

Application No: 12/4150C

Location: LAND SOUTH OF HALL DRIVE, ALSAGER

Proposal: Erection of up to 150 dwellings with associated infrastructure (outline)

Applicant: RENEW LAND DEVELOPMENTS LTD

Expiry Date: 30-Jan-2013

Update Report 11th March 2013

ADDENDUM

The Affordable Housing Section of the report is missing a number of figures to reflect the change in the number of units to 109 which were awaited at the time of report preparation. The Housing Officer has now confirmed that he would require 33 affordable units broken down to 21 rented units and 12 intermediate.

In respect of Public Open Space within the site, the report states that for 109 dwellings the amenity greenspace requirement would be 2616m² (109 x 2.4 x10). At the time of report preparation scaled versions of the indicative site layout were awaited and therefore a figure for the amount of open space that could be achieved within the site was not available. However, this has now been supplied and, as a result of the change to the layout to accommodate the HSE requirements over 11,000 m² of public open space could be achieved within the site. Therefore the local plan requirements in terms of amenity greenspace can be met within the site.

Similarly the education contribution has been recalculated based on the reduced number of dwellings and equates to $19 \times 11919 \times 0.91 = \text{£}206,080$.

CONSULTATION RESPONSES

Highways

Proposal

This is outline planning application for up to 150 residential units on land to the south of Hall Drive, Alsager. The site is located approximately 1km east of the town centre and is bound to the north by existing residential development and open land to the west and east, to the south it bounded by the Crewe to Derby railway line.

Site Assessment

Hall Drive forms junction with the B5077 Crewe Road and provides access to a number of residential roads and varies in width between 5m – 6.5m along its length, it also has two footways each side of the road. The proposed access to the site is taken from the end of Hall Drive, there is an private access close to the end of Hall Drive that provided access to a small number of residential properties and also a fishing lake.

The site access is indicated as 5.5m wide and 2m footways on both sides of the access road, it is also proposed to close the single track access and provide a new access through the site to the north of the railway bridge.

The traffic impact of the development has been considered by the applicant in this Transport Assessment, and the applicant has undertaken a number of assessments on the local highway network specifically at junctions, these are as follows:

- Sandbach Road North/Crewe Road
- Hassall Road/Chancery Lane/Crewe Road
- Radway Green/Crewe Road
- Hall Drive / Crewe Road
- Old Mill Road / The Hill Junction

Trip Generation

All assessments are undertaken when the background flows are at their highest and these are normally in the morning and evening peak hours. The likely traffic generated by the development has been determined by using the Trics database using average trip rates, the following tables indicate the trip rates and generation from a 150 unit scheme.

Mode	AM Peak Hour		PM Peak Hour	
	Arrivals	Departures	Arrivals	Departures
Vehicles	0.164	0.424	0.391	0.241
Pedestrians	0.052	0.186	0.081	0.056
Public Transport	0.011	0.030	0.016	0.004
Cyclists	0.007	0.026	0.017	0.014

Mode	AM Peak Hour		PM Peak Hour	
	Arrivals	Departures	Arrivals	Departures
Vehicles	25	64	59	36
Pedestrians	8	28	12	8
Public Transport	2	5	2	1
Cyclists	1	4	3	2

These trips have been checked and are considered acceptable as the amount of development traffic that the site will generate. Peak hour assessments have been undertaken as these have been identified as 08.00 – 09.00 and 16.45 – 17.45 hrs.

The capacity assessment in the transport assessment have been based upon a opening year of 2014, quite clearly the development would not be completed by 2014, assuming build rate of 30 units per year this would be 2018 and a future year

assessment would be 2023. The traffic growth factors would also need to be adjusted to 2018 -2023, these would be then added to the base flows.

At the time the TA was submitted there was only one committed development that being the 65 dwelling off Crewe Road. The applicant has also included for the traffic from Twyford's site and the MMU site in the capacity tests undertaken.

