:

- Members who are not members of the planning committee and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **17/6487N Land To The Rear Of 46, Chestnut Avenue, Shavington, Cheshire CW2 5BJ: Reserved matters application for appearance, landscaping, layout and scale relating to 16/0015N - Outline application for the demolition of no. 46 Chestnut Avenue, Shavington and erection of 44 dwellings (including access) and associated works for Wainhomes (North West) Ltd (Pages 9 - 26)**

To consider the above planning application.

THERE ARE NO PART 2 ITEMS

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 4th April, 2018 at Council Chamber, Municipal Buildings,
Earle Street, Crewe CW1 2BJ

PRESENT

Councillor J Wray (Chairman)

Councillors Rhoda Bailey, E Brooks (for Cllr J Weatherill), P Butterill,
J Clowes, W S Davies, S Edgar, J Nicholas (for Cllr B Walmsley), J Rhodes
and B Roberts

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillor S Corcoran

OFFICERS PRESENT

Adrian Crowther (Major Applications Team Leader)
Daniel Evans (Principal Planning Officer)
Andrew Goligher (Principal Development Control Officer - Highways)
James Thomas (Senior Lawyer)
Julie Zientek (Democratic Services Officer)

Apologies

Councillors D Bebbington, A Kolker, J Weatherill and B Walmsley

93 DECLARATIONS OF INTEREST/PRE DETERMINATION

The following declarations were made in the interests of openness:

All Members of the Committee declared that they had received
correspondence with regard to application numbers 18/0319N and
17/2211N.

Councillor J Clowes declared that she had also received correspondence
with regard to application number 17/2114C.

Councillor P Butterill declared that she had also received correspondence
with regard to application numbers 17/5999C and 17/2114C.

Councillor J Wray declared that he had made up his mind with regard to
application number 17/2114C, which was in his Ward. He would vacate
the Chair, exercise his separate speaking rights as a Ward Councillor and
not take part in the debate or vote.

With regard to application number 17/5999C, Councillor R Bailey declared that she had visited the car wash prior to being aware of the planning application, but that she had kept an open mind.

Councillor J Clowes declared that she had made up her mind with regard to application number 17/2211N, which was in her Ward. She would exercise her separate speaking rights as a Ward Councillor and not take part in the debate or vote.

Councillor P Butterill declared that she had made up her mind with regard to application number 18/0319N, which was in her Ward. She would exercise her separate speaking rights as a Ward Councillor and not take part in the debate or vote.

94 **MINUTES OF PREVIOUS MEETING**

RESOLVED – That the minutes of the meeting held on 7 March 2018 be approved as a correct record and signed by the Chairman.

95 **18/0319N LAND BETWEEN TAYLOR DRIVE AND EDMUND WRIGHT WAY, NANTWICH: PROPOSED VEHICULAR AND PEDESTRIAN LINK CONNECTING TAYLOR DRIVE AND EDMUND WRIGHT WAY FOR MR CHRIS HINDLE, CHESHIRE EAST COUNCIL**

Note: Having exercised her separate speaking rights as a Ward Councillor, Councillor P Butterill withdrew from the meeting for the duration of the Committee's consideration of this item.

Note: Mr J Murray (objector), Mr K Hammersley (supporter) and Mr S Skates (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application, a written update and an oral report of the site inspection.

RESOLVED

(a) That, for the reasons set out in the report and the written update, the application be APPROVED subject to the following conditions:

1. Standard Time
2. Approved plans
3. Surfacing Materials
4. Landscaping – prior to first use
5. Landscaping implementation
6. Existing and Proposed levels
7. Construction management plan
8. Boundary Treatment
9. Breeding bird survey

Informative:

The applicant is requested to consider a weight limit for HGVs.

- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Planning (Regulation), in consultation with the Chairman (or in his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

96 **17/5999C 79, UNION STREET, SANDBACH, CHESHIRE CW11 4BG:
RETROSPECTIVE APPLICATION FOR CHANGE OF USE FROM
GARAGE SERVICES TO HAND CAR WASH AND VALETING FACILITY
FOR MR ARTAN KERTOLLI**

Note: The Principal Planning Officer read a representation from Councillor G Merry (Neighbouring Ward Councillor), who was unable to attend the meeting.

Note: Councillor S Corcoran (Ward Councillor), Town Councillor R Hovey (on behalf of Sandbach Town Council) and Ms S Chambers (objector) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application and an oral report of the site inspection.

RESOLVED

- (a) That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The impact of the business upon the surrounding sensitive occupants through traffic generation, on-street-parking and vehicles queuing on the highway would harm residential amenity through environmental disturbance/air quality contrary to Policies GR6 and GR7 of the Borough of Congleton Borough Local Plan First Review.

- (b) That, 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 Head of Planning (Regulation) be granted 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.

