

SOUTHERN PLANNING COMMITTEE – 1st FEBRUARY 2017

UPDATE TO AGENDA

APPLICATION NO.

16/2732N

LOCATION

GREENBANK COTTAGE, WELSHMANS LANE, HENHULL, NANTWICH, CHESHIRE, CW5 6AB

UPDATE PREPARED

CLARIFICATION

- Further details

Members on the site visit requested confirmation if the amended house types will have the same plot coverage/density as those previously approved.

This has been demonstrated in the presentation with the approved and proposed layouts shown side by side which shows that the properties would take a similar location on the site with some minor changes to the location of the plots to the east.

CONSULTATIONS

- Education

Confirmation has been sought from the Councils Education Department to consider if the contribution amount has changed since the previous approval back in 2015. The comments will be reported at the committee.

- Highways

Comments received from the Councils Highways Team advised they would have no objection subject to condition for footway works. This was not included in the original list of conditions and has now been added.

No change to initial recommendation.

RECOMMENDATION

Approve subject to the conditions listed below and the completion of a s106 Agreement for a contribution of £32,536.00 to primary and the provision of 30% affordable housing.

1. Commencement of development
2. Approved plans
3. Details of materials to be submitted
4. Retention of trees identified for retention within the site
5. Submission of tree protection measures
6. Restriction on hours of piling to 9am to 5.30pm Monday to Friday, 9am to 1pm Saturday and no working on Sundays or public holidays.
7. Provision of one electric vehicle charging point for each dwelling
8. Submission of details of foul and surface water drainage
9. Submission of details of hard and soft landscaping
10. Implementation of landscaping scheme
11. Protection for breeding birds
12. Incorporation of features for breeding birds
13. Submission of details of external lighting
14. No works to be undertaken to Tree T1, located within the garden of Plot 1 without written agreement of the LPA
15. Updated Badger survey to be submitted prior to commencement of development
16. Submission and implementation of footway works

Informatives:

I. The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2012 and the current Building Control Regulations with regards to contaminated land. If any unforeseen contamination is encountered during the development, the Local Planning Authority (LPA) should be informed immediately. Any investigation / remedial / protective works carried out in relation to this application shall be carried out to agreed timescales and approved by the LPA in writing. Furthermore, any soil or soil forming materials to be brought to site for use in garden areas or soft landscaping should be tested for contamination and suitability for use prior to importation to site. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

II. The applicant will be required to enter into a Section 38 Agreement regarding the construction and future adoption of the internal road layout.

III. The applicant will be required to enter into section 278 agreement for the proposed footway works.

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) 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 Head of Planning (Regulation) 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 following Heads of Terms for a S106 Agreement:

1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:

- The numbers, type, tenure and location on the site of the affordable housing provision**
- The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing**
- The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved**
- The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and**
- The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.**

2. Primary School Education Contribution of £32,536.00