Capacity Assessments

The assessment of capacity has been undertaken using computer software using Picady for the priority junctions and Linsig for the signal junction. The applicant states that the impact from the scheme has been tested in detail at all the junctions listed in the Transport Assessment and concludes that the junctions have practical reserve capacity or they will not receive a material impact from the development. This is not correct in my view, the junction at Hassall Road /Crewe Road is over capacity without development and will be made worse by the development, although the development impact only results in a slight increase in queue lengths.

With regard to the existing signal crossroad junction of Sandbach Road / B5077 Crewe Road the assessment predicts that the junction will operate within capacity in 2019 with development added. This junction has been assessed by a number of other applicants for other sites and their respective consultants who have used very similar opening and future year assessments, they have concluded that the junction does have capacity problems. Assessing the input data for the Linsig model submitted with this application the main issue is in the PM model where the pedestrian is called every other cycle. As this junction is in town centre, it should be modelled with a pedestrian stage every cycle as modelled by other Transport Assessments and if this was undertaken it would show that indeed there are capacity issues. It is clear from visiting the site in the peak hours and the lengths of queue being formed that there is a capacity problem at this junction.

Accessibility

Although the site is some distance away from the main Crewe Road and local bus services, the site does meet recognised accessibility distance check lists for walking and cycling, there are also proposed improvements to public rights of way that access the town centre from the site. It would prove difficult to reject the application on the grounds of inadequate sustainability even though in my view it is not located well for modal shift to occur.

Road Safety

A review of the last 5 year accident record has been undertaken and there are a number of accidents recorded at some junctions studied although these are not considered to be relating to a specific cause that would be exacerbated by the development proposals.

Summary

The site is proposed to be accessed for Hall Drive that already serves some 180 residential units and adding the proposed development would bring the total up to 330 units, this is on the upper limit of being served from one single point of access, which is the at the junction of Hall Drive/ Crewe Road. The standard of Hall Drive in terms of road and footway width varies through its length and again it is on the limit of what development can reasonably be served from this infrastructure. The junction of Hall Drive /Crewe Road has been assessed with regard to capacity and although the layout of the junction is non-standard it does provide minimum levels of visibility. Whilst, these issues are of concern they are not severe reasons to reject the application.

The traffic impact has been assessed on a number of junctions on the road network and although the applicant does not conclude that there is an impact there are concerns at two junctions Hassall Road /Crewe Road and Sandbach Road / B5077 Crewe Road where capacity problems exist. The development will add to congestions problems and there has been no offer of mitigation towards improving the highway network from this development.

The site is located some distance away from local bus services and this is considered detrimental to providing modal shift for the site despite the introduction of a Travel Plan, it is also quite a walk to the railway station from the site. However, the location of the site does meet policy distances for walking to a range of services and it would prove difficult to say that the site is isolated and not accessible.

In summary, there are a number of issues I have identified as problems with the development but they are not ones which I can say causes a severe impact as described in the NPPF although there is an impact identified at existing junctions albeit a small percentage increase that does warrant mitigation. In this regard, I would request that the site does provide a financial contribution of 200k in mitigation at these junctions. It is clear that some other form of junction is necessary at Hassall Road/ Crewe Road and that additional capacity needs to be found at the signal junction in the town centre at Sandbach Road / Crewe Road.

Landscape Officer

The revised Tree Survey now accords with the current BS 5837 and a scaled tree survey plan and a tree constraints plan have been provided. The report makes recommendations to retain boundary trees and a prominent single mid-site Oak tree. Recommendations are also made for the provision of an Arboricultural Impact Assessment and Arboricultural Method Statement to support a detailed planning application.

A revised and scaled proposed site layout has also now been provide although I have not been provided with a scale plan showing tree constraints superimposed on the proposed site layout. (BS 5837 para 5.2.1 refers).

Whilst the arboricultural submission is still incomplete in relation to the recommendations in BS 5837, from the information provided, it appears it should be possible to accommodate development on the site and retain significant trees, albeit that the layout as proposed is likely to require some amendment in this respect.