**97 18/0317C LAND NORTH OF HIND HEATH ROAD, SANDBACH:
OUTLINE PLANNING APPLICATION FOR UP TO 50 DWELLINGS,
NEW PLANTING & LANDSCAPING, CAR PARKING, VEHICULAR
ACCESS POINT AND ASSOCIATED ANCILLARY WORKS FOR
KODIAK LAND**

The Chairman reported that this application had been withdrawn from the agenda prior to the meeting.

**98 17/2114C THIMSWARRA FARM, DRAGONS LANE, MOSTON:
REMOVAL OF CONDITION 1 TO MAKE PERMISSION PERMANENT
AND NON PERSONAL AND VARIATION OF CONDITION 2 AND
CONDITION 5 TO INCREASE TO 3 PITCHES (TOTAL OF 7
CARAVANS) ON 15/5650C FOR MR P COSNETT**

Note: Councillor J Wray vacated the Chair and, in the absence of the Vice-Chairman, Committee members appointed Councillor J Clowes to chair the meeting for this item.

Note: Having exercised his separate speaking rights as a Ward Councillor, Councillor J Wray withdrew from the meeting for the duration of the Committee's consideration of this item.

Note: Parish Councillor A Holder (on behalf of Moston Parish Council), Mr A Roscoe (objector) and Mr P Brown (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED

- (a) That condition 1 be varied to extend the temporary permission but that the personal permission be retained, as follows:

The use hereby permitted shall be carried on only by the following: Mr & Mrs Pat Cosnett, Sylvia Smith, Mary Cosnett and Isaac Price, Patrick Cosnett (Junior) and spouse, and their respective resident dependents, and the use of the land as a residential caravan site shall be discontinued and the relevant part of the land, other than the approved stable block, septic tank and hardstanding, restored to its former condition on or before 13 February 2021, in accordance with a scheme of work submitted to and approved in writing by the local planning authority.

- (b) That conditions 2 and 5 be not varied.

- (c) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Planning (Regulation), in consultation with

the Chairman (or in his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

99 17/2211N WHITTAKERS GREEN FARM, PEWIT LANE, HUNSTERSON, CHESHIRE CW5 7PP: AGRICULTURAL BUILDING TO PROVIDE GRAIN STORE (RESUBMISSION OF 16/2930N) FOR MR F.H. RUSHTON

Note: Prior to consideration of this application, the meeting was adjourned for refreshments.

Note: Having exercised her separate speaking rights as a Ward Councillor, Councillor J Clowes withdrew from the meeting for the duration of the Committee's consideration of this item.

Note: Parish Councillor R Frodsham (on behalf of Doddington & District Parish Council), Mr C Knibbs (objector) and Mr E Roberts (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application and an oral report of the site inspection.

RESOLVED

- (a) That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:
1. Development retained as per approved plans
 2. Materials as per submitted plans
 3. Restrict building to the storage of grain only
 4. Landscaping scheme to be submitted and approved
 5. Building to be removed within 6 months of cessation of use
 6. Stack height no less than 10m above ground and positioned as per submitted drawing
 7. Control over biomass boiler fuel type, fuel delivery and storage, operation and maintenance.
 8. Boiler to be used for the drying of grain only
 9. No importation of grain to the site
 10. Deliveries via the access track only and not via Pewit Lane

Informative:

Fuel to be used in the biomass boiler must comply with the requirements of the Biomass Suppliers List Authorisation (BSL).

- (b) That, 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 Head of Planning (Regulation) be granted 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.

The meeting commenced at 10.00 am and concluded at 2.00 pm

Councillor J Wray (Chairman)

Application No: 17/6487N

Location: LAND TO THE REAR OF 46, CHESTNUT AVENUE, SHAVINGTON, CHESHIRE, CW2 5BJ

Proposal: Reserved matters application for appearance, landscaping, layout and scale relating to 16/0015N - Outline application for the demolition of no. 46 Chestnut Avenue, Shavington and erection of 44 dwellings (including access) and associated works

Applicant: Wainhomes (North West) Ltd

Expiry Date: 04-May-2018

SUMMARY

The principle of the proposed development has already been approved and is considered to be acceptable.

The development would provide affordable housing in accordance with the outline S106 Agreement. The mix of units within the open market housing on site is considered to be acceptable.

The Open Space provision on the development site is acceptable.

The development is considered to be of an acceptable design and would not have a detrimental impact upon residential amenity.

The highways impact was considered as part of the outline application and the internal road layout and parking provision is considered to be acceptable.

The ecological impacts, tree impacts and landscape impacts of the development have now been addressed through the submission of amended plans/information.

On this basis this Reserved Matters application is recommended for approval.

RECOMMENDATION

APPROVE subject to the imposition of planning conditions

PROPOSAL

This is a Reserved Matters application for the demolition of 46 Chestnut Avenue and the erection of 44 dwellings. Access was approved as part of the outline application 16/0015N. This application relates to the appearance, scale, layout and landscaping of the development.

The proposed development includes 30% affordable housing provision and an area of open space to the western boundary of the site with the existing watercourse.

