

Application No: 13/4092C

Location: Land South of Hall Drive, Alsager, Cheshire

Proposal: Outline application for erection of up to 125 dwellings with associated infrastructure (Resubmission of 12/4150C)

Applicant: Renew Land Developments Ltd

Expiry Date: 27-Dec-2013

SUMMARY RECOMMENDATION

- **APPROVE** subject to Section 106 Agreement and conditions

MAIN ISSUES

**Planning Policy And Housing Land Supply
Affordable Housing,
Highway Safety And Traffic Generation.
Contaminated Land
Air Quality
Noise Impact
Landscape Impact
Hedge and Tree Matters
Ecology,
Design
Amenity
Open Space
Drainage And Flooding,
Sustainability
Education**

REFERRAL

The application has been referred to Strategic Planning Board because it is a largescale major development and a departure from the Development Plan.

1. SITE DESCRIPTION

The application site is located to the south of Alsager, adjoining the existing settlement boundary as defined in the Congleton Borough Local Plan. It is approximately 450m from Alsager Town Centre.

The site is relatively level, currently undeveloped and used for agricultural purposes with no distinctive landscape characteristics. The land was formerly pasture but had not been used for many years until in 2012 a potato crop was taken from the land. It is a narrow strip of countryside between a modern housing development and St Gabriel's primary school to the north, which currently forms the edge of the settlement; and the railway line to the south which forms the Green Belt boundary. The railway provides a strong dividing line and defensible boundary between Alsager and the Green Belt, as is evident from the local plan map.

The site extends to approximately 6.34 hectares and is confined on its northern boundary by Valley Brook and a play area beyond which lie the houses on Swallow Drive. The play area and an area of public open space would be retained for community use.

There is a public footpath alongside part of the railway along the southern boundary of the site. This connects with a path that crosses the railway, and runs alongside the brook to connect with Well Lane/Cedar Avenue. This path gives access on foot to St Gabriel's school, the railway station, health centre and other town centre facilities. To the west of the site is agricultural land with the Old Mill Public House beyond. To the east are allotments and a playing field accessed from Cedar Avenue.

2. DETAILS OF PROPOSAL

The application seeks outline planning permission for up to 125 dwellings with all matters reserved apart from access. An illustrative site layout is provided in support of the application. It is envisaged that the development would provide a mix of 3, 4 and 5 bedroom houses of 2 and 3 storeys in height, in either detached or mews-type houses.

30% of the dwellings would meet affordable housing criteria in accordance with policy requirements.

Additionally private and public amenity space, landscaped areas, new roads and off street car parking would be provided. Public footpaths would be retained and enhanced as part of the application.

The application is a resubmission of application 12/4150C, which is currently the subject of an Appeal after the Strategic Planning Board resolved to refuse the application on the following grounds:

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.

3. RELEVANT PLANNING HISTORY

13/4150C (2013) Erection of up to 150 dwellings with associated infrastructure-
Refused

4. PLANNING POLICIES

National Planning Policy Framework

Local Plan Policy

PS8 Open Countryside
GR1 New Development
GR2 Design
GR3 Residential Development
GR5 Landscaping
GR6 Amenity and Health
GR9 Accessibility, servicing and provision of parking
GR14 Cycling Measures
GR15 Pedestrian Measures
GR17 Car parking
GR18 Traffic Generation
GR21 Flood Prevention
GR 22 Open Space Provision
NR1 Trees and Woodland
NR2 Statutory Sites (Wildlife and Nature Conservation)
NR3 Habitats
NR5 Habitats
H2 Provision of New Housing Development
H6 Residential Development in the Open countryside
H13 Affordable Housing and Low Cost Housing

Regional Spatial Strategy

DP4 Make best use of resources and infrastructure
DP5 Managing travel demand
DP7 Promote environmental quality
DP9 Reduce emissions and adapt to climate change
RDF1 Spatial Priorities
L4 Regional Housing Provision
EM1 Integrated Enhancement and Protection of the Region's Environmental Assets
EM3 Green Infrastructure
EM18 Decentralised Energy Supply
MCR3 Southern Part of the Manchester City Region

Other Material Policy Considerations

Interim Planning Policy: Release of Housing Land (Feb 2011)
Interim Planning Statement: Affordable Housing (Feb 2011)
Strategic Market Housing Assessment (SHMA)

4. OBSERVATIONS OF CONSULTEES

Archaeology

- There are no features currently recorded on the Cheshire Historic Environment Record from within the application area and it must be admitted that the generally low-lying nature of the site makes it unlikely that it would have been attractive for permanent settlement. It is noted, however, that the application is supported by a detailed flood-risk assessment of the site, which has been prepared by ARJ Associates Ltd. Section 2.4 of this report includes a description of various drainage features which have been identified in or around the present stream and, based on the descriptions and photographs in the report, some of these are likely to be of archaeological interest. These include Structure D (timbers and stone blocks), Structure C (former weir), and Structure E (sluice associated with former mill leat). It is also noted that the development proposals will include new culverts, possible realignment of the brook, and various other drainage improvement works. It is likely, therefore, that potentially significant archaeological remains will be disturbed by the proposed development.
- This potential, however, is not sufficient to justify an objection to the development on archaeological grounds or to generate a recommendation for further predetermination work. The Archaeologist does advise, however, that it would be reasonable to secure a targeted programme of archaeological mitigation in the event that planning permission is granted. In view of the lack of any extant desk-based assessment, this work should take the form of an initial phase of map-based and documentary work in order to define those parts of the site requiring archaeological mitigation more closely. Targeted fieldwork should then be undertaken on features and areas of interest that will be affected by the development. A report on the work will need to be produced and the mitigation may be secured by the condition.
- The use of such a condition is in line with the guidance set out in Paragraph 141, Section 12 (*Conserving and Enhancing the Historic Environment*) of the new *National Planning Policy Framework*.

Environment Agency

- No objection in principle to the proposed development but requests that the following planning conditions are attached to any planning approval.
 - The development hereby permitted shall not be commenced until such time as; a scheme demonstrating no buildings or alteration of existing ground levels within Flood Zone 3 (1% AEP) flood event, has been submitted to and approved in writing by the local planning authority.
 - The development hereby permitted shall not be commenced until such time as; a scheme demonstrating that the finished floor levels of proposed buildings are

to be set at a minimum of 600mm above the 1 in 100 year (1% AEP) plus climate change flood level, has been submitted to and approved in writing by the local planning authority.

- The development hereby permitted shall not be commenced until such time as; a scheme demonstrating that all proposed access roads, parking and pedestrian areas are to be set at a minimum of 300mm above the 1 in 100 year (1% AEP) plus climate change flood level, has been submitted to and approved in writing by the local planning authority.
- The development hereby permitted shall not be commenced until such time as; a scheme to limit the surface water runoff generated by the proposed development, has been submitted to and approved in writing by the local planning authority.
- The discharge of surface water from the proposed development is to mimic that which discharges from the existing site. The Flood Risk Assessment suggests that surface water will be disposed of via soakaway. Percolation tests will need to be undertaken to confirm that this method is feasible. If surface water is to discharge to Valley Brook and a single rate of discharge is proposed, this is to be the mean annual runoff (Q_{bar}) from the existing undeveloped greenfield site. This has been calculated within the Flood Risk Assessment as 2.24 litres/sec/hectare, which is considered acceptable in principle.
- For discharges above the allowable rate, attenuation will be required for up to the 1% annual probability event, including allowances for climate change.
- The discharge of surface water should, wherever practicable, be by Sustainable Drainage Systems (SuDS). SuDS, in the form of grassy swales, detention ponds, soakaways, permeable paving etc., can help to remove the harmful contaminants found in surface water and can help to reduce the discharge rate.
- The development hereby permitted shall not be commenced until such time as; a scheme to manage the risk of flooding from overland flow of surface water, has been submitted to and approved in writing by the local planning authority.
- During times of severe rainfall overland flow of surface water could cause a flooding problem. The site layout is to be designed to contain any such flooding within the site, to ensure that existing and new buildings are not affected.
- If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
- Prior to the commencement of development, a scheme for the provision and management of an undeveloped buffer zone (at least 8 metres wide), between the banktop of Valley Brook and any built development, shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The scheme shall include:

§ *plans showing the extent and layout of the undeveloped buffer zone*

§ *details of any proposed planting scheme (for example, native species)*

§ *details demonstrating how the undeveloped buffer zone will be protected during development and maintained over the longer term*

- Prior to the commencement of development, a water vole (*Arvicola amphibious*) survey shall be carried out prior to the submission of final detailed plans, to enable an assessment of the risk posed by the development. The survey should be carried out at an appropriate time of year, by a suitably experienced ecologist, using recognised survey methodology. The detailed design, construction, mitigation and compensation measures shall be submitted to and agreed in writing by the local planning authority.
- Valley Brook is designated a 'main river'. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, our prior written consent is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of a designated 'main river'.
- The Environment Agency have discretionary powers within the above Act, to carry out works to a designated 'main river' for which access is required to and along the banks of the watercourse. The proposed layout should ensure that access is provided to the watercourse. Consent under the Byelaws for any proposals within the 8 metres wide strip that would affect access, is unlikely to be granted.
- Any replacement or removal of the existing culverted Hall Drive crossing will require prior written consent under the above Act as well as the proposed access across Valley Brook. It would be preferable if any crossing was a single span bridge, as this would have the least impact on the Brook. If a culvert access crossing is proposed, the basic requirements are that it is to be capable of passing the 1 in 100 year (1% AEP) flow in Valley Brook without affecting flood risk. Allowance for climate change and a 600mm freeboard allowance are to be included. The invert level is to be set a minimum of 300mm below the hard bed level in the Brook and mammal access through the culvert will be required.
- Any proposed surface water outfall structure will also require consent under the above Act. This should be constructed wholly within the bank profile using materials in keeping with the local area. The discharge exit velocity should not exceed 1.0 metre/second and should be angled with the direction of flow in the Brook.

Greenspaces

Amenity Greenspace

- Following an assessment of the existing provision of Amenity Greenspace accessible to the proposed development, if the development were to be granted planning permission there would be a deficiency in the quantity of provision, having regard to the local standards set out in the Council's Open Space Study.
- Consequently there is a requirement for new Amenity Greenspace to meet the future needs arising from the development. Based on the Council's Interim Policy Note on Public Open Space there is a requirement for 3000m² of new Amenity Greenspace.
- The layout plan on page 22 of the D&A Statement shows 2 areas of Public Open Space but the actual area is not quantified.

- It has never been the Council's policy to take transfer of areas of POS that have water bodies located in, around or running through them due to the additional liabilities and maintenance implications associated with such areas. Therefore it is recommended these areas of POS be transferred to a management company.

Children and Young Persons Provision

- Following an assessment of the existing provision of Children and Young Persons Provision accessible to the proposed development, if the development were to be granted planning permission there would be a deficiency in the quantity of provision, having regard to the local standards set out in the Council's Open Space Study.
- Consequently there is a requirement for new Children and Young Persons provision to meet the future needs arising from the development. The play area should be of a LEAP size and should include at least 5 items of equipment, using play companies approved by the Council. We would request that the final layout and choice of play equipment be agreed with CEC, the construction should be to the Council's satisfaction. Full plans must be submitted prior to the play area being installed and these must be approved in writing prior to the commencement of any works. A buffer zone of at least 20m from residential properties facing the play area should be allowed for with low level planting to assist in the safety of the site.
- Please note that the existing play area adjoining the proposed development site (known as Swallow Drive Play Area) or the footbridge linking it to the nearby housing estate is not in the ownership of Cheshire East Council and as such it does not have responsibility for the site and has no intentions of acquiring the land. As we (Cheshire East Council) are not the landowner we are unable to request financial contributions to improve the site.
- The proximity of Swallow Drive Play Area to the water course has resulted in erosion of the riverbank and the perimeter of the play area and fence and therefore it has increased liabilities. To prevent continuing problems it would be preferable to build a new play area on the piece of the Amenity Greenspace (pg 22 D&A Statement) to the South West which is much further away from the watercourse to replace Swallow Drive Play Area which could then be removed (However this would probably mean the acquisition of Swallow Drive Play Area by the Developer from the current landowner)
- As with the Amenity Greenspace Streetscape would recommend that future management and maintenance of the play area be undertaken by a management company

Network Rail

- No objection to the scheme providing that the developer ensures that improvements are made to other PROW / pedestrian routes to discourage use of the level crossing to the west of the site and to encourage the use of the safe crossing at the under bridge.
- In addition request the following conditions:
 - Submission of scheme of drainage

- Submission of a method statement and risk assessment
 - Provision of a suitable trespass proof fence
 - Submission of full details of ground levels, earthworks and excavations.
- Request standard informatives to be attached to the decision notice relating to
 - Fencing – residential
 - Encroachment
 - Scaffolding
 - Vibro-impact machinery
 - Drainage
 - 2m gap between the buildings and structures on site and newtork rail boundary fencing
 - Lighting
 - Noise
 - Landscaping
 - Need for vehicle incursion prevention at the turning heads adjacent to the railway boundary.

Newcastle-under-Lyme Borough Council

- The Planning Committee has the authority to make comments on behalf of the Borough Council and it resolved that your Council be advised that the Borough Council OBJECTS to the application on the grounds that major residential development in this location would undermine the delivery of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026.

United Utilities

No objection to the proposal subject to the following conditions:

- This site must be drained on a total separate system with only foul drainage connected into the public foul sewerage system. Surface water should discharge directly in to the adjacent watercourse and may require the consent of the Local Authority.
- This site would need to be served via a foul water pumping station with the nearest public sewer available for discharge purposes being located approx' 400m away.

Natural England

- This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development.
- The protected species survey has identified that bats, a European protected species may be affected by this application.
- Natural England refer the Council to their standing advice relating to bats
- They have not assessed the survey for badgers, barn owls and breeding birds¹, water voles, widespread reptiles or white-clawed crayfish . These are all species protected by domestic legislation and they make reference to standing advice to assess the impact on these species.
- The application is not within/close to a SSSI or SAC notified for bats.

- There are suitable features for roosting within the application site (eg buildings, trees or other structures) that are to be impacted by the proposal.
- Detailed visual inspections had been undertaken and no evidence of a roost was found.
- The application does not involve a medium or high risk building as defined in our standing advice.
- "Permission could be granted (subject to other constraints)" and the authority should "Consider requesting enhancements".

Highways

- 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.
- The above contribution was worked out on the basis of 150 units, if they change it to 125 then its £166,000 or if it goes to 109 units then its £146,000.