In the event of approval I recommend comprehensive conditions in respect of :

- Tree protection & retention
- Arboricultural Impact Assessment
- Arboricultural Method Statement

Ecologist

Otter

No evidence of otter was recorded on site therefore this species does not present a constraint on the proposed development

Bats

Notwithstanding the above outstanding information the site appears to support relatively low levels of bat activity and no trees were identified with potential to support roosting bats. Consequently I advise that the potential impacts of the proposed development upon bats are likely to be low and consequently bats do not present a constraint on the proposed development.

Reptiles

Slow worm are known to occur on the railway line to located to the south of the proposed development. No reptile survey/assessment has been undertaken as part of the submitted ecological report so it is impossible at this stage to confirm whether the species is likely to be present immediately adjacent to the site. However, as the bulk of the proposed development site is utilised for arable farming it is unlikely to support reptile species. The narrow band of tall ruderal habitat along the southern boundary of the site and the hedgerow of the western boundary of the development site may offer potential habitat for this species. The loss of these habitats would not result in a major loss of reptile habitat however I advise that there would be some localised impacts on this species.

The submitted ecological assessment now includes recommendations for the incorporation of 'buffer zones' along the railway line and the hedgerow to retain this habitat. I therefore recommend that the incorporation of buffer zones to retain these habitats be secured by means of a condition if outline planning consent is granted.

Stream

The stream to the northern boundary of the site has nature conservation value in the local context. I advise that the stream be safeguarded within an 8m undeveloped corridor of retained habitat. This matter may be dealt with by condition.

Hedgerows

Hedgerows are a Biodiversity Action plan priority habitat and hence a material consideration. I advise that the hedgerow along the western boundary of the site

should be retained and enhanced and additional new native species hedgerows should be incorporated into any open space provision.

Breeding Birds

Standard conditions are likely to be required to safeguard breeding birds.

Environmental Health

An Air Quality Impact Assessment has now been submitted with the application. These comments supersede previous air quality comments.

The report considers both the construction and operational impacts of the proposed development.

The assessment uses DMRB to model nitrogen dioxide (NO₂) impacts from the predicted additional road traffic associated with this proposal and other permitted developments.

The report predicts that four receptors modelled will experience small increases in NO₂ and at the remaining three receptors there will be an imperceptible change. Any negative impact on air quality should be mitigated against to help safeguard future air quality irrespective of whether it would lead to an exceedence of an air quality objective or the designation of an Air Quality Management Area (AQMA).

In order to mitigate against any negative air quality impacts, I would like to see the Travel Plan outline measures aimed at encouraging and incentivising Low Carbon Travel options and implemented which would be useful in offsetting any impact.

If this application were to be approved, I would recommend the following condition:

Prior to the development coming into use, a Travel Plan shall be agreed by the LPA. The plan shall outline measures, targets and appropriate reporting mechanisms aimed at encouraging and incentivising Low Carbon Travel Options. The plan shall be monitored and enforced throughout the life of the development.

There is potential for dust generated during the development to have an impact in the area, and as such the report outlines suitable mitigation. It is recommended that the developer agree with the LPA an Environmental Management Plan (EMP). The EMP shall identify all potential dust sources and outline suitable mitigation. The plan should be implemented and enforced throughout the construction phase.

Health and Safety Executive

E-mail confirming no objection to the revised layout .However, formal written comments were still awaited at the time of update report preparation.

APPLICANT'S SUPPORTING INFORMATION

A letter has been received from the applicant's agent, which is summarised as follows:

In summary, we consider that there is no basis for resisting this proposal where there is reliance on a seriously flawed assessment of CEC's current five year housing supply and the consequential conclusions on prematurity and impact on matters of strategic importance.