The development would provide the following housing mix;

6 x one bed units

8 x two bed units

6 x three bed units

21 x four bed units

3 x five bed units

All of the proposed dwellings would be two stories in height apart from the Turner house type which is a bungalow (total of two units) and the Jenner and Wordsworth units which are two and a half stories in height (total of 11 units).

SITE DESCRIPTION

The site comprises 1.64ha of land located on the northern edge of Shavington. The site lies to the east of the Wainhomes development which was approved at appeal as part of two phases.

The site includes 46 Chestnut Avenue which is a modern two-storey detached dwelling set within a large curtilage. The main part of the site is currently in equine use and the eastern part of the site includes areas of hardstanding, two large stable buildings, a horse walker and a manege. To the west the land levels drop down to an existing tree lined watercourse. The western part of the site is undeveloped and the land is divided into a number of small paddocks used for the keeping of horses.

The site is bound by existing fencing and hedgerows, some of which contain trees. In addition, there are two hedgerows which project into the site.

Existing residential development lies to the south of the site fronting Chestnut Avenue. Northfield Place. The site is located within the Green Gap.

RELEVANT HISTORY

The application site

16/0015N - Outline application for the demolition of 46 Chestnut Avenue, Shavington and erection of 44 dwellings (including access) and associated works – Refused 5th August 2016 – Appeal Lodged – Appeal Allowed 3rd February 2017

7/11097 - Detached 4 bedroom house with garage – Approved 7th June 1984

7/10076 - One detached dwelling and garage – 7th June 1983

The adjacent site

15/4967N - Reserved Matters application seeking consent for appearance, landscaping, layout and scale following the approval of 14/3267N - Construction of up to 53 dwellings including details of access – Approved 9th March 2016

14/3267N - Construction of up to 53 dwellings including details of access (outline) – Refused 25th September 2014 – Appeal Lodged – Appeal Allowed 6th August 2015

14/1534N - Variation of condition 1 (plans) attached to planning application 13/1021N. Land off Rope Lane, Shavington, Crewe, Cheshire CW2 5DA Development proposed for the erection of up to 80 dwellings – Approved 20th May 2014

13/2299N - Approval of details of the appearance, landscaping, layout and scale as required by condition 1 attached to the outline planning permission 11/4549N – Refused 30th May 2013

13/1021N - Approval of details of the appearance, landscaping, layout and scale as required by condition 1 of 11/4549N attached to the outline planning permission – Appeal Against Non Determination – Appeal Allowed 22nd January 2014

11/4549N - Outline Planning Permission for Erection of Up to 80 Dwellings Including Details of Access Land – Refused 21st March 2012. Appeal Lodged. Appeal Allowed 28th November 2012

NATIONAL & LOCAL POLICY

Cheshire East Local Plan Strategy (CELP)

PG1 – Overall Development Strategy

PG2 – Settlement Hierarchy

PG5 – Strategic Green Gaps

PG6 – Open Countryside

PG7 - Spatial Distribution of Development

SC4 – Residential Mix

CO1 Sustainable Travel and Transport

CO4 – Travel Plans and Transport Assessments

SC5 – Affordable Homes

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

SE 1 - Design

SE 2 - Efficient Use of Land

SE 3 - Biodiversity and Geodiversity

SE 4 - The Landscape

SE 5 - Trees, Hedgerows and Woodland

SE 6 – Green Infrastructure

SE 8 – Renewable and Low Carbon Energy

SE 9 – Energy Efficient Development

SE12 – Pollution, Land Contamination and Land Instability

SE 13 - Flood Risk and Water Management

IN1 – Infrastructure

IN2 – Developer Contributions

Crewe and Nantwich Local Plan

The relevant Saved Policies are:

NE.4 (Green Gaps)

NE.5 (Nature Conservation and Habitats)

NE.9: (Protected Species)

NE.20 (Flood Prevention)

BE.1 (Amenity)

BE.3 (Access and Parking)

BE.4 (Drainage, Utilities and Resources)

RES.5 (Housing in the Open Countryside)

RT.3 (Provision of Recreational Open Space and Children's Playspace in New Housing Developments)

TRAN.3 (Pedestrians)

TRAN.5 (Cycling)

Shavington Neighbourhood Plan

In this case the Shavington Neighbourhood Plan is at Regulation 7 stage and no weight can be attached.

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.

50. Wide choice of quality homes

56-68. Requiring good design

Other Considerations

The EC Habitats Directive 1992

Conservation of Habitats & Species Regulations 2010

Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System

National Planning Practice Guidance

CONSULTATIONS

United Utilities: No comments received.

NHS England: No comments received.

Head of Strategic Infrastructure: No objection

Natural England: No comments to make.

Environment Agency: The proposed development will only meet the requirements of the National Planning Policy Framework if the development complies with the requirements of the FRA submitted as part of the outline application.

CEC Environmental Health: The suggested air quality and contaminated land conditions attached to the outline consent remain in place.