Environmental Health

No objection subject to the following conditions:

- Piling operations shall be restricted to: Monday – Friday 09:00 – 17:30 hrs Saturday 09:00 – 13:00 hrs Sunday and Public Holidays Nil
- Submission, approval and implementation of a piling method statement
- Submission, approval and implementation of an Environmental Management Plan
- Construction works (and associated deliveries to the site) are restricted to: Monday – Friday 08:00 to 18:00 hrs Saturday 09:00 to 14:00 hrs Sundays and Public Holidays Nil
- Any mitigation measures applied must achieve the internal noise levels defined within the “good” standard within BS8233:1999. The scheme must also include provisions for ventilation that will not compromise the acoustic performance of any proposals whilst meeting building regulation requirements.
- Submission, approval and implementation of a residential travel plan
- Provision of Electric Vehicle infrastructure on the properties.
- Submission and approval of a Phase II investigation shall be carried out and the results submitted to, and approved in writing by, the Local Planning Authority (LPA).
- If the Phase II investigations indicate that remediation is necessary, then a Remediation Statement to be submitted, and approved
- If remediation is required, a Site Completion Report to be submitted and approved.

Health and Safety Executive

- From the plans it is clear that the development falls within the consultation distances of the nearby explosives facilities licensed by the HSE. Based on the information provide, the Explosives Inspectorate has considered the effect that the explosives operations allowed under the license might have on the new development. If this development is allowed to proceed, the external population density permitted in this reference zone for this explosives facility will be exceeded. The conclusion is that whilst the probably to a major accident involve explosives is low, the consequences to people at the development could be serious.
- Note that the re-submitted plans now have the building zones skirting the edge of the Class 2 inhabited buildings distance safeguarding yellow line. The footprint of the plan still infringes this line, and no guarantees are given on the future building on this green land should planning permission be given on this occasion. On this basis, the Explosives Inspector looking at the application has advised an objection response advising of an undertaking necessary to guarantee that no future development of the green land inside the yellow line will take place. TH proposed buildings should not be more than 2 storeys high and should not be of vulnerable construction.
- Any plans to develop inside the yellow line could jeopardize the operations of the BAE Systems, Radway Green site, due to enforced amendment of the explosives license.

Public Rights of Way

- The proposed development, as acknowledged in the application documents, will affect Public Rights of Way (PROW), namely Public Footpaths Nos. 8 and 10 in the Parish of Alsager, as recorded on the Definitive Map and Statement of Public Rights of Way
- The PROW Unit requests that the Planning department add the standard advisory notes to any planning consent.
- The Design and Access Statement acknowledges that the existing Public Footpath No. 8, which runs along the northern edge of the railway line/southern edge of the site, will need to be accommodated within the layout. It continues to propose that the footpath will be faced with a number of private drives to provide natural surveillance over the path. This design principle is welcomed, with the path remaining un-enclosed, provided that the width of the public right of way is not be diminished. In order for the public footpath to be used by prospective residents as a means of access to the town centre, the surface of the path should be brought up to an all-weather surface, such as crushed stone and a width of at least 2 metres should be allowed for the footpath in any detailed design. The Public Rights of Way team will need to be consulted on the proposals for the layout of the development adjacent to this footpath and full details and specifications for the footpath will require the agreement of the Public Rights of Way office prior to any development taking place.
- In order to further increase the permeability of the site for cyclists as well as pedestrians, it may be appropriate to upgrade, in status and surface, this section of public footpath which at present only pedestrians have a right to use. In terms of status, the route may be upgraded to a public bridleway or cycle track through legal order process. Alternatively, permissive access for cyclists could be granted over the land by the developer. In terms of surface, the route would benefit from being formalised from a route on grass to an all-weather, surfaced pedestrian and cyclist facility with appropriate width of 2m minimum or 3m preferable width, to be consistent with best practice for traffic-free routes. At present this route is valued by local residents as a rural path and therefore the facility could be designed into the green infrastructure of the site. The developer would be required to cover the administrative costs of any legal orders and the construction works. If the surface of the path is not to be maintained within the arrangements for the public open space of the site, contributions towards maintenance costs would be required through a commuted sum.
- It should be noted that at the south-western corner of the development site, Footpath No. 8 connects with Footpath No. 9 which crosses the railway at grade at this location.
- Section 3.11 of the Framework Travel Plan describes the intention to “provide improvements to public rights of way to the east of the site which links onto Cedar Avenue. These will provide pedestrians and cyclists with a safe traffic free route between the site and Alsager town centre”. Presumably this relates to Footpath No. 10 on which improvements would be required and welcomed in order to cater for the increased traffic generated by the proposed development.

- In order for both pedestrians and cyclists to use the public right of way, the route will require upgrading in status and surface from its junction with Footpath No. 8 to Cedar Avenue. In terms of status, the route will need to be upgraded to a public bridleway or cycle track through legal order process for which the developer would be required to pay the administrative costs. In terms of surface, the route will need to be formalised from a route on grass to an all-weather, surfaced pedestrian and cyclist facility consistent with best practice and the developer would be required to cover the costs for this both within and outside of the development red line boundary. In order to provide this facility, the line of the route will require diversion away from the brook which threatens erosion of the line of the path, and the proposals could include a link to the adjacent adopted Footway FY1403 off Swettenham Close to increase the permeability of the site. These proposals will then match the aspiration stated in the Framework Travel Plan to accommodate a primarily non-vehicular route for pedestrians and cyclists to the town centre within the public open space. Full details and specifications will require the agreement of the public rights of way office prior to any development taking place. If the surface of the path is not to be maintained within the arrangements for the public open space of the development, contributions towards maintenance costs would be required through a commuted sum.
- In relation to Public Footpath No. 10, section 3.7 of the Transport Assessment states that the footpath will be retained on the existing alignment, the brook over which it crosses will be realigned and a new footbridge provided. It is unlikely that the proposals will enable the footpath to be kept on its current Definitive line, and therefore the developer will be required to submit detailed plans and specifications to this office for approval. Any required legal orders will need to be applied for and costs covered by the developer. It should be noted that the status of Lake View lane (QR1986), over which the public footpath runs, will require clarification with the Highways Department.
- It appears that the development will temporarily affect Public Footpath No. 10 during construction due to the proposed realignment of the brook and bridge and may affect Public Footpath No. 8 during construction of the dwellings and access routes. The developer must therefore apply for a temporary closure of the route(s), preferably providing suitable alternatives. The PROW Unit will take such action as may be necessary, including direct enforcement action and prosecution, to ensure that members of the public are not inconvenienced in their use of the way both during and after development work has taken place.
- Destination signage for cyclists and pedestrians to local facilities, including schools, the town centre and railway station, should be designed as part of the proposals. The transport assessment should include an assessment of whether adequate, cycle parking is available at key destinations in the town, including the railway station, bus station and town centre, and should include provision for works to address any identified shortfall. It is noted that travel planning, to include walking and cycling opportunities, is proposed so that prospective residents are fully informed of travel options. This should be extended to provide residents with information on leisure activities including the public rights of way network in the vicinity of the site.
- In conclusion, the proposed development, through best practice integration of the existing public rights of way into the design of the site, could offer improved pedestrian and cyclist facilities for residents of the area. The developer will be required to obtain

the agreement of the Public Rights of Way team during the design of the development with respect to the affected Public Footpaths.

Education

- 125 dwellings would be £249,465 (23 primary aged pupils)
- 109 dwellings would be £216,926 (20 primary aged pupils)

BAe Systems

- Comments awaited at the time of report preparation

5. VIEWS OF THE PARISH / TOWN COUNCIL

Alsager Town Council strongly objects to the proposed development (13/4092C) on the following grounds:

- a. The site is not contained for development within the recently approved Alsager Town Strategy which reflects the wishes and aspirations of its residents. The Strategy was subject to a widespread democratic consultative process which built a consensus in the Town. This Strategy clearly accepts the need for housing growth but strongly emphasises the fundamental principle of ensuring brownfield sites should be fully utilised before greenfield sites are considered for development. This principle is fully in line with NPPF 17. It is the Town Council's policy contained in the Alsager Town Strategy that sustained development should take place on existing brownfield sites and there are sufficient brownfield sites in Alsager to meet the town's future needs. The Town Strategy is being used as an evidence base to inform Cheshire East Council's developing Local Plan and consequently the Development Strategy endeavours to reflect the approved documents and consultation responses as far as possible. Cheshire East Council and HM Government should recognise the Alsager Town Strategy is of key importance and give weight to it as a material planning consideration with particular regard to the Localism Act, which empowers local people to have a say in the development of their local area. This site is not contained in the current Draft Local Plan and furthermore it is not contained in the 'possible additional sites proposed by developer and land interest' recently consulted on by Cheshire East Council.
- b. Cheshire East Council state that they have in excess of the required 5 years supply of land identified in the 2012 SHLAA document and this site is not contained therein.
- c. The application is an intrusion into the surrounding open countryside and no development should take place on greenfield sites in Alsager or just beyond its boundary, before all brownfield sites are exhausted, to ensure that greenfield sites, which gave access to the countryside, are protected and preserved against residential development.
- d. A fundamental aim of greenfield sites is to prevent urban sprawl by keeping land permanently open. Their essential characteristics are openness and permanence and as such greenfield sites safeguard the countryside and prevent joined up settlements.
- e. The Town Council contend that once greenfield sites are developed they are gone forever, and therefore greenfield sites should be saved in order to protect our local

environment, open spaces and wild life. This site is a refuge for flora and fauna and this natural habitat should be preserved as such.

- f. This particular application, in conjunction with other current large residential development applications in Alsager, if approved, would have a serious detrimental impact for the town's highways infrastructure, education, doctors' surgeries, medical centres, local facilities and amenities. Such applications, if approved, would be a threat to the character and atmosphere to the town as a whole.
- g. The proposal will increase the traffic congestion on Hall Drive and put pressure on Crewe Road and its junctions with Station Road, Hassall Road and the mini roundabout at Poppyfields. Many children walk to school via Hall Drive which is the only proposed access road to the development. The transport assessment undertaken by the developers has not taken into account key junctions close to the proposed development, such as the mini-roundabout at Poppyfields or the cross-road junction between Station Road, Crewe Road and Church Road. The Town Council has serious concerns about the impact of significant increase traffic use of the Church Road/Station Road junction given its proximity to the Hall Drive entrance and the hazardous site lines onto the main route through Alsager.
- h. The Town Council has serious concerns about the existing ground conditions on which the development is proposed and would contend that there is an increased flood risk that would be further worsened by new development on this site and ask Cheshire East Council to defer consideration of this application until a thorough investigation into ground conditions has been undertaken.
- i. The proposed development is located partly within the Radway Green Ammunitions Factory Exclusion Zone and it is the Town Council's view that to develop the site would be unsafe in the event of an explosive accident and consequently urge Cheshire East Council to acquire a report from the Health and Safety Executive.
- j. The Town Council understands that Network Rail have submitted a holding objection to the original application no. 12/4150C. The Town Council is concerned that health and safety issues relating to footpaths in close proximity to the railway line have not been addressed by the developers.
- k. The Town Council have concerns that there is insufficient information in the application relating to the impact of the development on local Air Quality.
- l. The Town Council request that a site inspection be arranged before Cheshire East Council makes a decision on this application

6. OTHER REPRESENTATIONS

Councillor Fletcher

- Having seen what is proposed on this outline plan I am truly horrified.
- The applicants appear to have accepted that they cannot build on some parts of the field due to the high water table and the proximity of Radway Green R.O.F.
- So the proposal for what appears to be two clusters of houses with a space in between them and the current Hall Drive houses which will probably be a swamp for many months of the year will just not look right from the street scene point of view.
- I believe this is an incursion into the countryside and that the Valley Brook should remain the boundary for residential development.

Swettenham Close Residents

A 25 page joint objection has been received from the residents of Swettenham Close. The executive summary states:

- *The proposal conflicts with the emerging Alsager Town Strategy and is a deviation from the Local Plan. This site would be in addition to the accepted limit of 1,000 houses for the current plan period.*
- *Moreover a planning inspector recently emphasised that Alsager is an area of planning restraint*
- *This proposal would breach the existing urban boundary; intrude into open countryside, and go against the policy of preserving grade 3a agricultural land.*
- *It would reduce amenity and adversely impact on public rights of way*
- *The site is inappropriate for residential development due to an adjacent railway, a flood prone brook with rapidly eroding banks, and its proximity to BAE systems at Radway Green*
- *The applicant has failed to demonstrate that the proposal sites can sustainably deliver up to 125 dwellings, being mindful of the precautionary principle. synergy principle in conjunction with the sustainability criteria of the NPPF these constitute further material grounds for refusal.*

Hall Drive Action Group

A 40 page objection has been received from the Hall Drive Action Group. The executive summary states:

- The Hall Drive Action Group (HDAG) is submitting this document as an objection against the re-submitted application for the proposed development on the land south of Hall Drive, Alsager. The application submitted by Emery Planning Partnership on behalf of Renew Land Developments indicates proposals to build up to 110, 125 or 150 dwellings on the site, depending on which submitted document is read.
- HDAG objects to the proposed development based on numerous valid technical reasons which demonstrate that this proposed development is not sustainable and the *adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.*
- Clearly, since the initial application by the same party on this site in 2012, the findings of the Planning Inspector (PI) on the Appeal Ref: APP/R0660/A/ 13/2195201 Land off Sandbach Road North, Alsager ST7 2EH have clarified matters. On the one hand he found that Cheshire East Council cannot demonstrate a 5 year land supply. On the other hand he found Planning Policy PS4 of the extant Congleton Local Plan is not to be time expired. Indeed, he found the policy as largely in conformity with the NPPF and attracting significant weight. Clearly this development, as in the appeal case, falls foul of CLP Policies PS8 and H6 which seek to restrict development outside the Settlement Zone Line (SZL).

- Our objection to the current proposal recognises that time and issues have moved on. However, the issues which were valid then are even more valid now in the light of the documents presented in this re-submission. It is based on the same six major technical areas:
- Policy – the site is outside the SZL as noted above. Therefore permission should be refused on this basis.
 - The indicative plan shows two islands of development divorced from existing development and surrounded by a sea of green-space.
- Intrusion into the Open Countryside, destruction of natural habitat, loss of grade 3 agricultural land, and damage to both the character and appearance of the countryside and on the Green Belt land across the railway line. This would be in conflict with CLP Policies GR1 and GR5.
- Flood Risk (all parties agree that the site floods).
- Despite detailed comments from HDAG, in part informed by a professional critique of the developer's consultant's Flood risk assessment, this report has not been updated. Network Rail has now commented strongly on this issue.
- Traffic Impact
 - Although the Traffic Assessment has been amended for this application, it now excludes Crewe Rd/Hassall Rd/Chancery Lane junction (which showed issues), and continues to exclude the two closest junctions at Crewe Road/Station Road and Poppyfields roundabout. Planning permission was also refused in 1996 and on appeal in 1997 for a golf course etc because of general environmental impact of more traffic on the quality of life of Hall Drive residents.
- Proximity to Railway and associated safety risks
 - Again despite detailed comments regarding the findings of the noise survey the issue has not been revisited by the developers.
- Safety relating to Munitions Exclusion Zone at Radway Green and impact on the site's commercial viability (Should the developers continue to challenge the validity of the exclusion zone) depending on which document is read
- Our objection assesses these key technicalities, based on a detailed review of the assessments submitted by the developers. Evidence for our objections is established from a range of sources, including resident's own technical knowledge and experience, consultation with consultees and statutory bodies, and a data gathering exercise from publically available information. This objection illustrates that the proposed development is not in full accordance with the National Planning Policy Framework (NPPF) and when fully assessed against this framework, the potential adverse impacts of this development would demonstrably outweigh any potential benefits.

