

## **SOUTHERN PLANNING COMMITTEE – 25<sup>th</sup> February 2015**

**APPLICATION NO:** 14/5837N

**PROPOSAL:** Variation of Condition 2 (Plans) on Application 13/3762N  
- Construction of 21 two-storey residential dwellings, new shared access and associated works (Resubmission 13/0641N)

**ADDRESS:** Land to the North of Cheerbrook Road, Willaston, Nantwich, Cheshire

**APPLICANT:** Wainhomes (North West Ltd)

### **REPRESENTATIONS**

A further 9 local households have made representations raising the following points:

- Increased traffic
- Overlooking
- The site should be returned to agricultural use
- The dwellings will be closer to residential properties
- Impact upon the drain which crosses the site
- The visibility splays at the access point are not accurate
- A decision should not be made on this application until the application for 120 dwellings to the rear of the site has been determined
- Impact upon local primary schools
- Impact upon medical infrastructure
- Encroachment into the Green Gap
- Increased noise, light and air pollution
- Cheerbrook Road is a rat run
- The footpath along Cheerbrook Road is too narrow
- Speeding problems along Cheerbrook Road
- Increased flooding
- Loss of wildlife habitat
- Impact upon protected species
- The changes would assist the application for 120 dwellings to the rear of the site
- The changes in house types would provide 6 additional bedrooms
- Parking problems with Willaston
- Impact upon drainage infrastructure
- This is a Trojan horse for the bigger development at the rear
- Approving this development will allow access to the rear of the site
- The 2.5 storey dwelling type should not be allowed
- The dwellings are now closer to the existing dwellings which front Cheerbrook Road
- Plot 2 is not positioned at a 45 degree angle and will cause overlooking

An e-mail has been received from Cllr Silvester to state that he agrees with the objections made by a local resident Mr Royle. The points raised are:

- The changes to the layout will have a greater impact upon residential amenity
- The dwelling on plot 21 is closer to the dwellings at 26 and 26a Cheerbrook Road
- Why should residents accept minimum separation standards?
- Plot 2 would overlook the rear garden of 26 and 26a Cheerbrook Road

## **APPRAISAL**

The majority of the points of objection raised above relate to the principle of the development which has already been accepted. It should be noted that this application relates to changes to the approved house types only.

In relation to the objection from Mr Royle (26 Cheerbrook Road) and referred to by Cllr Silvester it is accepted that the dwelling at plot 21 would be closer to the boundary than the approved scheme. However the separation distance would be 33m to the rear elevation of 26a Cheerbrook Road and 36 metres to the rear elevation of 26 Cheerbrook Road. This exceeds the required separation distance between a principle and non-principle elevation as set out within the Councils SPD on Extensions and Householder Development which requires a separation distance of 13.5 metres. An additional condition will be included within the recommendation to ensure that the en-suite bathroom windows to the side elevation are fitted with obscure glazing.

In terms of the proposed dwelling on plot 2 this has been orientated from the original approved application. The dwelling on plot 2 would have a separation distance of 17 metres to the nearest point of the rear garden 26a Cheerbrook Road with a garage sited in this part of the rear garden of 26a Cheerbrook Road. This separation distance is considered to be acceptable and is greater than the rear garden depths for the proposed dwellings on plots 15-19 which back onto Cheerbrook Road.

## **RECOMMENDATION**

**That the application be approved subject to completion of Section 106 Deed of Variation securing the same obligations as 13/3762N:**

- 1. A commuted payment of £9,000 towards habitat creation within the Meres and Mosses Natural Improvement Area to the south of Nantwich**
- 2. A commuted payment of £40,999 towards secondary school education**
- 3. A commuted payment of £20,000 towards cycleways, footways, street lighting and bus shelters**
- 4. A commuted payment of £18,000 should be made towards providing a skate park facility on the Parish Council owned open space on Wybunbury Road, Willaston**
- 5. 30% affordable housing – 65% to be provided as social rent/affordable rent (4 units) with 35% intermediate tenure (2 units).**

**Approve subject to the following conditions;**

- 1. Standard time limit 3 years from the date of the original permission**
- 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 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays**
- 5. Piling Method Statement**
- 6. External lighting as per plan reference SL/0214/09/001/-**
- 7. Development shall take place in accordance with the approved scheme to minimise dust emissions arising from construction activities on the site**
- 8. Works should commence outside the bird breeding season**
- 9. Materials to be in accordance with the submitted details**
- 10. Landscaping scheme to be implemented**
- 11. Remove Permitted Development Rights for certain plots**
- 12. Boundary Treatment details to be implemented**
- 13. Tree and hedgerow retention**
- 14. Tree Protection to be implemented**
- 15. The parking spaces to be provided on the approved plan should be provided**
- 16. Visibility splays of 2.4 metres by 60 metres to be provided before development commences and thereafter be retained.**
- 17. Windows to the south-east facing elevation of plot 1 to be obscure glazed. Remove PD for additional windows to the side elevation of Plot 1.**
- 18. No development within 3 metres either side of the centre line of the sewer which crosses the site**
- 19. 10 metre easement strip for the 24" Concrete Trunk Water Main**
- 20. Windows to the south facing elevation of plot 21 to be obscure glazed. Remove PD for additional windows to the side elevation of Plot 21.**

**In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Strategic & Economic Planning, in consultation with the Chair (or in her absence the Vice Chair) 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.**