CEC Strategic Housing Manager: No objection.

CEC Flood Risk Manager: As stated in Environment Agency response all levels will need to be set as per agreed within Flood Risk Assessment (FRA). If the Environment Agency and United Utilities are happy with pumping station there is no objection in principle.

Informative is suggested.

CEC Public Open Space: The submitted site plan shows a LAP (which is designed for very young children to play and encourage social interaction and would include no play equipment). This should include signage and fencing. The outline application included potential connectivity to the adjacent Wainhomes development – this bridge connection is integral to local communities and POS and for the wider public benefit.

VIEWS OF THE PARISH COUNCIL

Shavington Parish Council: No objections but request the following conditions;

- That the access road to the site be built prior to commencement of the development
- That all large commercial vehicles be prohibited from parking on the road throughout the duration of the development;
- That a firm condition be imposed (as opposed to advisory) limiting hours of operation;

In addition to the conditions, that Parish Council has 'insisted that Planning Officers visit the site weekly to ensure that conditions are being met and that in the event of any breaches, the Parish Council be kept informed.'

Rope Parish Council: No comments received.

REPRESENTATIONS

Letters of objection have been received from 7 local households raising the following points:

Principal of development

- There affordable housing should be pepper-potted across the site and not clustered

Highways

- The proposed car park to the rear of Northfield Place will become a children's play area and this is not a safe area for children to play with reversing vehicles and refuse vehicles
- Chestnut Avenue is too narrow for any further vehicles to use it
- Chestnut Avenue suffers from pot holes on a regular basis
- Cars and buses regularly have to mount the grass verge
- The existing sites off Rope Lane have caused traffic problems along Chestnut Avenue
- Buses and construction vehicles struggle to pass on Chestnut Avenue
- The point of access at the top of the bank is not safe
- The proximity of the access will hamper the driveway at 42 Chestnut Avenue

- Parking vehicles will mean that the site lines cannot be achieved
- The four gated access points to the land owned by 42 Chestnut Avenue are not shown on the submitted plans
- The loss of the gateways will obstruct access to the land owned by 42 Chestnut Avenue

Green Issues

- There are discrepancies between the colour site plan and the submitted landscape plan

Infrastructure

- Increased risk of flooding of the adjacent gardens
- Lack of natural drainage on the site
- Insurance companies identify that the site is of a high flood risk
- The proposed development does not provide a play area

Amenity Issues

- On the outline plan there were 3 bungalows backing onto 14a Northfield Place. Now there are only 2 bungalows behind 19 & 19a Northfield Place. Behind 14a Northfield Place there are 13 affordable houses in the form of apartments and a car park.
- The Design and Access Statement has established that the development would have a 'close interface with the adjacent properties' at 14, 14a, 19 and 19a Northfield Place. There should be no distinction between any of these properties.
- Noise caused by loud music and children playing
- The bin store to the apartments will cause smells and attract flies and rats
- Bungalows should be provided to the boundary with 14 & 14a Northfield Place
- A 2m fence should be erected along the boundary to the properties which front Northfield Place
- Increased air pollution
- Increased dust pollution
- The Construction Phase Plan (Health and Safety) has not been provided
- Increased light pollution from vehicles using the car-park at the rear of Northfield Place
- The submitted plans do not show the position of the garden rooms to the adjacent dwellings and the serious loss of privacy
- The application does not include a lighting plan as required by condition 6 of the outline consent
- Overlooking and domination of the properties on Northfield Place
- A further bungalow should be provided on plot 25
- An alternative condition to condition 10 attached by the Inspector should be considered to prevent nuisance caused by reversing alarms on construction vehicles
- The position of the access will cause noise and light pollution to dwellings on Chestnut Avenue
- From the submitted drawings it is not clear what the proposed boundary treatments would be
- Due to the position of bedroom windows at 42 Chestnut Avenue clarification is sought on the proposed construction management plan

Other issues

- Increased risk of flooding will cause insurance issues for the adjacent properties
- It is assumed that no access is required via the rear of Northfield Place
- No consideration is given to the stabled horses on site
- The red line boundary encroaches onto the land owned by 14, 14a, 19, and 19a Northfield Place
- The POS area to the south-west corner of the site to the rear of 19a Northfield Place could be a security issue

A letter of support has been received from local household which raises the following points;

- Pleased to see that there of provision of single occupancy affordable housing in this area

A letter of general observation has been received from Cllr Edgar which raises the following points;