- The proposed development would cause severe irreversible detriment to the residents of Alsager, impacting current and future generations.
- On this basis, the proposed development on the land south of Hall Drive, Alsager, would not constitute sustainable development, and we therefore recommend that Cheshire East Council should not grant planning permission for this application.

22 Swettenham Close

A 40 Page objection has been received from the occupier of 22 Swettenham Close. It concludes as follows:

1. The site is not directly accessible from a main road; only via a narrow, winding, busy built-up road with numerous junctions and above average level of vulnerable users; thereby creating congestion, accident risk and community severance.
2. This adverse impact would be felt by the numerous pedestrians and amenity users. People crossing the construction access to get to school and elsewhere; people accessing POS, PROWs and attendant amenity. Policies and case law emphasise the experiential and qualitative. They also take great account of consultation. There has been no active consultation by the applicants with users and stakeholders.
3. The proposal site has additional 'unique non-selling points'. In essence, the two proposal fields are islands, bordered by a railway line and a rapidly-eroding flood-prone 'main river' brook.
4. BAE Radway Green: threat to its viability, contrary to NPPF
5. The applicant's 'sustainability' argument rests heavily on the NWDA Toolkit for developers. This is a biased facile device from a disbanded NGO. It lacks credibility and pragmatism. The NWDA themselves acknowledge local authorities might lack the ability to check information submitted.
6. The developer's case is further falsely predicated on spurious *Ceteris Paribus* assumptions. *Ceteris Paribus* is a modelling tool, based on the Latin concept of 'other things being equal'. To simplify models and consequential arguments, certain assumptions are made and certain variables omitted. E.g. the walking model assumes journeys will be made in the dark, in all weathers, via unlit routes without pavements.
7. There is no evidence to support the scheme promoters' contentions that current POS/s106 provision is safety deficient. The current Swallow Drive Play Area is a valued amenity, well used, and safe.
8. The proposal area risks becoming another employment inaccessible area for those without a car.
9. Alsager is an area of planning restraint. Permitting this proposal would be detrimental to Alsager's cohesion and deter much-needed brownfield development in neighbouring conurbations such as Stoke-on-Trent.

Petition

A Petition containing approximately 852 signatures has previously been received objecting to the proposal.

Individual Representations

c.340 individual representations have been received making the following points:

Policy Issues

- Flies in the face of national and local (The Alsager Town Strategy) policy to build on brownfield sites (such as MMU and Twyfords) as a priority.
- The Town Strategy was adopted in August 2012 after local residents were consulted and whose views must be taken into account even though the Town Plan is only 'evidence'
- There is sufficient brownfield land in Alsager to accommodate the 1000 new houses that allegedly need to be built without any greenfield or open space being used
- These brownfield sites are better suited and should be used before Greenfield.
- The university appears to have been completely vacated now and the buildings have been boarded up. Inevitably this is an open invitation to youths to congregate in this area and over time it would be usual to expect vandalism and general anti-social behaviour. To develop this brown site therefore should be the priority. Failure to do this may result in having a negative impact on Alsager and increased risk of crime.
- Why this land is even being looked at when there are brown fields sites locally?
- There is one registered and approved planning application to build on a brown field site in Alsager and Cheshire East Council knows that more applications are imminent. There is therefore no longer any excuse to ignore Cheshire East's own policy of giving priority to brownfield sites and to refuse permission to build on precious farmland or any other greenfield sites.
- A proper strategic development strategy for Alsager is needed. Currently there seems to be random applications, many on green field sites, that seem inappropriate and poorly thought through.
- The Town Strategy looked into the viability of using this land for future housing but rejected it as unsuitable and this strategy should now be a material consideration when deciding where to approve applications in Alsager. Surely the council should take local leaders' decisions seriously and not override them at will.
- To ignore the Alsager Town Plan would be to ignore the wishes of the Alsager Community, Cheshire East policies and National Policies.
- The option to use farmland/Greenfield sites has previously been rejected by all Town Council and Cheshire East Councillors.
- Alsager Town Council had a legal obligation to identify any possible, potential sites. Developers should not be allowed to get away with using the actions of the Town Council as some sort of 'carte blanche' justification for making planning applications for these sites just because they have previously been identified as an option.
- Alsager Town local plan has not yet been approved. The interim plan was consulted on but views were ignored. This is not democratic and therefore the interim plan is invalid.

The Council should re-consult and actually take into account people's opinions, otherwise all future planning applications of this nature will be opposed. Better still, the local plan should be expedited through to reach an agreement.

- This is another unnecessary raid on Alsager's green belt.
- There is no point having a properly constituted town strategy if developers can ignore it.
- Developers obviously prefer green field sites because it is more profitable than re-instating brownfield sites. The cost of clearing these sites is not attractive to developers, especially where asbestos may be involved. It must be remembered that their primary responsibility is to their shareholders, not to the local community. However this is in no way a reason for their preference for greenfield sites to be condoned or approved.
- Why would any decent ethical developer ignore the wishes of the community expressed through the town strategy?
- No planning applications in Alsager should be considered until the Cheshire East 5 year plan is drawn up and published.
- The field subject to the proposal is green belt and should not be built on.
- In producing the Strategy Alsager followed National and Cheshire East Guidelines to the letter and the plan has been accepted by Cheshire East. It would be perverse not to implement the Alsager Town Strategy otherwise Government demands for local control have not been met.
- Residents are in favour of the expansion of Alsager, notably by the construction of affordable housing. Alsager's population is disproportionately old, and development is needed. The excellent Alsager Town Strategy produced recently outlines suitable brown field sites for such growth.
- The pre-existing Congleton Borough Local Plan specifically identifies Alsager as an area of housing restraint. The Plan still stands until Cheshire East Council complete their own Plan.
- There is also a case based on Cheshire East's Emerging Plan. In the case of Alsager, it is apparent that the housing element of the Emerging Plan is already in place, and adopted.
- Developers must not be allowed to exploit the temporary lack of a Cheshire East Plan in order to cover the South East Cheshire countryside with unwanted urban sprawl against the wishes of the residents.
- The NPPF also states with reference to sustainability that green fields should not be built on unless there is absolutely no alternative and should only be used for housing in exceptional circumstances.
- Despite all of this, planning requests for housing development in and around Alsager are still being received and Cheshire East (elected representatives) should not override the wishes of local councils and residents to meet the wishes of developers.
- The land is allocated in the extant Congleton Local Plan as formal public open space. The developers propose that the playing fields at the MMU site should be substituted for this allocation - because there is a Planning Brief for the site. However the developers have deliberately excluded the MMU site from their traffic analysis because the MMU site has not received planning permission. This is clearly inconsistent and should be seen for what it is
- Greg Clark, the minister responsible for planning recently said the framework ensured there would be no greenfield development without the sanction of local authorities. *"Local communities are the best judges of what is important in their area,"* Clark said. *"My expectation is that most communities will want to bring brownfield back into use; but*

if they want to preserve green space in towns, to maintain a leafy aspect to them, [and instead would] like to make the choice, say, to add two or three homes to the edge of villages in their area, it will be up to local people to decide. I don't think they should be prevented from making that choice by a national ban."

- Pressure for the development in the village is considerable, mainly for housing city commuters, but has been successfully resisted in similar cases recently.
- It flies in the face of the stated Strategic aim in the Town Strategy Plan to '*Maintain the Green Belt between Alsager and the Potteries*'. It is also out of step with the current Government's own strategy stated in its 'Quality of Life Report' from 2007 which stated in reference to new builds, '*...we have to use brown field sites for the vast majority of [these] new homes. Of course, the [building] industry would be better pleased to be given carte blanche to build on virgin land. However, not only is that environmentally unacceptable, but it is also politically impossible...*'.

Lack of Need

- Sufficient land has been identified within the Strategy to meet the town's foreseeable housing needs.
- The need for the houses is unproved. There are many empty properties and houses which have been on the market for a long time, and for sale signs are everywhere. Flats, houses, terraced, town house are all available
- It would difficult for people to sell existing houses in this area
- New development should be to meet the calculated local housing needs of an area, as opposed to the generalised figures concocted by central government.
- If there is housing need it is in the South Manchester/Didsbury area, not here. Turning Alsager, Sandbach and Congleton into dormitories for South Manchester will do nothing for carbon emissions or environmental degradation.
- The forecast requirement for housing, is derived by mere statistical techniques with little or no reference to local conditions. Alsager have just lost the two largest remaining employers, the MMU and Twyfords factory. The remaining large employer (BAE Radway Green) has automated its lines and cut workforce despite winning the full UK supply contract. Lack of employment is translating already into lack of demand for housing in Alsager, with one primary school closing last year due to lack of demand. House prices have dropped greatly over the last decade, in comparison with prices in Kidsgrove, and there are many houses proving impossible to sell in the town. Therefore, if there will be renewed demand in Alsager after the recession is over, that will be weak and fully met by the Twyfords and MMU sites.
- A quota of more than 1000 new houses has been imposed on Alsager because of Government policies despite the obvious fact that there is currently no demand and there is very unlikely to be any such demand between now and 2030 as the quota suggests.
- It is also becoming clear that the census population statistics and estimates of population growth and movement are seriously flawed and will hopefully be publicly challenged but central and local government (Cheshire East Council) is using these disputed figures to force local communities to accept unwanted houses on farmland for political reasons not need.
- Contrary to superficial opinion, the building of residences on green field sites adjacent to open countryside generates its own demand to a great extent, and is not satisfying any

local demand. It is inevitable that new housing will attract residents largely from other conurbations, such as Stoke-on-Trent.

- Alsager already has a nine year supply of available housing land.
- There has been explosion of property development in and around the town including proposals on Hassall Road, Dunnocksfold Road, Hall Drive, Crewe Road, opposite Willbram Arms and probably others. Residents cannot see the need for further development in the town and have never seen any assessment to support the need
- The emerging local plan is likely to show a 5 year supply of housing land. Were this to have been formalised already the present window of opportunity that the developers are trying to exploit would be closed.
- The need for additional housing in Alsager, Cheshire East or even the North West has never been explained properly by central government. House prices in the region are still depressed and building more houses will only make the situation worse. Unless significant money is invested in local business to create jobs for all the additional people in the area, why would people want to come and live here?
- This proposal demands an increase in industrial activity which is not envisaged and may never again be a possibility. During this town's former growth spurts the incentive was the proximity of technology industry at Talke Pits which made Alsager a convenient place to live. Today the employment opportunities especially for qualified engineering and other professions is not well defined suggesting a necessity for wide ranging commuting activity.
- With regards to the MMU college site, it was originally proposed that: by 2014 there would be a total of 300 houses, office space and a retail development, including shops, restaurants and financial services. However, these plans have been 'delayed until the housing market recovers.' This therefore begs the question: what is different regarding the plans for the site in question? We are clearly still in the middle of a recession; the housing market remains static: banks are not approving mortgages: and wages for the majority of Alsager residents are not high enough to achieve a 20% deposit to buy a house here, even a house defined as 'low cost' by the average person living and working in Alsager today.

Impact on the Character of Alsager

- Alsager is now a large town and has little agricultural or green land left.
- The town should not be allowed to grow unchecked but should remain a small country town and this will affect the character of the town. Many people still refer to Alsager as "the village" which shows how much it has already grown in the past.
- It is losing its identity as a village as the Council grants more and more developments year in year out.
- To build anymore houses in Alsager would result in the village no longer being a village.
- Alsager feels like it's lost its heart due to the rapid mass urbanisation of the village.
- The awful state Crewe is in now, is due to housing estates being built on every spare patch of ground, residents do not wish to see Alsager share its plight
- It would ruin the character of the village. The protection of Alsager's visual, historic and archaeological qualities is supported by The Alsager Town Strategy which highlights that inappropriately-designed and sited housing, or design, will fail to take opportunities to improve the character of an area and should not be accepted.

Lack of Economic Benefit

- To build for the sake of creating short term work is not a sustainable approach
- Jobs provided by such developments are transient and tend not to provide much local employment. Such work is generally subcontracted to firms based in regional conurbations such as Stoke-on-Trent, Manchester and Liverpool, who draw employees mainly from those areas
- The short-term view that any increase in housing would increase business in the town should be off-set by longer term thinking about how building on greenfield sites such as Hall Drive would negatively impact Alsager. One of the main draws of Alsager is the easy access to green spaces and the semi-rural feel of those estates on the outskirts of Town. If the focus of any new build is to erode the network of spaces for current residents then this can only have a long term detrimental impact on the towns attractiveness as a place to live, set up business and invest.

Impact on Infrastructure

- Any extra houses will put a strain on local services such as health and education.
- With 150 dwellings with 2.4 children each a larger schools will be required. Existing ones are full to capacity.
- Developments such as these extend the services, gas, water, electricity and roads rather than economizing on those that already exist.
- The electric power lines on that side of Alsager are considered over capacity. (Practical capacity is set at 85% of nominal capacity, to accommodate variations and surges in demand.)
- What are the emergency services requirements?
- The existing sewerage network along Crewe Road is already running close to its maximum capacity with the (relatively) recent additions of housing at Hall Drive and Poppyfields (and its latter additions) feeding into the old sewerage system.
- The play area is shown to be adjoining the brook/river. What safety measures are being included?
- Alsager has one medical centre shared by two practises with all these extra houses and therefore people the current excellent service given could suffer.
- Alsager is now not looked after efficiently has it used to be by the Council and building more houses is going to put more pressure on the services done by the Council - more roads to repair, more bins to empty, more waste water and drains to look after.
- Infrastructure impact studies need to be carried out to assess the effects of availability of school places; medical facilities and sewage plant capacity in the area.
- Leighton Hospital hardware (car park and buildings) are far from sufficient.
- No further plan of new homes should be considered before an appropriate plan of the infrastructure is approved first. Otherwise, any plan will be irresponsible.
- The expansion of settlement here will obviously increase the waiting time for GP services which is some cases in critical with waiting times exceeding the weekly diary. Local Hospitals, Leighton and University Hospital show signs of stress in ward admission, outpatients and A & E, a thing which will be a of general and specific impact
- The Catholic primary school (nearby) has a 5-year waiting list.