There are no valid site specific objections to this proposal. It comprises sustainable development and is deliverable now. It meets both the aspiration to deliver growth through the development industry and the objectives and requirements of NPPF. In addition, the sole reason for objection has come about following delays in the processing of the application based on unsubstantiated concerns surrounding Radway Green, where the council were unable to supply documentation at both pre-application and post-application stage, which it should have held on file. If this information had been available when it should have been, a decision would have been made well before the current unsatisfactory position on housing supply was reached.

In light of the brevity of assessment of the applicant's case in the committee report, when compared to that of the objectors and the council, we would ask that the contents of this letter are reported to the committee. I cannot stress enough my client's concerns that we are now left with no other option than to pursue what would be a wholly unnecessary appeal based around an evidence base that is neither fully adopted or tested and is already discredited. In this light I would urge that the recommendation to committee is updated and changed to one of approval.

OFFICER COMMENT

Highways

Given that, subject to a contribution of £200k towards off-site highway junction improvements the Strategic Highways Manager has raised no objections to the scheme, whilst the concerns of local residents are noted, it is not considered that a refusal on highway grounds could be sustained. In the event of approval, the required contribution could be secured through a Section 106 Agreement.

Landscape

Although, she has raised some concerns that the submitted information remains incomplete, the Landscape Officer is satisfied that the proposal can be accommodated without harm to trees of amenity value, and subject to appropriate conditions raises no objection. Therefore, it is not considered that there are sufficient grounds to justify a refusal on tree and landscape grounds.

Ecology

The main report stated that additional information was required to enable a full assessment of the potential impacts of the proposed development to be made. This included:

- Plan showing all ponds referred to within 500m of the proposed development.
- Complete phase one habitat survey plan showing all target notes
- Confirmation as to whether any trees on site were considered to have potential to support roosting bats.
- Confirmation as to whether any field signs of otter were recorded during the survey of the stream.
- Assessment of the potential impact of the proposed development upon slow worms and mitigation proposals for address any potential adverse impacts

As set out above, this information has now been provided and the Council's Ecologist is satisfied that, subject to appropriate conditions, the proposal will not have any adverse impacts in terms of protected species.

Air Quality

The outstanding Air Quality Impact Assessment referred to in the main report has now been submitted and the Environmental Health Officer has confirmed that it is acceptable. They have, however, recommended conditions relating to provision of a Travel Plan and an Environmental Management plan, which could be added in the event of approval. Subject to these conditions they raise no objections.

AMENDED RECOMMENDATION

REFUSE for the following reasons:

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. The Local Planning Authority can demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy Framework, and as such the application is also premature to the emerging Development Strategy. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.**

In the event that an Appeal is lodged against the refusal grant authority to the Borough Solicitor to enter into a Section 106 agreement to secure:

- **33 affordable units broken down to 21 affordable / social rented units and 12 intermediate tenure.**
- **Transfer of any rented affordable units to a Housing Association**
- **Affordable homes to be let or sold to people who are in housing need and have a local connection. (The local connection criteria used in the agreement to match the Councils allocations policy.)**
- **Provision of either**
 - **A contribution of £ 32,965.20 to upgrade the Swallow Drive Play Area and a further £ 107,460.00 to maintain it or;**

- Acquisition and upgrading of the Swallow Drive play area by the developer and its subsequent maintenance by the private residents management company or;
- A new play area elsewhere on site.

The chosen option to be agreed by the Council prior to submission of first reserved matters

- The final layout and choice of play equipment be agreed with CEC, the construction should be to the Council's satisfaction.
- Provision for a private residents management company to maintain the on-site amenity space / play area and all incidental areas of open space not within the adopted public highway or domestic curtilages
- Detailed management plan for the above Open Space be submitted and approved.
- Highways contribution of 200k in mitigation at Hassall Road/ Crewe Road junction and the signal junction in the town centre at Sandbach Road / Crewe Road.
- Contribution of £206,080 towards education.
- Delegated Powers be granted to the Development and Building Control Manager in consultation with the Chairman of the Strategic Board to agree any necessary contributions towards level crossing improvements (following negotiations with Network Rail and the Applicant.)