- I have been contacted and requested by a number of residents to raise concerns regarding this application
- The boundary hedge to the south. On the drawings the boundary looks to infringe into the gardens of the houses 19, 19a, 14 and 14a Northfield Place. It also looks like the hedge is to be removed to allow building very close to this boundary
- The tree indicated on plan ref WH/CAS/DSL/01 as being adjacent to the garden of 19a, is in fact in the garden of 19a
- Concerns from the residents above about the drainage ditch along this boundary and the fact that houses and parking spaces are to be built over or very close to it
- Concerns have been raised from other residents with regarding to Chestnut Avenue access. Chestnut Avenue is narrow and it is on a bus route, it is barely wide enough for 2 HGVs to pass each other. When building work commences it is requested that a condition be implemented that once the house is demolished and the access road is made that this area be used for parking to get vehicles off Chestnut Ave. HGVs at other building sites regularly arrive early, before work is allowed to commence. Parking on Chestnut Avenue and Vine Tree Ave will be very unsafe and destroy the grass verges
- A condition to stop HGV parking would be appreciated

A letter of general observation has been received from a P.C.S.O based at Crewe Police Station raising the following points;

- Many residents have approached me with concerns about the parking arrangements for LGVs.
- Their main issue is that both Vine tree avenue and Chestnut avenue would not tolerate the presence of a LGV being parked on them due to the large volume and type of traffic they receive.
- Their concerns have merit as already the bus service has difficulty with negotiating this route. Please can the utmost priority be given to ensure that there is sufficient off road parking for all works vehicles to minimise any obstruction to the highways.

APPRAISAL

Principle of Development

The principle of residential development and the point of access has already been accepted following the approval of the outline application 16/0015N which was allowed at appeal.

This application relates to the approval of the appearance, landscaping, layout and scale of the development.

Housing Mix

Policy SC4 of the submission version of the Local Plan requires that developments provide an appropriate mix of housing. In this case the development would provide the following mix;

6 x one bed units
8 x two bed units
6 x three bed units
21 x four bed units
3 x five bed units

All of the proposed dwellings would be two stories in height apart from the Turner house type which is a bungalow (total of two units) and the Jenner and Wordsworth units which are two and a half stories in height (total of 11 units). The proposed development would provide a sufficient mix and would comply with Policy SC4.

Affordable Housing

This is a proposed development of 44 dwellings and in order to meet the Council's Policy on Affordable Housing there is a requirement for 13 dwellings to be provided as affordable dwellings.

The SHMA 2013 shows the following demand in the sub area of Wybunbury and Shavington, per year until and including 2018; 8 x one bedroom, 20 x two bedroom, 7 x three bedroom and 12 x four bedroom dwellings for General Needs. The SHMA also shows a need per year for 1 x one bedroom and 7 x two bedroom dwellings for Older Persons, these can be via Flats, Cottage Style Flats and Bungalows.

The current number of those on the Cheshire Homechoice waiting list with Shavington as their first choice is 128. This can be broken down to 43 x one bedroom, 50 x two bedroom, 32 x three bedroom and 3 x four bedroom dwellings.

On this site a mix of 1, 2, 3 and 4 bedroom dwellings for General Needs and a provision for Older Person would be acceptable. Nine units should be provided as Affordable rent and four units as Intermediate tenure.

This is a proposed development of 44 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 13 dwellings to be provided as affordable dwellings. In this case the development would provide the following affordable housing mix;

6 x one bed units
6 x two bed units
1 x three bed units

9 units should be provided as Affordable rent and 4 units as Intermediate tenure. This is in line with the requirement to provide the units in the ratio of 65% Affordable rented and 35% Intermediate tenures set out in the justification for Policy SC5.

The proposed affordable units would take the form of two apartment blocks and one three-bed dwelling. Although the affordable dwellings would be located within one location it is considered to be appropriate for a development of this size and the location together would lend itself to the shared car-parking area to serve the apartment blocks. The affordable units would have the same materials and design features and would appear tenure blind.

The affordable housing provision on this development would be acceptable.

Public Rights of Way

There are no PROW located on the application site.

The plan provided as part of the outline application identified a number of potential links across the watercourse to the western boundary of the site towards the new development off Rope Lane. In relation to the suggested condition to provide these links the Inspector stated as follows;

'I have had regard to the suggested condition regarding pedestrian bridge links with the adjacent site. However, there is no evidence before me that the adjacent site is in the same ownership as the appellant. Therefore, it is not possible to condition such a requirement as it would require the need to carry out works on land not in the appellant's control'

The position has now changed since the outline application was approved in that Wainhomes are the developer on the land to the west off Rope Lane and are the applicants as part of this application. Both sides of the watercourse are in the control of Wainhomes.

The case officer has requested that a bridge is provided and the agent for the applicant has stated that *'there is no requirement for the bridge to be provided through the outline application and the appeal was approved on the basis that it would not be required'* it is then stated that the *'applicant is looking into this but this should not hold back determination of this application for the May committee'*.

As the ownership position has changed since the determination of the outline application it is considered that to improve pedestrian connectivity, the design and sustainability of the development and links between the two new developments (with play provision on the opposite side of the watercourse) that the provision of a bridge link can be secured via a planning condition as part of this application.

Public Open Space

The proposed development would provide 2,568sqm on POS and this would comply with local plan policy.