- At the moment there is one supermarket and although this has recently been enlarged, it is still the only one in Alsager. There is no petrol station in Alsager.
- For the most part, Alsager has remained, in essence, a rural village with the amenities and infrastructure of such: a large increase in the population can only create far-reaching consequences for both existing Alsager residents and incomers alike.
- There is a total lack of amenity in Alsager made all the more critical by the failure of the East Cheshire Council and previous formulations of Councils to guard leisure facilities.
- Repeated submissions for the better access to the Alsager Mere and efforts to prevent removal of expensive and new facilities at the MMU site (swimming pool, tennis courts and gym hall particularly) have failed.

Design issues

- The proposed siting of the development is particularly ill-considered: building here would both diminish the striking view into the centre of the village but also be prominent from most angles approaching the village.
- Design issues for the proposed site might be solved by conditions or revised proposals, but these could not remedy the siting problem.
- The Parish Council, Network Rail and Radway Green share the concerns.
- The proposal that will look out of place in this area as its character does not fit in with the existing character of the area. The proposed development is much larger than other buildings in an area and will stand out in the countryside.
- The design, layout and appearance of the new developments is not practical and fails to fit in with the character and appearance of the surrounding area. The development would be too dominant. The proposed density (the number of dwellings per hectare) appears to be significantly higher than that found in the area.

Sustainability

- The design does not include any features required for sustainability, such as energy generation or on-site sewage/foul water disposal and effective waste management.
- The area is also too far from the nearest facilities such as shops, pubs and post office, meaning residents would be reliant on cars, increasing carbon production.
- East Cheshires reduced bus services through the village, could limit opportunities for the residents of the any new development to travel by public transport.

Loss of Agricultural Land

- The site has provided crops in recent years so why is it classed as under utilised? One crop failed this year because it was waterlogged.
- It is wrong to build on agricultural land as due to increasing demands on foodstuffs.
- We should be looking for future generations to be self sufficient not reliant on imports.
- We need to retain as much agricultural land as possible, given the rapidly expanding population of Great Britain and increasing difficulties in importing food from abroad as other countries develop and consume more.
- The land with water alongside it is suitable to grow food, eg vegetables and fruit, by people in existing housing near it. Towns and cities are now short of work, so

households working near their housing by growing their food would have useful work - without travelling to it.

- People growing their vegetables and fruit usually use manual cultivations with plant trash (compost, etc) providing the nutrients; a form of sustainable agriculture. Whereas large scale mechanised farming involves unsustainable practices. "Sustainability" is required in various objectives. Broadly "brownfield" land, now existing in Alsager and most other towns, is mostly unsuitable for agriculture. Food is an essential consumable, and is expensive in resources to import and distribute. So land that is suitable to grow plants that is near housing should be used for that.
- Destroying a farm land is very dangerous to the country's survival especially when the population is increasing quickly. The Office for National Statistics (ONS) said it was set to rise from 62.3 million in 2010 to 67.2 million by 2020 and 73.2 million by 2035

Impact on Open Countryside

- Whilst not an area of outstanding beauty it is still green belt
- This proposal is clearly an intrusion into the Alsager countryside and erodes the network of green spaces around Alsager
- The site must be preserved in order to keep the green space round Alsager for current and future generations
- It is an opportunist proposal that will not enhance Alsager town as the buildings will be spreading the village in a rambling way. The development will further degrade the surrounding countryside belt which separates Alsager from neighbouring communities
- There is an obvious barrier in the form of Valley Brook. It would be the only site off a Crewe Road access that is across Valley Brook. It is inappropriate in that location.
- It is one of the few remaining dark places in Alsager and should be kept as such.
- The proposed development by reason of incursion of built form into the open countryside would detract from the generally open character of this area and would extend the development boundary of Alsager. This would be a harmful effect which would fail to take account of the different roles and character of different areas or recognise the intrinsic character and beauty of the countryside and would be contrary to policy within the NPPF and would be an adverse impact which would significantly and demonstrably outweigh the benefits in terms of housing land supply.

Loss of Recreational Land

- Alsager 's USP, as outlined in the Town Plan, is its ease of access to countryside and to a network of footpaths. It would therefore seem perverse to give planning permission for this greenfield site, particularly since there are at least two available brownfield sites currently not being utilised.
- This part of Alsager has an historic walk situated to the side nearest the railway line - part of a network of footpaths leading to Barthomley. In past centuries, people used this network of footpaths to worship at Barthomley church, before the churches at Alsager were built. They are still used regularly by a variety of people. They are also used by the local Ramblers Associations as part of their scheduled walks, winter and summer alike.
- It is a pleasant walk they can do from their homes without having to drive into the countryside. It would be a significant loss of readily accessible green space.

- It is said that footpaths would be 'upgraded' as part of the development. A tarmac path between houses is a poor substitute for a path through open countryside.
- To offer a long dark tarmac 'corridor' at the back of large housing estate and between that and the railway line (which it has been proposed to fence off), for the purpose of preserving these footpaths would not serve anyone well.
- Children regularly play on and around this site.
- We are constantly being told by health officials to get our families outside and keep a healthy lifestyle, yet eventually it seems the Council may allow there to be no green areas in Alsager.
- Walking over the fields towards the fisheries and surrounding area is a good way of taking exercise that doesn't cost any money.
- This development not only intrudes on the Alsager countryside but also with residents work/life balance.
- The field directly at the back of Swettenham Close will be affected which will prevent the children playing football and other leisure activities which are very popular, especially in the summer. Again, another form of exercise for the children that is cost free which keeps them entertained for hours
- The land has always been used by walkers, dog walkers, children playing and even a bonfire site for the village bonfire run by the Rotary. It has become an unofficial village green.

Amenity

- Residents bought houses here because they were surrounded by green belt, located in a semi-rural area, were close to fields and overlooked countryside. This application attacks their personal circumstances.
- Spectacular views will be lost and there would be no more privacy for existing residents especially on the end plot. The appearance would become quite ugly and block out the view of the train.
- The paths would become a much busier thoroughfare and privacy could be invaded and there will be potential for anti- social behaviour.
- Residents who have lived on a building site at their previous home for 4 years, cannot think of anything worse than living in that situation again - the noise, dirt, ruined roads (and the damage to cars as a result)
- Before the Council make a decision they should think this "If I lived there or if this was happening in my area, to my house - would I grant it?"
- Hall Drive is settled community and the imposition of a building development over a long term is seriously going to impact their life experience
- Residents are concerned with the proposal of 2 and 3 storey properties right next to them there will be a loss of privacy and a loss of light particularly being only single storey dwellings in some cases.
- If this land is built upon the options for recreation and enjoyment of future generations will be severely reduced and that is not " sustainable " development

Ecology

- The site is home to a diversity of wildlife including protected species

- There have been sightings of buzzard, hawks, hoopoes, wood peckers, bats, skylarks, dragonflies, birds, foxes, shoals of stickleback fish, flocks of long-tailed tits, greenfinches, frogs, bats, toads, snakes, nesting pheasants, kestrels, owls and water voles (although a one day survey did not find the latter.),
- Great Crested Newts migrate from the wet areas.
- Green belt land in the UK should be maintained for the housing of wildlife which is constantly being put at risk from developments. They have a right to living just as much as we do, especially considering there are areas of brownfield sites in the Alsager area which could be used for this development.
- One day much of our wildlife will be eradicated if developments such as this continue.
- There are several healthy oak trees which deserve protection.
- The proposed development would restrict normal access to this corridor from open farmland/countryside, thus diminishing its attraction to such wildlife.
- The ecology data employed in the application is technically incorrect. The data ignores a site for Great Crested Newts that is afforded the Protection of a Section 106 agreement well within the 2000 metre span highlighted in the document. The ecologist is making claims that cannot be substantiated
- There is a lack of available data on how the mature trees on the site will be protected, and no mitigation strategy proposed.
- The wild life of Alsager has declined significantly in recent times and as the various additions of allocated lands have come on stream there has been a noticeable extinction of animals generally. Once Alsager was a site for a wide diversity of avian creatures which are now sparse and which on the top of the latest bad weather could constitute an extinction point. Wide ranging redevelopment could change the nature of Britain forever

Flood Risk

- The development increases the flood risk for current and future residents from the brook adjoining the site.
- The land partly comprises flood plain and there are legitimate concerns that the likelihood of flooding will increase with climate change and the run-off water from any new development
- The adjoining brook has collapsing banks and on occasions burst its banks and parts of the fields have been flooded.
- Flooding is caused by water flowing from farmland situated at a higher level on the southern side of the Crewe/Derby railway line and from the risk of flooding from the brook itself.
- Residents report a car driving onto the middle of the site and sinking down to roof level due to water logging
- Climate change has brought more long periods and more intense periods of rainfall. Recently in Somerset and elsewhere, a month's rain fell in 48 hours. It is not appropriate to take risks with this when other sites with much lower flood risk are available.
- Much of the western part of the site would flood (as it has in the past) where the Flood Risk Assessment says it would not in a 1000 year event.
- Insurance companies classify existing houses in Hall Drive as on a flood plain from Valley Brook and residents have had difficulty in obtaining insurance. According to one

resident only 7 quotes were available on price comparison sites because their house is within 250m of the watercourse. Building houses on this flood plain will only make this issue more prominent and the residents of this development would face real problems in this respect. So would nearby residents should there be flooding in that area. The Council would, be accountable, in part, for such problems, should they occur

- On occasions the water level in the brook nearly touches the underside of the pedestrian bridge to the playfield. It has left the park bench near St Gabriels part-submerged, and the banks are eroding and with no-one taking responsibility for maintenance makes walking along the path to the Poppyfields estate hazardous
- The Environment Agency have moved the development away from the brook for this reason. However, the model which is used is too simplistic. The increased rainfall due to Global Warming is assumed to be linear. From recent experience this is not the case. Long and torrential rain has now become the norm and this will not be engineered for by the developers.
- Bad planning decisions has been one of the main causes of the excessive flooding seen again in the UK recently, residential sites constructed on flood alleviation sites etc etc.
- Putting in land drains would destroy the water retentive nature of the fields, so creating flooding problems elsewhere by tipping water (from heavy rain) straight into the brook at a faster rate than that with which it can cope.
- The proposed development can only serve to exacerbate this situation and subsequent worsening of the flood risk is unacceptable and would have to lead to local residents seeking substantial compensation through judicial processes against the planning office and those responsible for planning approval.
- The 'Quality of Life report from 2007 states the following, *'The need for more homes is inescapable. Avoiding that reality would damage the poorest most and undermine all that we would wish to do to strengthen the family and increase social cohesion. Yet, building on green fields, on floodplains, makes no environmental, social, or economic sense.'* It also had the following things to say on this issue, *'If a Government is serious about the risks of climate change, it doesn't build homes in flood zones', 'We also recommend ... the prevention of development on land likely to be at risk of flooding now or in the foreseeable future' and 'Every inch of space occupied by impermeable buildings or surfaces redirects and often focuses rainfall, causing flooding and preventing rain from reaching groundwater. The economic effect is significant. Water and sewerage companies spend some £320 million each year on intra-urban flood risk management.'*
- Even if, as the Emery Planning Partnership proposal brochure states: that the proposed development will ensure that this area [the flood plain] remains free from buildings' - the very nature of the land and the drainage situation with regard to sandy soil as mentioned previously means that this will not be enough to ensure that any new housing built on the site, or any of the existing housing estates nearby will not be under threat from flooding.
- The proposed site consists of sandy soil, which by its very nature is difficult to drain through the soil, as any rain simply runs off the top surface.
- Residents have personally rebuilt and reinforced parts of the brook, on many occasions at their own time & cost. The Environment Agency has historically had no funds to maintain the brook and should this development go ahead, there are concerns about who's responsibility the maintenance will be as well as the surrounding land, parks etc in the future.

Railway

- The railway at the southern boundary creates noise and vibration.
- Reports presented for the developers used very limited survey durations and extrapolated for 24 hours. They downplayed adhoc traffic movements such as inter-city express trains and goods trains. Network Rail points to the use of the line for shunting etc . There are discrepancies between the reports.
- In addition, to satisfy noise design criteria the houses would need their windows to be closed.
- The railway line can get very busy at times, pendolino trains are often re-routed and freight trains are regular users.
- Residents hear the noise from most trains and feel the vibration from heavy goods trains and they are over 200 metres away.
- Network Rail were not consulted - and they have safety concerns of people, especially children, around the level crossing; as well as vehicles passing over it. They require a security fence to be erected alongside, at least 2m away, from its own fence. Noise from the trains will require solid wood fences to screen the gardens close to the line. Consequently the public footpath will become enclosed, noisy, and potentially dangerous from fumes and anti-social behaviour.
- The pedestrian crossing of the railway line, rarely used now by unaccompanied children, will be used frequently if there are houses nearby (even right up to it), leading to a major safety risk.
- What will be the affect of children from this proposed site playing next to an electrified railway line?
- Residents query whether account has been taken of possible future developments on this rail route, particularly in the light of HS2.
- Houses close to the embankment would undermine its foundations
- There is also considerable flooding currently underneath the railway bridge - more flooding could cause weakening of the bridge structure.
- Residents use the trains to travel directly London and do not want the line restricted, in terms of traffic, because of this development.

Radway Green

- Over a third of the proposed development falls into the Radway Green Ammunitions Factory exclusion zone where major damage would be caused in the event of an explosive accident making the land unsafe to build on.
- If the application was granted the licence of Radway Green munitions factory would be reviewed and BAe would have to reduce its activity, with the result of jobs being put in jeopardy at the only large employer left in the area.
- BAe would require compensating for loss of revenue and failure to complete orders
- There is serious concern about the economic impact on this large employer no-longer investing in the site. This is too high a price to pay for Alsager residents in the current economic climate. It seems incredible that it is even being considered as a potential development.
- This factory is a valuable local employer (around 400 staff) and its operations cannot be threatened or restricted. At a time of decreasing British industry it would also be

negligent of the Council to allow this housing development in this regard particularly when there are several other alternative sites available for housing in Alsager.

