

Application No: 13/0012C

Location: Land North of Congleton Road, Sandbach, Cheshire, CW11 1DN

Proposal: The erection of up to 160 dwellings, including landscaping, access and associated infrastructure and the demolition of 130 Congleton Road.

Applicant: Taylor Wimpey UK Limited and Seddon Homes

Expiry Date: 19-Mar-2011

### **Update Report 12<sup>th</sup> March 2013**

## **ADDENDUM**

### **Page 41 – Agricultural Land**

*“Appeal decisions, both locally and nationally, have considered the loss of best and most versatile agricultural land but have shown the lack of a 5 year housing land supply would outweigh the loss of agricultural land on this site and therefore a reason for refusal could not be sustained on these grounds.”*

Should Read

*“Appeal decisions, both locally and nationally, have considered the loss of best and most versatile agricultural land but have shown the lack of a 5 year housing land supply would outweigh the loss of agricultural land on the Appeal sites and therefore a reason for refusal could not be sustained on these grounds.”*

The Appeal decisions referred to at page 41 of the report make it clear that in situations where authorities have been unable to demonstrate a 5 year supply of housing, the need for housing land outweighs the loss of agricultural land.

However, given that Cheshire East has a 7.15 year supply of housing it is considered that this argument does not apply and that the loss of the agricultural land contributes to the un-sustainability of using open countryside when there is no necessity in housing land supply terms.

### **Page 44**

Should include reference to NPPF advice as well as PSPG.

### **Page 53 – C.I.L. Regulations**

The report should include reference to the £50,000 contribution towards the A534 / Congleton Road Junction. This junction will be impacted from traffic leaving the site and travelling towards Congleton, Holmes Chapel and Junction 17 of the M6. It is

therefore considered to be necessary to make the development acceptable in planning permission and is directly related to the development. The scale of the contribution is considered to be reasonably related in scale and kind to the nature and impact of the development.

## **SAFETY AUDIT**

As stated in the main report, following information from the local community since making formal observations the Strategic Highways Manager has commissioned some safety audit work to be undertaken.

Following the completion by Cheshire East Highways of a Road Safety Note that considered both the Stage 1 Safety Audit commissioned by Merebrook Consulting Ltd (September 2012) and the road safety concerns raised by the Congleton Road Action Group (November 2012) the need for further survey information to determine aspects of the concerns raised and the potential impact was identified. These relate to parking, speed and volume of traffic along on this part of Congleton Road in the location of the proposed development. Some existing traffic data is available however the need for up to date information is recognised.

These surveys took place in the week commencing the 25th February following the return of the schools from the half term break to be representative of the normal traffic flow. The Road Safety Note has been reviewed and updated to reflect the information recorded through the surveys. These are:

### **Road Safety Problem 1**

#### ***Summary - On street parking***

A number of vehicles were observed during the site visit parking up and waiting for children leaving Offley Primary School on the north side of Congleton Road close to where the development access is proposed. Concern is expressed that should the situation continue once the proposed scheme is implemented; it could lead to conflict around the junction.

#### ***Recommendation***

Carry out parking surveys to identify the exact nature of the problem. Should it be found that parking is a regular occurrence; a Traffic Regulation Order (TRO) should be sought at the Developers expense to prohibit parking around the ghost island with careful consideration being given to the likely displacement effects.

### **Road Safety Problem 2**

#### ***Summary – Speeding vehicles***

A number of vehicles were observed during the site visit to be travelling in excess of the posted 30mph speed limit and measured 85th percentile speed found to be nearly 40mph. Whilst it is appreciated that 4.5x70m visibility splays are provided for the proposed access road (which would be acceptable for a 30 mph speed limit),

concern is expressed that actual speed readings indicate the proposed splays may not be sufficient leading to an increased propensity for collisions around the proposed access.

### ***Recommendation***

The existing 30mph speed limit should be extended northward and speed reduction measures should be provided as part of the proposed scheme.

### **Road Safety Comment 1**

#### ***Summary – Pedestrian crossing***

Observations during the site visit show a pedestrian desire line to and from the gap in the hedge opposite 128 Congleton Road where the pedestrians (presumably parents) cross Congleton Road and head towards Offley Primary School returning a short while later accompanied by children. However, being some 70 metres away from the proposed access this is outside the proposed ghost island area, so should not materially affect the crossing width. With this in mind a pedestrian crossing assessment was carried out to determine the exact nature of the crossing movements and an adjusted PV2 value of 0.36 obtained.

### ***Recommendation***

Crossing demand should not be intensified as a result of the proposed development as pedestrian movements are to and from Offley Primary school which is on the same side of the road as the proposed development.

Notwithstanding this, based on the adjusted PV2 value of 0.36, it is considered appropriate for a formal pedestrian crossing to be investigated further. Careful consideration needs to be given to crossing visibility and to the performance and safety of the Offley Road junction and the private driveways which front nearby.

### **CONCLUSION**

The recommendations put forward by the Safety Audit are relevant in terms of the possible negotiations upon S106 clauses attached to the appeal upon the identical application which the Applicant has appealed on grounds of non-determination. However, they do not provide additional grounds for refusal of the application. Therefore recommendation of refusal on sole grounds of housing land supply/open countryside policy in this case remains unchanged. Although it is recommended that reference is made within the reason for refusal to loss of agricultural land.

### **AMENDED RECOMMENDATION**

#### **REFUSE for the following reasons:**

**The proposed residential development is unsustainable because it is located within the Open Countryside, and would result in a loss of Grade 2 and 3a**

**Agricultural Land contrary to Policy 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.**

**Should this application be the subject of appeal, authority be delegated to the Development Management and Building Control Manager in consultation with the Chairman of the Strategic Planning Board to enter into a planning agreement in accordance with S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement as detailed above.**