In this case there is no play provision required as it was anticipated that connections could be secured to the play area being provided on the adjacent Wainhomes development (as discussed in the PROW section above). This will be secured via a planning condition and a condition will be attached to secure the provision of the Local Area for Play (LAP) which would serve very small children and would not include any play equipment.

Education

The impact upon education provision was determined at the outline stage and the S106 Agreement secures a contribution of £45,500 towards Special Education Needs.

Location of the site

The location of the site was considered as part of the outline stage and the Inspector stated that *'the appeal site is well located, being within reasonable walking distance of local services and facilities'*.

Residential Amenity

In terms of the surrounding residential properties, these are located to the south of the site fronting Chestnut Avenue and Northfield Place.

The properties fronting Chestnut Avenue have long rear gardens with a separation distance of 39m between the side elevation of plot 1 and the rear elevation of 48 Chestnut Avenue (the closest relationship). This impact is considered to be acceptable.

To the south west of the site the bungalows which front Northfield Place are set at a lower level to the application site and three of which have conservatory extensions at the rear.

The proposed dwellings on plots 23 and 24 would be a pair of bungalows and would have a separation distance of 16.6m between the front corner and rear elevation of 19a Northfield Place (excluding the conservatory) and 15.7m between the same front corner and rear elevation of No 19 Northfield Place (excluding the conservatory). Given the angle of the proposed dwellings to the existing properties and the single storey nature of the proposal it is considered that the impact is acceptable.

Number 14 Northfield Place would have a separation distance of 39m to the rear elevation of the apartments at plots 13-18 which is considered to be acceptable.

The rear elevation of number 14a Northfield Place (excluding the conservatory) would have a separation distance of 20m to the rear corner of the apartments at plots 13-18. Given the separation distance involved, the orientation of the proposed dwellings, and that a blank non-principle elevation faces the site it is considered that the impact upon residential amenity would be acceptable.

The boundary treatment along this boundary is relatively low and it considered that the rear car-park may cause amenity issues from car-lights shining towards the rear of these properties. It is considered that this impact could be controlled via a planning condition.

Impact caused by Construction Activities

This issue of the construction of the development was considered at the outline stage and the Inspector attached a condition in relation to the submission of a Construction Management Plan before works commence (condition 10).

Air Quality

The issue of the impact upon air quality was considered at the outline stage and the following conditions have been imposed to mitigate the impact upon air quality; 10 (Construction Management Plan – including dust emissions during the construction phase), 11 (Travel Plan) and 12 (Electric Vehicle Charging Points).

Contaminated Land

The issue of contaminated was considered at the outline stage and three conditions were imposed in relation to contaminated land (conditions 13-17).

Light Pollution

The impact from external lighting is covered by condition 6 attached to the outline consent and details will be submitted prior to the commencement of development.

The potential light pollution caused by vehicles using the shared car parks serving the apartments is discussed in the boundary treatment section above.

Highways

A number of the letters of objection refer to the highway safety and the highways impact upon Chestnut Avenue and the wider network. In this case the access and the impact upon the wider highway network were considered as part of the outline application. In relation to this issue the Inspector found as follows;

'I have also had regard to other matters raised by interested parties including the effect on highway safety; the effect on the living conditions of the neighbouring occupants; the amount of new development on the edge of Shavington; potential flooding; damage to wildlife; and, additional pressure on education and health facilities. However, I find that these matters, in addition to harm to the visual character of the landscape and the Green Gap, do not, individually or cumulatively, significantly and demonstrably outweigh the benefits of the proposal'

The proposed carriageway layout is to adoptable standards and the footway provision is acceptable for the size of development. Parking provision is to Cheshire East standards.

Comments have been submitted regarding construction of the development; details of this were conditioned with the outline permission (condition 10).

Trees/Hedgerows

The proposed layout raises no significant arboricultural implications. Condition 18 of the Inspectors decision required the submission of a Tree Protection Scheme in accordance with BS5837:2012 and Method Statement to include supervision and monitoring of the tree protection scheme and tree works specification.

A Tree Protection scheme/ Arboricultural Method Statement has been submitted (18/0656D) to discharge Condition 18 of 16/0015N. The submitted Arboricultural Impact Assessment/Method Statement (TBA Ref MG/5528/AIA&AMS/DEC17) and Tree Protection Plan (TBA Drawing 5528.02) under 18/0656D effectively discharges condition 18.

Design

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

This is supported by the Cheshire East Design Guide SPD and Policy SE1 of the CELPS.

Outline approval (Number of Dwellings/Density)

The issue of the number of dwellings and the density of the proposed development was considered at the outline stage.

Connections

Does the scheme integrate into its surroundings by reinforcing existing connections and creating new ones; whilst also respecting existing buildings and land uses along the boundaries of the development site?

The main vehicular access is via Chestnut Avenue to the south-east. The proposed dwellings would face the POS and the watercourse and offer good natural surveillance.

The connection across the watercourse to the Wainhomes development off Rope lane will be secured via a planning condition as discussed above.