- Alsager has already lost key employers, and a clear message should be made to BAE, through rejecting this planning application, that their future investment and expansion is welcome and supported.
- To live in the development when the factory is test firing will be very noisy and cause disturbances. Residents in Swallow Drive can hear the ammunitions being tested,
- The bulk explosives magazines are located at the closest point to the proposed development. If there was ever an incident involving explosives the council would be guilty of gross negligence in allowing such a development.
- When Dunham Close was built the potential hazard from Radway Green munitions factory had to be addressed by the developers building a high earth mound.
- All of the development lies closer to the Radway Green Ordnance factory than the raised blast deflector embankments originally constructed to protect the perimeter of the original Hall Drive development. As production of ammunition at the factory still continues then therefore the risk of a major explosion must still be present.
- 7 years ago part of the loading factory blew up. It was approx 12.30 pm. The blast woke residents living the other side of the field and this was with 6kg of propellant. There is far more than that amount in the main magazine. Since the main factory has moved to a new area within the boundary of the site this has moved the loading factory to face the way of the proposed housing estate and is closer.
- The BAE munitions works at Radway Green is a top tier COMAH site. The Public Information Zones (PIZ) that the HSE design for a major incident indicate that approximately 50% of Site A lies in the middle zone. Housing developments are not normally permitted by the HSE in this area.

Compromises Road Safety / Traffic Generation

Hall Drive

- Hall Drive was built as an access road to serve the original development, not as a through road. It now carries more traffic than envisaged in the 1980's and does not cope well.
- Each home comprises of on average of 2 cars, which means an extra 200+ cars will be using Hall Drive on a daily basis which means a minimum of 400 journeys - assuming that each car that goes up the road has to return to its property. It would become gridlocked.
- In addition it would have to carry heavy construction vehicles, which are cumbersome
- Many children walk to school via Hall Drive, which is the only proposed access road to the 150 homes.
- It also provides sole access to the busy Home Farm Fisheries. This commercial fishing complex has, in the last 3 or 4 years, begun to attract many visitors from as far afield as Birmingham, Liverpool, Manchester and Derby, due to the introduction of specimen sized catfish.
- It would exacerbate traffic exceeding the 30 mph speed limit. When there is a fishing match on it is like a race track
- There would be an increase in noise and congestion with its attendant pollution.
- The current Hall Drive estate is an attractive safe family environment

- Children have very little play areas in the surrounding area. This will make it almost impossible for them to play outside their own homes.
- When exiting Dunham Close onto Hall Drive it is very difficult to see traffic to the right hand side & children could get knocked down here as a consequence of the increased traffic.
- Hall Drive has become much busier as families now have far more cars than estimated and it certainly is not wide enough to take more traffic
- The Dennis Round Court has parking problems as people visit it for recreational purposes and there are always cars parked up along side the road
- There is much concern about access to the proposed site by the emergency services.
- Hall Drive is not well adapted for the increased volume of traffic - a proposal for a golf/country club on the hill to the south was rejected on those grounds some time ago.
- Currently the area is safe for cyclists to use paths to cycle down to Hall Fisheries. It would be unsafe with more traffic.
- The proposed extension of Hall Drive cuts across a footpath. This is a safety issue as many children use it to get to the local park, as well as walkers etc.
- On Hall Drive there is a tight bend that is difficult to pass if a car is parked on the road.

Crewe Road / Hall Drive Junction

- At peak times, the junction from Hall Drive onto Crewe Road clogs up severely.
- The proposal will virtually double the number of vehicles, existing Hall Drive onto Crewe Road.
- This junction is very near to the cross-roads of Crewe Road with Church Road and Station Road, the latter being a major cut through for traffic to and from the A500 Alsager - Stoke-on-Trent commuter route; the two junctions affect each other's capacity, safety and smooth flowing.
- Every week cars almost collide when traffic from Crewe overtakes parked cars opposite Hall Drive and forces traffic from Alsager to take evasive action by crossing into the Hall Drive turning. Luckily there is rarely any traffic exiting Hall Drive but this would probably not be the case if the development went ahead.
- The existing junction of Hall Drive/Crewe Road as means of access to further housing was deemed unacceptable when the original planning application for the Poppyfields Estate was made, which was for a smaller number of properties than the current proposed development and required the installation of a mini roundabout.
- This junction would become the scene of considerable delays at peak times with the increased risk of road traffic accidents with the estimated additional number of vehicles exiting Hall Drive, taking into account the restricted visibility in the easterly direction. Many school children also cross the Hall Drive junction at these peak times increasing the risk of accidents.
- The transport survey is woefully inadequate on this proposal. The true statistics can be found on the Guardian and Crashmap websites. It can be seen on both sites that this Hall Drive junction was the site of a fatal road traffic accident on 04/02/2007(one of 3 fatalities on Alsager Roads in the last 10 years) There is also evidence of a further 9 accidents at this junction that have been conveniently ignored by the developer in his report.
- A child was knocked over just a couple of months ago.
- How will the additional vehicles from 150 properties help this blackspot?.

- The actual photograph being used in the developer's report shows a vehicle encroaching into the Hall Drive entrance. This makes any visibility splay data useless, as vehicles emerging from Hall Drive have to stop significantly before the white lines
- Are they going to build a new roundabout at the entrance of Hall Drive?
- Environmental impact studies would need to establish the effects of increased traffic from Hall Drive at the junction of Crewe Road.

Crewe Road

- Crewe Road, has become busier over the years as more houses have been built, and traffic will be further increased on already congested roads. The road is increasingly becoming more dangerous as the main route through the town.
- The junction at Hassell Road/Crewe Road is predicted by the developers traffic analysis to become overloaded as a result of increased traffic and the Hall Drive development. Clearly the true situation would be much worse with the MMU redevelopment is added in as well.
- Crewe Road is extremely narrow in this area and already very congested
- Crewe Road residents have difficulty crossing the road, and getting out of their drives and in some cases it can already take in excess of 3 minutes in a morning.
- This increase in traffic will itself create a greater safety risk on a road that is already dangerous due to the speeds that traffic seems to travel along it and will undoubtedly give rise to the number of accidents that occur on such a road.
- Crewe Road / Station Road / Church Road junction will need traffic lights and pedestrian crossings
- The extra children crossing Crewe Road to go to school will also be a danger.
- Crewe Road is in considerable disrepair and potholed. It has a sandy substructure and cannot cope with additional volume of traffic
- Cyclists are worried about their safety from such an increase in housing and therefore in car drivers.
- Cranberry is the only school that has the potential for places, which means more traffic between Hall Drive, Poppyfield exit roundabout, and Cranberry Lane.

Other Highway Issues

- The traffic analysis also does not take into account the planning permission granted for the Caradon Twyford's site. Nor was there an analysis done of the Station Road/Crewe Road junction. This is one of the junctions on Crewe Road that concerns most residents. It is extremely dangerous.
- 2 level crossings at Radway Green and Alsager Station already cause traffic problems, and Bank Corner junction cannot cope with traffic flow now.
- Junction 16 of the M6 and Radway Road is particularly dangerous.
- More and more drivers are using Dunnocksfold Road and Close Lane as their preferred route onto Crewe Road. At times the junction of Dunnocksfold Road and Hassall Road is a white knuckle ride. Also when the children are coming to and from school (eg Alsager School and Pikemere) the mix of kids and traffic is frightening. New development will certainly increase traffic, increase the number of children at the schools and add considerably to the risk.

- The existing bridge over the site is inadequate for such a large increase of traffic. The low bridge under the railway is a potential traffic blackspot for cars wrongly traversing the area.
- The traffic system in Alsager is already overloaded and the roads themselves in a very poor state of repair
- Church Road is used by buses and also appears to have a lot of usage from parents dropping and collecting their children from the Alsager School. Again there are already times when this road is at a stand still.
- The M6 is a heavily congested arterial road with frequent and lengthy limitations on traffic flow if not actual stoppage of flow
- To enlarge or reconfigure the road networks can only mean increased noise and pollution
- Cheshire East Council is already struggling to maintain road surfaces and is ill-prepared for prevailing weather conditions. It shows all the signs of a system under stress and unable to cope with that which it has to deal with currently, a thing which bodes badly with anyone's expectations for the future

Other Matters

- The Town Council voted unanimously against this proposal.
- No one will want to buy a house within a recognised blast zone of the ammunitions factory, a near a railway line, built on a water logged field near a brook which has a risk of flooding.
- The Councils should listen to the views of local residents and support them in stopping greedy property developers exploiting a loophole
- It is only East Cheshire's incompetence as a Council which has allowed this application to get this far. This, together with other proposed large scale housing developments in Alsager, should be vigorously opposed and rejected. Their purpose is not to improve the quality of life for local residents, but to line the pockets of greedy and opportunistic housing developers taking advantage of the absence of East Cheshire's local plan.
- The application will undoubtedly get approved as it will help increase the Council coffers.
- The development would not benefit most of the existing residents of Alsager, as their children would not be able to afford properties in this area. This would draw in new inhabitants from outside the area who work in other towns and cities.
- Residents can all see the disruption that the new Co-Op has caused and is still causing with access etc.
- The only people who stand to benefit from this proposal are the developers who can maximise their profits from ploughing up greenfield sites rather than taking on the added costs of clearing already despoiled brownfield sites in Alsager. There will be NO benefit to the residents of Alsager whatsoever, only harm
- Residents deserve to be listened to & views respected when the Council are making such important decisions about the future of the community.
- Alsager is being targeted by many developers making speculative planning applications, as responsible decision makers in the authority this is the opportunity to demonstrate that the Council will not be rail roaded by them & will make a decision to oppose the plan which will be in the best interest of the community.

- If the Local Plan was in place, there would not be such an avid interest in obtaining planning permission for areas such as this.
- Approval of this plan would represent a betrayal of the residents of Alsager by the planning authority.
- People objected to the development off Crewe Rd recently, to build 65 homes. The developers had not even discussed the proposal with the Council, just applied speculatively. Because of the Council's incompetence for future land planning they were successful in gaining permission to build on a field with protected species, entrance to the roads endangering the public, next to a stream and against objections from the Town Council and public. Residents hope they are not successful in this application and that the Council's procedures are investigated and what they consider to be a ludicrous planning permission already given is revoked.
- Unfortunately this application will probably be given permission and Alsager and Sandbach will be the scapegoat for Council incompetence, both suffering greatly.
- There is on the site Himalayan Balsam weed which is very invasive and would need a lot of work to eradicate.
- The development of the land as proposed would have the effect of devaluing the existing dwellings not only their desirability but also their monetary value.
- Alsager town centre is in desperate need of development and this money has never been found. Any local developers should be made to make a significant contribution to rebuilding the 60s buildings to a more aesthetically pleasing and pedestrian friendly centre.
- All local people are really angry and disgusted at this unnecessary, greedy proposal.
- If this development is given approval it will represent very much the thin end of the wedge regarding future proposals of this nature. If this is agreed it will make it impossible for Alsager residents or Cheshire East at a local or wider level to object to others whether in Alsager or other parts of the region. A precedent will have been set.
- This is a ludicrous proposal and sadly voices of the Alsager residents will be conveniently not be heard.
- Recently the head of Cheshire East Council wrote in the Daily Telegraph concerning how his hand was being tipped in the proposals made by housing development companies within his constituency. He found that the system was being inundated and that he felt disempowered to oppose them. It is self-evident that due to the lack of plan (due to unitary council proposals) that the housing industry has a determination to use this mishap to impose its demands on the local community whether their intrusion is merited or not.
- There will be increased light pollution which will disenable the night time experience of the natural universe and disenable the possibility of pastimes such as astronomy.
- Because the Developers did not consult with Network Rail and therefore appreciate the constraints on the site layout, and properly take into account their noise assessment, together with the flood risk assessment differences to the development line allowed by the Environment Agency - a new indicative site layout will have to be developed which, unless the type of housing changes, will result in fewer houses being proposed. Fewer market houses means fewer affordable houses. The maximum on the current proposal is 45 being 30% of the total number. Although this is a benefit from the proposal this is vastly outweighed by the negative aspects.
- Hall Drive's development cannot be viewed in isolation and it is a microcosm of the totality of errant plans proposed for the immediate area now including Green Field

expansion in diverse locations from Crewe Hall, Barthomley, Dunncocksfold, MMU, Twyfords, Oakhanger and much else that has not as yet been divulged. Taken with the totality of changes in Crewe and Sandbach it will take the area from a collection of relatively small settlements to a conurbation within a short time.

7. APPLICANT'S SUPPORTING INFORMATION:

- Waste Management Plan
- Utilities Statement
- Geo-Environmental Statement
- Flood Risk Assessment
- Development Concept Plan
- Design and Access Statement
- Transport Assessment
- Section 106 Proforma
- Agricultural Land Classification
- Open Space Assessment
- Affordable Housing Statement
- Planning Statement
- Ecological Survey
- Tree Survey
- Architectural Analysis

8. OFFICER APPRAISAL

Main Issues

Given that the application is submitted in outline, the main issues in the consideration of this application are the suitability of the site, for residential development having regard to matters of planning policy and housing land supply, affordable housing, highway safety and traffic generation, contaminated land, air quality, noise impact, landscape impact, hedge and tree matters, ecology, amenity, open space, drainage and flooding, sustainability and education.

Principle of Development

Policy Position

The site lies in the Open Countryside as designated in the Congleton Borough Local Plan First Review, where policies H6 and PS8 state that only development which is essential for the purposes of agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.

The proposed development would not fall within any of the categories of exception to the restrictive policy relating to development within the open countryside. As a result, it constitutes a "departure" from the development plan and there is a presumption against the proposal, under the provisions of sec.38(6) of the Planning and Compulsory Purchase Act

2004 which states that planning applications and appeals must be determined “*in accordance with the plan unless material considerations indicate otherwise*”.

The issue in question is whether there are other material considerations associated with this proposal, which are a sufficient material consideration to outweigh the policy concerns.

Members should note that on 23rd March 2011 the Minister for Decentralisation Greg Clark published a statement entitled ‘Planning for Growth’. On 15th June 2011 this was supplemented by a statement highlighting a ‘presumption in favour of sustainable development’ which has now been published in the National Planning Policy Framework (NPPF) in March 2012.

Collectively these statements and the National Planning Policy Framework mark a shift in emphasis of the planning system towards a more positive approach to development. As the minister says:

“The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy”.

Housing Land Supply

The National Planning Policy Framework (NPPF) states at paragraph 47 that there is a requirement to maintain a 5 year rolling supply of housing and states that Local Planning Authorities should:

“identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land”.

The NPPF states that, Local Planning Authorities should have a clear understanding of housing needs in their area. This should take account of various factors including:

- housing need and demand,
- latest published household projections,
- evidence of the availability of suitable housing land,
- the Government’s overall ambitions for affordability.

The figures contained within the Regional Spatial Strategy proposed a dwelling requirement of 20,700 dwellings for Cheshire East as a whole, for the period 2003 to 2021, which equates to an average annual housing figure of 1,150 dwellings per annum. In February 2011, a full meeting of the Council resolved to maintain this housing requirement until such time that the

new Local Plan was approved. In December 2012 the Cabinet agreed the Cheshire East Local Plan Development Strategy for consultation and gave approval for it to be used as a material consideration for Development Management purposes with immediate effect. This proposes a dwelling requirement of 27,000 dwellings for Cheshire East, for the period 2010 to 2030, following a phased approach, increasing from 1,150 dwellings each year to 1,500 dwellings.

However the most up to date position on the Councils 5-year housing land supply figure is following the recent appeal decisions. As part of the consideration of the Congleton Road and Sandbach Road North decisions, the Inspector found that the housing land supply over 5 years is 5750 dwellings. It is necessary to add to this figure the existing backlog 1750 dwellings and a 20% buffer for a record of persistent under delivery which gives a total requirement of 9000 dwellings over 5 years or 1800 per annum.

In terms of the existing supply the Inspector found that there is currently:

*‘a demonstrable supply, taking the generous approach to Council estimates, which is likely to be in the region of 7000 to 7500 dwellings at most’
(Sandbach Road North Appeal)*

This demonstrable supply therefore equates to a figure of 4.0 to 4.2 years.

The NPPF clearly states at paragraph 49 that:

“housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

This must be read in conjunction with the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF which for decision taking means:

“where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- n any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- n specific policies in the Framework indicate development should be restricted.”*

As it has been found that Cheshire East cannot demonstrate a five year supply of housing land, the provisions of paragraphs 49 and 14 apply in this case. It is therefore necessary to carry out a balancing exercise in this case to assess whether the harm ‘significantly and demonstrably’ outweighs its benefits.

Emerging Policy

Clarification has been given on the weight which can be attributed to the emerging Local Plan as part of recent appeal decisions for Abbeyfields, Sandbach and Congleton Road,

Sandbach and Sandbach Road North, Alsager. As part of the decision for the Abbeyfields site the SoS stated that:

‘As the emerging LP is still at an early stage the Secretary of State accords it limited weight in his decision making’

As part of the appeal decision for Congleton Road, Sandbach and Sandbach Road North, Alsager the Inspector found that:

‘There is a draft Local Plan, variously described as the Core Strategy and Development Strategy, which is moving towards a position in which it can be submitted for examination. The Council is seeking to achieve this in late 2013. The current state of the plan is pre submission. It is not disputed that there are many outstanding objections to the plan, and to specific proposals in the plan. Hence it cannot be certain that the submission version of the plan will be published in the timescale anticipated. The plan has already slipped from the intended timetable. In addition there can be no certainty that the plan will be found sound though I do not doubt the Council’s intentions to ensure that it is in a form which would be sound, and I acknowledge the work which has gone into the plan over a number of years.

Nonetheless I cannot agree that the draft Local Plan should attract considerable weight as suggested by the Council. There are many Secretary of State and Inspector appeal decisions which regard draft plans at a similar stage as carrying less weight. The Council’s own plan has been afforded little weight in the earlier months of 2013, and although the plan has moved on to an extent, it has not moved on substantially. For these various reasons I consider that the draft Local Plan can still attract no more than limited weight in this case’

Given the above the emerging Local Plan can only be given limited weight in the determination of this planning application.

Countryside Policies

As well as assessing housing supply, the decisions at Sandbach Road North and Congleton Road Sandbach are also significant for clarifying the status and intent of settlement zone line and countryside policies.

Some have sought to argue that as settlement boundaries effectively contain the built area of a town or village – and so define the area in which development is usually concentrated – that accordingly they should be viewed as housing supply policies. This subsequently could mean that those policies, along with normal countryside policies, should be considered “out of date” if there is no five year supply of housing land. This view is derived from paragraph 49 of the framework which states that:

“Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites”.

There are appeal decisions that appear to support this perspective, although those in Cheshire East have generally taken a different approach.

The recent appeal decisions consider this matter in some detail. It was noted by the Inspector that the settlement zone lines serve a variety of purposes – and take account of land allocated for development up to a particular point (in this case 2011). However, the Inspector considered that settlement zone lines were not driven by the need to identify land for development, but rather are based on the objective of protecting countryside once development land is identified. Consequently, he concluded that the related policy (Policy PS4 of the Congleton Local Plan) was *“not sufficient directly related to housing land supply that it can be considered time expired for that purpose.”* Instead the Policy is *“primarily aimed at countryside & green belt protection”*. These objectives are largely in conformity with the NPPF and attract *“significant weight”*. In both appeals conflict with countryside policies were acknowledged.

This means that these policies remain important in the planning balance – but are not necessarily determinative. The two decisions pinpoint that much depends on the nature and character of the site and the individual circumstances pertaining to the application. At Congleton Road, the Inspector considered that the objective to boost significantly the supply of housing outweighed the “relatively moderate” landscape harm. In contrast, at Sandbach Road North the provision of housing was viewed as an “important and substantial” material consideration, but there would also be serious harm resulting from the impact on the character and appearance of the countryside. On this occasion that identified harm, combined with the significant weight attributed to countryside policies, outweighed the benefits in terms of housing supply.

In reaching this conclusion, the Inspector memorably noted that:

“the lack of a 5 year supply of housing land does not provide an automatic ‘green light’ to planning permission”.

Therefore, countryside policies in existing local plans can be considered as consistent with NPPF and are not housing land supply policies – and thus not of date, even if a 5 year supply is not in evidence. They accordingly need to be played into the planning balance when decisions are made. Where appropriate, as at Sandbach Road North, conflict with countryside protection objectives may properly outweigh the benefit of boosting housing supply.

Conclusion

- The site is subject to Policy NE.2 (Open Countryside) where there is a presumption against new residential development.
- The NPPF states that where authorities cannot demonstrate a 5 year supply of housing land, relevant local plan policies are out of date and there is a presumption in favour of development unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
 - specific policies in the Framework indicate development should be restricted.
- Cheshire East has a housing land supply figure of in the region of 4.0 to 4.2 years

- Only limited weight can be applied to the emerging Local Plan.
- As the Council cannot demonstrate a 5 year housing land and the NPPF carries a presumption in favour of sustainable development. It is therefore necessary to consider whether the proposal is sustainable in all other respects as part of the planning balance.

Impact on the Regeneration of the Potteries Conurbation

An objection has been raised by Newcastle-under-Lyme Borough Council (NULBC) on the grounds that it would undermine the delivery of the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006-2026. A recent report to their Planning Committee states:

In particular, given the strong economic links between this part of Cheshire and North Staffordshire, major greenfield development in this location could encourage further out-migration from the North Staffordshire conurbation. This view is borne out by the Transport Assessment accompanying the application, which emphasises that the site is accessible by road and rail to employment areas in Stoke-on-Trent. Such out-migration in turn would undermine the strategic aim and Policy SP1 of the adopted Core Spatial Strategy, detracting from the regeneration of the North Staffordshire housing market and economic base.

On 19 February 2013, Planning Committee endorsed a report by your officers on the draft version of the Cheshire East Council Local Plan: Development Strategy and Policy Principles consultations. This report raised concerns about the proposed scale of development to the south and south east of Crewe and suggested that sites to the north and west of Crewe would offer a more sustainable location for housing development. 1,100 new homes were planned for Alsager. The level and location of development at Alsager did not appear to raise any significant issues for the borough. Cheshire East Council have now published for consultation purposes the 'Pre-submission Core Strategy,' and a report on this consultation document will be brought to the Planning Committee at its meeting in December. In the latest iteration of the Core Strategy Alsager continues to be identified as a 'Key Service Centre' but the proposed level of housing, on three strategic sites, has been increased to between 1,650 to 1,700 homes over the plan period 2010-2030. This represents an increase in the region of up to 55% beyond Cheshire East's previous stated position. The development of the site, south of Hall Drive would result in a further increase of 125 homes above this figure. Your officers are also aware of significant development pressure in and around Alsager, which officers at Cheshire East have indicated is likely to lead to additional speculative housing proposals being submitted in the near future. Individually these schemes may be of a small scale (in comparison to the proposed strategic site allocations) but their cumulative impact could be significant.

Cheshire East Council have recently lost several appeals on the basis that they do not have a five year housing supply, but nationally there have been appeal cases where Planning Inspectors have given weight to the potential adverse impact on a neighbouring authority under the 'duty to cooperate' legal requirements.

Your officers consider that the development of this site when considered together with the revised planned allocation of strategic sites at Alsager, is likely to result in a level of

development that would have an adverse impact on the strategic objectives of the adopted Core Spatial Strategy and hence has the potential to both undermine the North Staffordshire housing market and encourage further out-migration from the conurbation.

This issue was considered at the recent inquiry relating to the proposed development at Sandbach Road North in Alsager. In that case, the Inspector concluded:

The adjoining Councils (Stoke-on-Trent and Newcastle-under-Lyme) have been consulted in relation to the draft development strategy and have made it clear that there are reservations in relation to development close to the common boundaries of a scale which might prejudice regeneration in their areas. However, there is no specific objection lodged to this particular proposal. I bear in mind that the final version of the CEC Local Plan has yet to be examined and the matter of the duty to cooperate with neighbouring authorities will no doubt form part of that examination. So whilst I cannot indicate that granting permission on this site would cause difficulties for regeneration elsewhere, it would seem wise, in this part of the Borough, not to proceed with development which would go beyond the draft strategy at this stage. This matter is not determinative in its own right, but is a matter which adds caution to the process of decision making.

The Hall Drive case differs from that considered by the Inspector as there has been a specific objection lodged to this proposal. However, like the Sandbach Road North case it does go beyond the draft strategy, which in the view of the Inspector is a point which weighs against the proposal in the planning balance but is not determinative. Therefore, whilst there is sympathy with the concerns of NULBC, given that, as will be demonstrated below, there are no other grounds for objection to this scheme, it is not considered that they are sufficient in themselves to provide a sustainable reason for refusal. Furthermore, where cases are finally balanced, the general thrust of the NPPF makes it clear that the presumption should be in favour of the development.

Sustainability

The National Planning Policy Framework definition of sustainable development is:

“Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them, can be better, but they will certainly be worse if things stagnate. Sustainable development is about change for the better, and not only in our built environment”

Accessibility is a key factor of sustainability that can be measured. A methodology for the assessment of walking distance is that of the North West Sustainability Checklist, backed by the Department for Communities and Local Government (DCLG) and World Wide Fund for Nature (WWF). The Checklist has been specifically designed for this region and can be used by both developers and architects to review good practice and demonstrate the

sustainability performance of their proposed developments. Planners can also use it to assess a planning application and, through forward planning, compare the sustainability of different development site options.

The North West Sustainability Checklist is supported by Policy DP9: Reduce Emissions and Adapt to Climate Change of the Regional Spatial Strategy for the North West, which states that:

“Applicants and local planning authorities should ensure that all developments meet at least the minimum standards set out in the North West Sustainability Checklist for Developments (33), and should apply ‘good’ or ‘best practice’ standards wherever practicable”.

The Regional Spatial Strategy for the North West currently remains part of the Development Plan for Cheshire East.

The criteria contained within the North West Sustainability Checklist are also being used during the Sustainability Appraisal of the Cheshire East Local Plan. With respect to accessibility, the toolkit advises on the desired distances to local facilities which developments should aspire to achieve. The performance against these measures is used as a “Rule of Thumb” as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue. It is NOT expected that this will be interrogated in order to provide the answer to all questions. The results of an accessibility assessment using this methodology are set out below.

Category	Facility	HALL DRIVE, ALSAGER
Open Space:	Amenity Open Space (500m)	0m
	Children's Play Space (500m)	0m
	Outdoor Sports Facility (500m)	500m
Local Amenities:	Convenience Store (500m)	600m
	Supermarket* (1000m)	600m
	Post box (500m)	850m
	Playground / amenity area (500m)	0m
	Post office (1000m)	850m
	Bank or cash machine (1000m)	600m
	Pharmacy (1000m)	750m
	Primary school (1000m)	200m
	Secondary School* (1000m)	1126m
	Medical Centre (1000m)	800m
	Leisure facilities (leisure centre or library) (1000m)	750m
	Local meeting place / community centre (1000m)	600m
	Public house (1000m)	450m
	Public park or village green (larger, publicly accessible open space) (1000m)	500m
	Child care facility (nursery or creche) (1000m)	804m
Transport Facilities:	Bus stop (500m)	160
	Railway station (2000m where geographically possible)	900m

	Public Right of Way (500m)	0m
	Any transport node (300m in town centre / 400m in urban area)	600m
<i>Disclaimers:</i>		
<i>The accessibility of the site other than where stated, is based on current conditions, any on-site provision of services/facilities or alterations to service/facility provision resulting from the development have not been taken into account.</i>		
<i>* Additional parameter to the North West Sustainability Checklist</i>		
<i>Measurements are taken from the centre of the site</i>		

Rating	Description
	Meets minimum standard
	Fails to meet minimum standard (Less than 60% failure for amenities with a specified maximum distance of 300m, 400m or 500m and 50% failure for amenities with a maximum distance of 1000m or 2000m).
	Significant failure to meet minimum standard (Greater than 60% failure for amenities with a specified maximum distance of 300m, 400m or 500m and 50% failure for amenities with a maximum distance of 1000m or 2000m).

On the basis of the above assessment the proposal does appear to be generally sustainable in purely locational terms.

Previous Inspectors have determined that accessibility is but one element of sustainable development and it is not synonymous with it. There are many other components of sustainability other than accessibility. These include, meeting general and affordable housing need, reducing energy consumption through sustainable design, and assisting economic growth and development.

Policy DP9 of the RSS relates to reducing emissions and adapting to climate change. It requires:

- proposals to contribute to reductions in the regions' carbon dioxide emissions from all sources;
- take into account future changes to national targets for carbon dioxide and other greenhouse gas emissions
- to identify, assess and apply measure to ensure effective adaptation to likely environmental social and economic impacts of climate change.

RSS (Policy EM18) policy also necessitates that, in advance of local targets being set, large new developments should secure at least 10% of their predicted energy requirements from decentralised and renewable or low-carbon sources, unless it can be demonstrated that this is not feasible or viable.

According to the Design and Access Statement, the construction of these dwellings in accordance with the approach of the energy hierarchy will aim to reduce energy consumption and maximise energy efficiency. Careful consideration will be given to providing overall thermal performance and heat loss solutions in accordance with Part L of the building regulations.

The construction process will source local materials and suppliers which will reduce transport emissions both to and from the site. In terms of drainage it may be appropriate to include aspects of a sustainable urban drainage system. The potential for such features to be discussed at detailed design stage.

There is a potential to incorporate rainwater harvesting systems and utilise the use of grey water to minimise both water supply demands and surface water run off. The use of permeable road and paving surfaces will also help minimise surface water run off.

Whilst the above comments are noted, the Design and Access Statement does not provide any indication as to how the requirements of RSS Policy EM18 would be met within the development. Nevertheless, this is an outline application and a detailed scheme to achieve this could be secured through the use of conditions.