To the north of the site is open countryside and Green Gap and the proposed layout shows that the proposed dwellings would have a positive outlook with the dwellings on plots 29, 35, 36, 37 and 38 all facing with front elevations overlooking the open countryside/Green Gap.

Facilities and services

Does the development provide (or is it close to) community facilities, such as shops, schools, workplaces, parks, play areas, pubs or cafes?

Shavington is a local service centre and as such provides a range of services and facilities to meet the needs of local people including those living in nearby settlements. This issue was considered as part of the outline application.

Public transport

Does the scheme have good access to public transport to help reduce car dependency?

This issue was considered at the outline stage and as stated above Shavington is a Local Service Centre.

Meeting local housing requirements

Does the development have a mix of housing types and tenures that suit local requirements?

As discussed above the development would provide the following mix;

6 x one bed units

9 x two bed units

4 x three bed units

22 x four bed units
3 x five bed units

All of the proposed dwellings would be two stories in height apart from the Turner house type which is a bungalow (total of two units) and the Jenner and Wordsworth units which are two and a half stories in height (total of 11 units).

Given the scale of the development the housing mix is considered to be acceptable.

Character

Does the scheme create a place with a locally inspired or otherwise distinctive character?

Shavington is located within the Salt & Engineering Towns area (although it is not an identified example settlement) and the design cues for this are include the following;

- A wide variety of building styles reflecting different periods in the growth of the towns.
- A predominance of red brick terraces and villas.
- Two-storey properties with steep roofed gables onto the street.
- Boundary walls often constructed from same material as main property.
- Subtle variation in detailing or colour palette creates variation between properties within long terraces.
- Properties often set to back of pavement providing strong enclosure to street.
- Brick of various shades and textures is the main building material.
- All eras of architecture are found within the settlement character area
- Existing landscape features should be retained on site to preserve the landscape character.

There is a variation of house-types adjoin the site. There appears to be an even mix between single-storey units in the area (along Chestnut Avenue and Northfield Place) and two-storey units (along Chestnut Avenue and the consented development off Rope Lane to the west). The age of the surrounding dwellings also varies with larger period properties mixed with newer development.

The surrounding dwellings have a mix of pitched and hipped roofs with a mix of materials (red brick and render and blue and red tiled roofs). The dwellings in the locality of the site include a number of design features such as projecting gables (some with timber infill details and some in brick), bay windows (single and two-storey), window header and sill details (stone and brick, arched and flat-topped), brick banding (decorative red brick), brick quoins, ridge tile detailing, and chimneys. The materials in the locality are a mix of red brick and render and tiled roofs (a mix blue and red).

The proposed dwellings would vary from bungalows to two and a half storey units and would have a gabled roof design although the bungalows would be hipped. The roof heights vary across the development which would add some interest. The height variation from bungalows to two stories is consistent with the wider locality in this part of Shavington and is considered to be acceptable. Although there are no noticeable two and a half storey units visible in the locality the provision of such units is considered to be acceptable and would not detract from the character and appearance of the area.

Largely it is considered that the proposed development respects this character of the area. Many of the design cues within this location are incorporated into the development with features such as projecting gables, dormers, ridge tiles, window header and sill details, brick banding, porch detailing, and brick quoins.

The application includes a schedule of proposed materials which are considered to be acceptable in this location.

The boundary treatment for prominent side boundaries would include a brick wall with timber infill panels.. The proposed boundary treatments are considered to be acceptable.

Working with the site and its context

Does the scheme take advantage of existing topography, landscape features (including watercourses), wildlife habitats, existing buildings, site orientation and microclimates?

The site is proposed development would be set back from the watercourse to the western boundary with the provision of open space which would be well overlooked. This is a positive aspect of the scheme.

No details of the proposed levels as part of this development. These details have been requested and an update will be provided in relation to this issue.

To the north of the site is open countryside and Green Gap and the proposed layout shows that the proposed dwellings would have a positive outlook with the dwellings on plots 29, 35, 36, 37 and 38 all facing with front elevations overlooking the open countryside/Green Gap.

Creating well defined streets and spaces

Are buildings designed and positioned with landscaping to define and enhance streets and spaces and are buildings designed to turn street corners well?

The proposed development includes a central access route with a small cul-de-sac to the north serving plots 34-39, private drives serving plots 23-32 and a parking courtyard serving plots 7-18. The majority of the open space would be to the west of the site adjacent to the watercourse.

The proposed dwellings would be sited to ensure that they overlook the proposed highway network and the open space to the west. The development would use corner-turning units on the all of the corner plots.

Internally within the site the proposed development would be include a mix of car-parking solutions. The amount of car-parking to the front of the proposed dwellings would be limited with the majority provided to the side/rear of the dwellings. There would also be parking in the form of rear courtyards to certain plots.

In terms of the landscaping within the development this is discussed elsewhere within the report.

Easy to find your way around

Is the scheme designed to make it easy to find your way around?

The site is well connected internally and it would be easy to navigate throughout the development.