With regard to the issue of economic development, an important material consideration is the Written Ministerial Statement: Planning for Growth (23 March 2011) issued by the Minister of State for Decentralisation (Mr. Greg Clark). It states that *“Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy.”*

The Statement goes on to say *“when deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development.”* They should:

- consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;
- take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;
- consider the range of likely economic, environmental and social benefits of proposals;
- ensure that they do not impose unnecessary burdens on development.

The proposed development will bring direct and indirect economic benefits to the town including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

Similarly, the NPPF makes it clear that *“the Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.”*

According to paragraphs 19 to 21, *“Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system. To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century. Investment in business should not be overburdened by the combined requirements of planning policy expectations.”*

In conclusion, the loss of open countryside, is not considered to be sustainable but it is considered that this is outweighed by the need to provide for the 5 year housing land supply requirement, and the sustainability credentials of the scheme in terms of its location, meeting general and affordable housing need, reducing energy consumption through sustainable design, and assisting economic growth and development.

Loss of Agricultural Land

Policy NR8 of the Local Plan states that proposals which involve the use of the best and most versatile agricultural land (grades 1, 2 and 3a based on the ministry of agriculture fisheries and food land classification) for any form of irreversible development not associated with agriculture will only be permitted where all of a number of criteria are satisfied.

The applicant has submitted an agricultural land classification study which concludes that there is an area of Grade 4 land along the northern edge of the site, including the northern part of the eastern field. The remaining land is likely to comprise a mix of Grades 3b and 3a, the latter confined to a strip of higher ground alongside the railway line.

Given the proposal involves the loss of an element of 3a land, it is necessary to refer to the other tests in Policy NR8. Given that the Council now has a land supply in excess of 5 years it is not considered that the circumstances and need for development are supported in the local plan or that the development could not be accommodated on another site. However the proposal does not break up a viable agricultural holding or holdings, and given that only a very limited amount of 3a land is involved and that Inspectors have previously attached only very limited weight to the matter of agricultural land, it is not considered that an additional reason for refusal on these grounds could be substantiated.

Impact on Radway Green

The south western part of the development site lies within the inner (Band 2) consultation zone of the nearby licensed explosives facility. No development should take place within this area as the HSE have advised that this could result in the BAe plant license being reviewed with implications for continuing operations and potential for economic impacts on the town.

The indicative layout shows all of the proposed development located outside the Band 2 area, and an area of public open space within it. However, the indicative layout shows only 109 properties, rather than the 125 proposed. Although this is an outline application, in the absence of a plan to demonstrate that 125 dwellings can be accommodated on the site outside the Band 2 area, it is considered that a condition should be attached to any approval limiting the number of properties to 109.

The remainder of the site falls within the outer (Band 3) consultation zone of the licensed explosives facility. Therefore, the Explosives Inspectorate has no objection to it proceeding provided that the development is no more than three storeys (12 metres) high and is of traditional brick construction. If any part of the development within Band 3 is of a “vulnerable” nature i.e. vulnerable by virtue of population (e.g. hospitals, swimming pools) or by virtue of construction (e.g. multi-storey ‘curtain wall’ buildings, large open plan, unframed

structures, buildings with extensively glazed roofs or elevations) then the Explosives Inspectorate would be likely to raise concerns.

However, the proposal does not involve the provision of any “vulnerable” development such as hospitals, or multi-storey, curtain wall’ buildings, large open plan, unframed structures, buildings with extensively glazed roofs or elevations. Although the proposal is submitted in outline, with details of building scale, design and appearance as reserved matters, it is considered likely that the reserved matters will comprise typical 2 and 3 storey, brick built, detached, semi-detached and terraced housing. It is therefore likely to comply with the requirements of the HSE.

Nevertheless, to ensure that this is the case, in the event of approval, it is recommended that conditions are attached requiring the reserved matters to make provision for the properties to be of traditional brick construction and no more than 12m in height.

Impact on Level Crossing

The site is located adjacent to a level crossing, which carries a public right of way over the Crewe-Stoke Railway line. The proposed development has potential for increasing the level of foot traffic, which is currently very low (once or twice a day) over this crossing. However, Network Rail has stated that they have no objection to the scheme providing that the developer ensures that improvements are made to other PROW / pedestrian routes to discourage use of the level crossing to the west of the site and to encourage the use of the safe crossing at the under bridge. This could be secured through an appropriate Section 106 contribution. Network Rail have indicated that a sum of £163,500 would cover the cost of the necessary works.

Affordable Housing

The Council’s Interim Planning Statement for Affordable Housing (IPS) states that we will seek affordable housing on all sites with 15 units or more, and the general minimum proportion of affordable housing for any site will be 30% of the total units.

The Strategic Housing Market Assessment Update 2013 (SHMA) shows that for the sub-area of Alsager, there is a requirement for 54 new affordable units per year, made up of a need for 38 x 2 bed units, 15 x 3 bed units, 2 x 4+ bed units and 5 x 1 bed older persons units (the SHMA identified an oversupply of 1 bed units).

There are currently 225 applicants on our housing register applying for social rented housing who have selected one of the Alsager rehousing areas as their first choice, these applicants require 94 x 1 beds, 78 x 2 beds, 40 x 3beds and 7 x 4 beds. (6 applicants have not specified how many bedrooms they need).

Therefore, as there is affordable housing need in Alsager there is a requirement that 30% of the total units at this site are affordable with 65% rented and 35% intermediate. On the basis of 125 dwellings on site this equates to 38 affordable (25 rented and 13 intermediate). However, on the basis of the reduction to 109 dwellings on site based on the indicative layout provided, this would equate to 33 affordable (21 rented and 12 intermediate)

The IPS requires that the affordable homes should be provided no later than occupation of 50% of the open market units, unless the development is phased and there is a high degree of pepper-potting in which case the maximum proportion of open market homes that may be provided before the provision of all the affordable units may be increased to 80%.

All the Affordable homes should be constructed in accordance with the standards proposed to be adopted by the Homes and Communities Agency and should achieve at least Level 3 of the Code for Sustainable Homes (2007). The Affordable Homes should also be integrated with the open market homes and not be segregated in discrete or peripheral areas.

The SHMA does not show that there is a need for 1 bed properties however the information from the housing register does show that 1 beds are needed and as such a mixture of 1, 2, 3 and 4 bed properties would be preferable.

As this application is an outline application it is not possible to provide further detail about the affordable housing provisions. However, it is Officer's preference that the requirement for an affordable housing scheme to be submitted is secured in a s106 agreement, and that this includes a requirement that the rented housing is to be transferred to a Registered Provider.

Contaminated land

The Council's Environmental Health officers have commented that the application is an outline application for new residential properties which are a sensitive end use and could be affected by any contamination present. As such, a Phase I desk study and walkover survey have been submitted with the application which recommends a Phase II site investigation. In accordance with the NPPF, recommend that conditions are imposed to secure a Phase II investigation.

Air Quality

The proposed scale of the development is likely to change traffic patterns in the area. There is also concern that the cumulative impact of developments in the area will lead to successive increases in pollution levels, thereby increased exposure.

An Air Quality Impact Assessment has been submitted with the application. 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).

Poor air quality is detrimental to the health and wellbeing of the public, and also has a negative impact on the quality of life for sensitive individuals. It is therefore considered that mitigation should be sought from the developer in the form of direct measures to reduce the impact of traffic associated with the development.

Mitigation to reduce the impact of the traffic can range from hard measures to softer measures such as the provision of infrastructure designed to support low carbon (and polluting) vehicles. The Environmental Health Officer has therefore, recommended conditions relating to provision of a Travel Plan, electric vehicle charging points and an Environmental Management plan, which could be added in the event of approval. Subject to these conditions they raise no objections.

Noise Impact

The site is located adjacent to the Crewe – Stoke railway line. Consequently there is potential for noise disturbance to the occupants of the proposed dwellings resulting from passing rail traffic. A railway noise assessment has been carried out for the development which concludes that:

- Noise measurement surveys have been carried out on the site and the daytime and night-time railway noise exposure values have been evaluated.
- The railway line is only lightly used by passenger trains and there are up to 12 - 15 freight trains passing the site per week during the daytime only. Therefore, railway noise exposures are low. However, it is recommended that proprietary acoustic fencing be installed for any private gardens within 5 metres of the southern boundary of the site not already adequately screened by dwellings themselves.
- The need to ensure an adequate scheme of acoustic fencing can be ensured by the use of an appropriately worded planning condition.

In addition, a vibration assessment has been carried out which concludes that the extrapolated daytime vibration values are below the threshold values set out in BS 6472. Since there are only two trains in the whole of the night-time, corresponding night-time VDV's will be even lower. Therefore, no special vibration isolation measures will be necessary.

Environmental Health have considered the reports and commented that detailed recommendations for proposed mitigation measures are made. However as the layout is only indicative at the present time, Environmental Health would be unable to determine at this stage if the mitigation measures would be adequate.

Therefore they will require in due course a detailed layout of the site and the areas in which the mitigation measures will be applied in order to ensure the occupants of the development/occupants of nearby sensitive properties do not suffer a substantial loss of amenity due to noise. This can be considered at the Reserved Matters stage.

They go on to comment that any mitigation measures applied must achieve the internal noise levels defined within the "good" standard within BS8233:1999. The scheme must also include provisions for ventilation that will not compromise the acoustic performance of any proposals whilst meeting building regulation requirements. This can be secured by condition.

Network Rail have asked that details of the foundation design for the acoustic fencing be submitted for approval, to avoid the potential for the structure to fall on to the railway. All works, including the foundation design, which form part of the recommended scheme of mitigation, can be easily secured by condition.

Drainage and Flooding

The applicant has submitted with the application, a detailed Flood Risk Assessment (FRA). In summary, it states that:

- Part of the site lies within EA flood zones 2 and 3, at medium to high risk of fluvial flooding from Valley Brook, a tributary of the River Weaver. Detail Hydraulic Modelling has been undertaken to better define the flood zones and risks from Valley Brook.
- The FRA has informed the proposed development layout. Dwellings are proposed to be located outside Flood Zones 2&3. Criteria for geometry of the culvert, arrangement of the proposed access road and the proposed Brook realignment have been considered.
- The existing site is 6.2 hectares and is predominantly Greenfield. Site-specific Greenfield runoff rates have been calculated as $Q_{bar}=14l/s$. The proposed impermeable area is 2.89 hectares. The FRA demonstrates it will be feasible to drain the proposed development and limit the discharge of surface water runoff to Valley Brook to the Greenfield rate by means of attenuation.
- It has been demonstrated the proposed development will address the residual risk of surface water flooding and will not increase risk of flooding to neighbouring properties.

United Utilities and the Environment Agency have considered the report and raised no objections subject to the imposition of appropriate planning conditions. It is therefore concluded that the proposed development will not adversely affect onsite, neighbouring or downstream developments and their associated residual flood risk.

Local residents have disputed this conclusion and have submitted a significant amount of evidence relating to flooding. This has been passed to the Environment Agency for their further consideration and a further update on this matter will be provided to Members in due course.

Layout, Design and Public Right of Way

An indicative site plan has been submitted with the application which shows a main entrance to the site, from the end of Hall Drive, running through the middle of the site, with dul-de-sacs extending to each side. Properties are shown facing on to the access roads and the public right of way running through the site, as well as the public open spaces creating active frontage to all principle routes and public areas within the development, whilst retaining the majority of the existing hedges along the boundaries.

2 pedestrian accesses are proposed through the existing public open space to the east of the site, via the public footpath to the south and west and through the Swallow Drive play area to the north, as well as via the main vehicular access, which will allow permeability through the new development for pedestrians. This will allow pedestrian access for residents of the new development and the existing Hall Drive estate to Crewe Road, and facilities such as the railway station and medical centre, in Station Road, as well as the town centre. This is considered to be a positive aspect of the design.

The proposed layout shows properties fronting on to the new paths so that they are well overlooked with an open aspect, which would encourage use and prevent it becoming a target for antisocial behaviour.

It is also noted that the Council's Public Rights of Way Officer has welcomed the development, as it will improve pedestrian and cycle connectivity in the area subject to a number of provisions relating to the detailed treatment of the route. In particular details the shared use of the route between cycles and pedestrians and its status and maintenance need to be agreed. Given that layout is a reserved matter, these matters could be addressed at a later stage, whilst maintenance would be dealt with via the management company established by the Section 106 Agreement.

To turn to the elevational detail, the surrounding development comprises predominantly modern cul-de-sac development from the 1990's / 2000's radiating from Hall Drive to the north. There are also a number of isolated vernacular farm properties set within the open countryside to the south. Notwithstanding this, there is consistency in terms of materials with most dwellings being finished in simple red brick, and grey / brown slates / concrete / clay tiles. The predominant roof forms are gables although some are hipped.

Although external appearance and design are also reserved matters, it is considered that an appropriate design can be achieved, which will sit comfortably alongside the mix of existing development within the area.

Open space

There is an existing play area adjoining the proposed development site (known as Swallow Drive Play Area). Neither the play area nor the footbridge linking it to the nearby housing estate is not in the ownership of Cheshire East Council and as such it does not have responsibility for the site and has no intentions of acquiring the land. As Cheshire East Council are not the landowner we are unable to request financial contributions to improve the site.

The proximity of Swallow Drive Play Area to the water course has resulted in erosion of the riverbank and the perimeter of the play area and fence and therefore it has increased liabilities. To prevent continuing problems it would be preferable to build a new play area on the piece of the Amenity Greenspace to the South West which is much further away from the watercourse to replace Swallow Drive Play Area which could then be removed. The play area should be of a LEAP size and should include at least 5 items of equipment, using play companies approved by the Council. This could be secured through the Section 106 Agreement.

Turning to amenity greenspace, the proposed development would generate a requirement for 3000m² of new Amenity Greenspace based on 150 dwellings. Taking into account the reduction to 109 dwellings, referred to above, the requirement is reduced to 2616m². As detailed above, substantial area of Open Space, amounting to 11,000 m² square metres has been created in order to comply with the requirements of the HSE. Therefore the local plan requirements in terms of amenity greenspace can be met within the site. As with the Children and Young Persons Play Provision it is recommended that the Amenity

Greenspace be transferred to a private residents management company as part of the Section 106 agreement.

Amenity

The Congleton Borough Council Supplementary Planning Document, Private Open Space in New Residential Developments, requires a distance of 21m between principal windows and 13m between a principal window and a flank elevation to maintain an adequate standard of privacy and amenity between residential properties.

The layout and design of the site are reserved matters. However, the indicative layout demonstrates that 109 dwellings could be accommodated on the site, whilst maintaining these minimum distances between existing and proposed dwellings. It also illustrates that the same standards can be achieved between proposed dwellings within the new estate.

109 dwellings, is lower than the 125 applied for, but on the basis of the indicative layout submitted, it has not been demonstrated that 125 dwellings could be accommodated on site. Therefore it is considered to be appropriate to impose conditions on any approval, limiting the number of dwellings to 109.

The SPD also requires a minimum private amenity space of 65sq.m for new family housing. The indicative layout indicates that this can be achieved in the majority of cases. It is therefore concluded that the proposed development would be acceptable in amenity terms and would comply with the requirements of Policy BE.1 of the Local Plan.

Landscape Impact

The site consists of 6.2 hectares of agricultural land located off Hall Drive, on the southern edge of Alsager. The area to the immediate north of the site is residential and this is separated from the site by the Valley Brook, which meanders along the site boundary. To the south is the Crewe – Stoke-on-Trent railway, the boundary fence of which forms the southern boundary of the site. The Lodge is located along the southern boundary of the site and an access track that leads to The Lodge leads to a small tunnel under the railway line and to the area to the south.

The site itself is open farmland with a pattern of hedgerows, the play area to the west of Hall Drive has a small woodland area associated with it and there are also a number of trees along the northern boundary in particular, as well as a single mature Oak located in the central part of the site.

There are no landscape designations on the application site and the Landscape and Visual Impact Assessment correctly identifies the baseline landscape character, and that it is largely located within the boundary of Character Type 10: Lower Farms and woods, specifically in the LFW 7: Barthomley Character Area. The area immediately to the north lies within the urban character area of Alsager. Although the assessment indicates that ‘the scheme will seek to enhance the pre-existing natural features, such as the single mature oak in the heart of the site’, this oak is not shown on the illustrative layout scheme, and the layout shown would not allow sufficient space for the retention of this tree.

The site has the landscape capacity to accommodate future residential development, providing that it is well planned and designed and takes due account of the existing landscape features of the site, but more consideration needs to be given to the design and mitigation in the area adjacent to the south of the site along the Crewe – Stoke-on-Trent railway line.

Trees and Forestry

There are a number of trees and lengths of hedgerow in the vicinity of the site.

The application is supported by a Tree Survey Report prepared by Solum Environmental dated March 2013. The report indicates that the survey has been carried out in accordance with the recommendations of British Standard BS5837:2012 Trees in Relation to design demolition and construction.

The tree report includes a tree survey, a scaled tree survey plan and a tree constraints plan. The report makes recommendations to retain boundary hedgerows and 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.

BS5837:2012 Trees in relation to design, demolition and Construction – Recommendations places an emphasis on 'evidence based planning' and accords with standard RIBA work stages. The standard now requires higher levels of competency and a more precautionary approach to tree protection. The Standard requires a greater level of robustness and confidence to ensure the technical feasibility of a development in respect of the successful retention of trees.

This means that at planning permission stage the following information will have been completed and where appropriate submitted as part of the planning application for validation purposes.

1. Topographical Survey
2. Soil Assessment
3. Tree Survey
4. Tree Categorisation
5. Tree Constraints and Root Protection Areas identified to influence design
6. Arboricultural Impact Assessment including evaluation of tree constraints and a draft tree protection plan (BS5837:2012 para 5.4.3 provides all the details)
7. Issues to be addressed by the Arboricultural Method Statement - these issues will provide certainty of outcome for example details of special engineering within the Root Protection Area to test the feasibility of the detail at planning application stage.

The submitted plans and particulars illustrate which trees are suggested for retention but are not cross referenced with their Root Protection Areas and respective Tree protection details have not been superimposed onto the Sketch Site Plan ref 115 and there is no Arboricultural Impact Assessment provided. As a consequence it is not possible to determine the direct or indirect impact of the proposed layout on retained trees.

In order for the LPA to have full confidence that the number of dwellings proposed can be accommodated without harm to trees worthy of retention the above information should be provided. Nonetheless, it is appreciated that this is an outline application and that limited weight can be afforded to the layout.

Furthermore, 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 comprehensive conditions in respect of:

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

Ecology

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places

(a) in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment, and provided that there is

(b) no satisfactory alternative and

(c) no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK has implemented the Directive in the Conservation (Natural Habitats etc) Regulations 2010 (as amended) which contain two layers of protection (i) a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and (ii) a licensing system administered by Natural England and supported by criminal sanctions.

Local Plan Policy NE.9 states that development will not be permitted which would have an adverse impact upon species specially protected under Schedules 1, 5 or 8 of the wildlife and Countryside Act 1981 (as amended), or their habitats. Where development is permitted that would affect these species, or their places of shelter or breeding, conditions and/or planning obligations will be used to:

- facilitate the survival of individual Members of the species
- Reduce disturbance to a minimum
- Provide adequate alternative habitats to sustain the current levels of population.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. "This may potentially justify a refusal of planning permission."

The NPPF advises LPAs to conserve and enhance biodiversity: if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) or adequately mitigated, or as a last resort, compensated for, planning permission should be refused.

Natural England's standing advice is that, if a (conditioned) development appears to fail the three tests in the Habitats Directive, then LPAs should consider whether Natural England is likely to grant a licence: if unlikely, then the LPA should refuse permission: if likely, then the LPA can conclude that no impediment to planning permission arises under the Directive and Regulations.

In this case specific advice has been sought from the Council's Ecologist who has made the following comments:

Bats

The site appears to support relatively low levels of bat activity the potential impacts of the proposed development upon bats are likely to be low.

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 submitted ecological assessment now includes recommendations for the incorporation of 'buffer zones' along the railway line and the hedgerow to retain this habitat. It is therefore recommended that buffer zones are incorporated to retain these habitats and 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. It is advised 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. It is advised 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

If planning consent is granted it is recommended standard conditions are imposed to safeguard breeding birds.

Education

The Council's Education Officer, examined the previous application and concluded that considering the proposed development cumulatively with others identified in the Draft Development Strategy, and previous approvals, there will be a requirement for a contribution towards primary school places for 150 dwellings proposed at that time of £260,311. There will be places available in the local secondary school to accommodate the proposed development. Therefore no secondary education contribution is required in this case.

The education officer has since commented that 125 dwellings would be £249,465 (23 primary aged pupils) and 109 dwellings would be £216,926 (20 primary aged pupils)

Highway Safety and Traffic Generation.

A Transport Assessment has been submitted with the application which states that:

- *Access to the site will be provided from an extension to the southern end of Hall Drive and will provide a 5.5m wide carriageway width and 2m wide footways on both sides of the access road. The existing standard of Hall Drive and its junction with Crewe Road has been reviewed and found acceptable in terms of carriageway width, footway provision, lighting and levels of visibility.*
- *Pedestrian and cycle access to the site will be provided at the same location as the main vehicular access from Hall Drive. In addition, the proposed development will provide improvements to public rights of way to the east of the site which links onto Cedar Avenue. These will provide pedestrians and cyclists with a safe traffic free route between the site and Alsager town centre.*
- *The personal injury accident data for the most recently available three year period for the most recently available five year period has been reviewed and does not represent a material concern in the context of the proposed development.*
- *The development is compliant with local, regional and national policy as it will promote sustainable modes of travel and reduce the number of car trips to local facilities. In particular, the site has been found to exceed the accessibility requirements set out in CEC's interim planning policy for the release of housing.*
- *It has been demonstrated that the development is sustainable with good accessibility to the site provided to those travelling by foot and by bicycle. A good frequency bus service is available within acceptable walk distance of the site. Policies to encourage travel by sustainable modes are also developed further within the Interim Travel Plan that accompanies this application*
- *The impact of the traffic arising from the scheme has been tested in detail at all the junctions in the TA study area in an opening and future assessment years of 2014*

and 2019. These assessments are carried out on a robust basis, incorporating traffic growth and committed development.

- The assessments show that at the majority of the junctions there is either sufficient spare capacity to accommodate the proposed development or the development will not have a material impact on the operation of these junctions.
- It is therefore concluded that there is no reason on highway or transport grounds why the development proposals should not be granted planning permission.

The Strategic Highways Manager has examined the application and commented that Hall Drive forms a 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. 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 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

Given that, subject to a contribution of £166,000 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.

The Strategic Highways Manager has confirmed that on the basis of the reduction in units to 109 units the contributions would be reduced accordingly to £146,000.

In the event of approval, the required contribution could be secured through a Section 106 Agreement.

9. CONCLUSIONS

The site is within the Open Countryside where, under Policy PS8, there is a presumption against new residential development. However, the site is identified within the Pre-Submission Core Strategy plus recent appeal decisions have determined that the Council does not have a 5 year supply of housing land.

These are important material considerations, which, in this case are considered to outweigh the local plan policy presumption against this proposal and therefore the presumption in favour of sustainable development should apply in this case.

Following the successful negotiation of a suitable Section 106 package, the proposed development would provide adequate public open space, the necessary affordable housing requirements and monies towards the future provision of primary school education, highways, and level crossing improvements.

The proposal is considered to be acceptable in terms of its impact upon residential amenity, ecology, highways, drainage/flooding and it therefore complies with the relevant local plan policy requirements for residential environments. Previous concerns related to the proximity to the explosives plant at Radway Green have been resolved through the submission of an acceptable indicative layout and the recommendation of appropriate conditions.

Whilst the site does not meet all the minimum distances to local amenities and facilities advised in the North West Sustainability toolkit, there is not a significant failure to meet these

and all such facilities are accessible to the site. The development is therefore deemed to be locationally sustainable.

Whilst the proposal will result in the loss of grade 4, 3a and 3b agricultural land, this is not the best and most versatile agricultural land and it is considered that the benefits of the delivering the site for much needed housing would outweigh this loss, given that the site does not offer a significant quality of land.

Whilst there is concern from the neighbouring Borough of Newcastle-under-Lyme, previous inspectors considering this issue have viewed it as not being “determinative”. Therefore, whilst there is sympathy with their concerns, and they undoubtedly weigh against the scheme in the “planning balance”, it is not considered that this is sufficient as a sole reason to sustain a refusal and where decisions are finely balanced, the decision should be taken in accordance with the presumption in favour of sustainable development which runs as a “golden thread” throughout the NPPF.

Therefore, in the light of the adopted development plan policy, and all other material considerations, the National Planning Policy Framework, lack of a 5 year housing land supply and previous appeal decisions and having given due regard to all other matters raised, it is considered that the presumption in favour of sustainable development should apply in this case and accordingly it is recommended for approval.

10. RECOMMENDATION

APPROVE subject to Section 106 agreement to secure:

- **33 affordable units (21 rented and 12 intermediate)**
- **Type and number of bedrooms to be agreed at reserved matters**
- **Affordable units to be tenure blind and pepper potted within the development.**
- **no more than 50% of the open market dwellings are to be occupied unless all the affordable housing has been provided, with the exception that the percentage of open market dwellings that can be occupied can be increased to 80% if the affordable housing has a high degree of pepper-potting and the development is phased**
- **Housing to be transferred to and managed by a Registered Provider as set out in the defined in the Housing & Regeneration Act 2008**
- **LEAP including at least 5 items of equipment. Specification to be submitted to and agree by the Council.**
- **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 £146,000 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.**
- **£163,500 for level crossing improvements**

And the following conditions:

- 1. Standard Outline**
- 2. Submission of reserved matters**
- 3. Plans**
- 4. Limit number of dwellings to 109**
- 5. Submission / approval and implementation of programme of archaeological works**
- 6. Reserved matters to include no development within yellow line on BAE Safeguarding Plan**
- 7. Development to be of traditional brick / tile construction and of no more than 12m in height**
- 8. Reserved matters to make provision for development fronting footpaths within site**
- 9. Submission / approval and implementation of works to improve and enhance footpath no.8 / 10 including upgrading to cycle way and improvements to discourage use of the level crossing to the west of the site and to encourage the use of the safe crossing at the under bridge.**
- 10. Provision of signage within the site for cyclists and pedestrians**
- 11. Piling operations shall be restricted to: Monday – Friday 09:00 – 17:30 hrs Saturday 09:00 – 13:00 hrs Sunday and Public Holidays Nil**
- 12. Submission, approval and implementation of a piling method statement**
- 13. Submission, approval and implementation of an Environmental Management Plan**
- 14. Construction works (and associated deliveries to the site) are restricted to: Monday – Friday 08:00 to 18:00 hrs Saturday 09:00 to 14:00 hrs Sundays and Public Holidays Nil**
- 15. Any mitigation measures applied must achieve the internal noise levels defined within the “good” standard within BS8233:1999. The scheme must also include provisions for ventilation that will not compromise the acoustic performance of any proposals whilst meeting building regulation requirements.**
- 16. Submission, approval and implementation of a residential travel plan**
- 17. Provision of Electric Vehicle infrastructure on the properties.**
- 18. Submission and approval of a Phase II investigation shall be carried out and the results submitted to, and approved in writing by, the Local Planning Authority (LPA).**
 - If the Phase II investigations indicate that remediation is necessary, then a Remediation Statement to be submitted, and approved**
 - If remediation is required, a Site Completion Report to be submitted and approved.**
- 19. Site to be drained on a separate system with only foul drainage connected into the public foul sewerage system. Surface water should discharge directly in to the adjacent watercourse**

20. Reserved matters to include no buildings or alteration of existing ground levels within Flood Zone 3
21. Reserved matters to include finished floor levels of proposed buildings to be set at a minimum of 600mm above the 1 in 100 year (1% AEP) plus climate change flood level,
22. All proposed access roads, parking and pedestrian areas are to be set at a minimum of 300mm above the 1 in 100 year (1% AEP) plus climate change flood level,
23. Submission, approval and implementation of a scheme to limit the surface water runoff
24. The discharge of surface water from the proposed development to mimic that which discharges from the existing site.
25. Submission, approval and implementation of attenuation for discharges above 1% annual probability event, including allowances for climate change
26. Submission, approval and implementation of Sustainable Drainage Systems (SuDS).
27. Submission, approval and implementation of a scheme to manage the risk of flooding from overland flow of surface water,
28. The site layout to be designed to contain any such flooding within the site, to ensure that existing and new buildings are not affected.
29. Reserved matters to include the provision of an undeveloped buffer zone (at least 8 metres wide), between the banktop of Valley Brook and any built development,
30. Submission, approval and implementation of a scheme for landscaping and management of the buffer zone
31. Submission, approval and implementation of boundary treatment
32. Submission, approval and implementation of ground levels, earthworks and excavations.
33. Tree protection & retention
34. Arboricultural Impact Assessment
35. Arboricultural Method Statement
36. Reserved matters to make provision for buffer zones along railway
37. Retention of hedgerow on western boundary
38. No works in bird nesting season without survey
39. Provision of features for breeding birds

In the event of any changes being needed to the wording of the committee's decision (such as to delete, vary or addition conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Planning and Placeshaping Manager, in consultation with the Chair of the Strategic Planning Board is delegated the authority to do so, provided that he does not exceed the substantive nature of the Committee's decision.

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