Streets for all

Are streets designed in a way that encourage low vehicle speeds and allow them to function as social spaces?

It is considered that the proposed highways design is appropriate and on the whole avoids large straight stretches which would encourage speeding. The surfacing materials would be controlled via the use of a planning condition to ensure that the details comply with the Design Guide.

Car parking

Is resident and visitor parking sufficient and well integrated so that it does not dominate the street?

Internally within the site the proposed development would include a mix of car-parking solutions. The amount of car-parking to the front of the proposed dwellings would be limited with the majority provided to the side/rear of the dwellings. There would also be parking in the form of rear courtyards to certain plots.

Public and private spaces

Will public and private spaces be clearly defined and designed to be attractive, well managed and safe?

The open space within the site and this would be well-overlooked. It is considered that the development would create an attractive and safe area of public open space.

External storage and amenity space

Is there adequate external storage space for bins and recycling as well as vehicles and cycles?

The submitted plan shows that all units on the proposed development would have private amenity space with rear access. Together with the proposed garaging there would be adequate space for future occupiers to store their bins/cycles.

The proposed apartment buildings would have a shared refuse store and cycle store.

Design Conclusion

On the basis of the above assessment it is considered that the proposed development represents an acceptable design solution.

Landscape

The impact upon the wider landscape was considered as part of the outline application and the Inspector stated that the development;

'would result in moderate harm to the visual character of the landscape of the appeal site and the wider area'

However this harm was outweighed by the benefits of the scheme and the appeal was allowed.

This application does include a detailed landscaping scheme and the Councils Landscape Architect has stated that the landscape proposals are acceptable.

Ecology

Bats

The impact upon bats is subject to condition 23 attached to the outline consent and the details for this condition have now been approved following the approval of application 17/6412D.

Other Protected Species

Some activity was noted on the site during the 2015 survey. An update survey for other protected species will be required for other protected species. Survey work, should be carried out by suitably qualified and experienced surveyors, using appropriate methodology, at optimal times of year. If any setts or evidence of activity is found within the vicinity of the site, a conservation and mitigation scheme shall be submitted.

Flood Risk

A narrow strip of the application site is located within Flood Zones 2 and 3 along the boundary with Swill Brook with the majority of the site located within Flood Zone 1.

In this case the outline application includes the conditions in relation to flood risk and drainage; condition 7 (surface water drainage) and condition 8 (development in compliance with the submitted FRA).

The comments regarding the insurance and potential flooding at properties at Northfield Place is noted. However these properties are located within the flood zone and the conditions attached to the outline condition require the submission of details to limit surface water drainage and this would ensure that the adjacent properties are protected from surface water run-off.

As part of their consultation response the Environment Agency have stated that the development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) and that the *'finished floor levels of proposed houses are to be set no lower than 50.02 mAOD at the north-west corner of the site, and 50.98 mAOD at the south-west corner of the site'*.

Limited levels information has been provided at this stage and this information has been requested. An update will be provided in relation to this issue.

The Councils Flood Risk Manager and the Environment Agency have all been consulted as part of this application and have raised no objection to the proposed development subject to the imposition of planning conditions (United Utilities have not offered any comments). As a result, the development is considered to be acceptable in terms of its flood risk/drainage implications.

PLANNING BALANCE

The principle of the proposed development has already been approved and is considered to be acceptable.

The development would provide affordable housing in accordance with the outline S106 Agreement. The mix of units within the open market housing on site is considered to be acceptable.

The Open Space provision on the development site is acceptable.

The development is considered to be of an acceptable design and would not have a detrimental impact upon residential amenity.

The highways impact was considered as part of the outline application and the internal road layout and parking provision is considered to be acceptable.

The ecological impacts, tree impacts and landscape impacts of the development have now been addressed through the submission of amended plans/information.

On this basis this Reserved Matters application is recommended for approval, **SUBJECT TO** the receipt of satisfactory information in respect of land levels that meet the requirements of the flood risk assessment and are acceptable in design terms prior to the determination of the application.

RECOMMENDATION:

APPROVE subject to the following conditions:

- 1. Approved Plans**
- 2. Updated Survey for other protected species**
- 3. Implementation of the approved landscaping**
- 4. Prior to first occupation details of boundary treatment to be submitted an approved including boundary treatment to the rear of the existing dwellings at 14, 14a, 19 and 19a Northfield Place**
- 5. Prior to the first occupation of the development details of a bridge and pedestrian/cycle links across the watercourse to the development site to the west shall be submitted and approved. The approved details shall be implemented prior to the occupation of more than 50% of the dwellings on the development.**
- 6. Prior to the first occupation of the development details of a LAP within the POS shall be submitted and approved. The approved details shall be implemented prior to the occupation of more than 50% of the dwellings on the development.**
- 7. Prior to the use of any surfacing materials details are to be submitted to the LPA for approval in writing. The development shall only proceed in accordance with the approved details**
- 8. Materials as application**

In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice

