

Strategic Planning Board Updates

Date: Wednesday 23rd November 2022
Time: 10.00 am
Venue: The Capesthorpe Room - Town Hall, Macclesfield SK10 1EA

The information on the following pages was received following publication of the committee agenda.

5. **19/5582M - LAND SOUTH OF, CHELFORD ROAD, MACCLESFIELD: Application for approval of reserved matters following outline approval 17/4034M for the erection of up to 232 dwellings (Pages 3 - 4)**

7. **22/2338C - LAND TO THE EAST AND WEST OF VIKING WAY, CONGLETON, CW12 1TT: Full planning application proposing enabling works at Viking Way comprising the erection of site hoardings, removal of existing trees, site clearance, cut and fill excavation, and watercourse realignment (Pages 5 - 8)**

8. **22/2350C - LAND TO THE WEST OF VIKING WAY, CONGLETON, CW12 1TT: Details of reserved matters (Access, Appearance, Landscaping, Layout and Scale) in respect of Phase 2 (commercial floorspace in Use Classes B2/B8/E(g)) of outline planning permission 19/5596C (Pages 9 - 14)**

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APPLICATION NO: 19/5582M

**LOCATION: LAND SOUTH OF CHELFORD ROAD,
MACCLESFIELD**

**PROPOSAL: Application for approval of reserved matters
following outline approval 17/4034M for the erection
of up to 232 dwellings**

PROCEDURAL MATTER

At the top of page 15 of the Agenda Reports Pack, Redrow Homes is listed as the applicant. Please note that the applicant for this item (Agenda Item 5) is both Redrow Homes Northwest and Jones Homes Northwest.

OFFICER COMMENT

Ecology

A further consultation response has been received from the Council's Nature Conservation Officer. Except for comment on the removal of an additional tree (76T), the comments do not differ to those already reported in the main report. The Nature Conservation Officer has recommended that this tree now identified for removal, is retained, or if it is to be removed, then it should be subject to a bat survey. However, Cheshire East Highways has requested the landowner remove it due to highway safety issues, as it is suffering from Ash die back. As such, it is not being removed to facilitate the development and accordingly, it is recommended that a condition is imposed securing its retention, unless it is subsequently deemed necessary to remove it on safety grounds.

Pedestrian Crossing

Members may recall some discussion regarding the proposed pedestrian crossing on Gawsworth Road, which was secured at outline stage. This was a zebra crossing to be delivered under the highways s278 agreement and was to be located next to the bus stop, just south of the junction where Gawsworth Road meets with Pexhill Road. However, as part of the s278 process, the position is likely to change in preference for a position north of the Gawsworth Road / Pexhill Road junction. This will have to go through a further approval process and is not to be considered under this reserved matters application.

RECOMMENDATION

APPROVE the application subject to the conditions on pages 41-42 of the Agenda Reports Pack as amended by this update to include the following additional conditions:

- 25. Tree 76T to be retained as part of the development approved, unless subsequently deemed unsafe requiring removal**
- 26. Footway connection Pexhill Road to be made a shared pedestrian / cycleway including a timetable for its delivery**

APPLICATION NO: 22/2338C

**LOCATION: Land to the East and West of VIKING WAY,
CONGLETON**

PROPOSAL: Full planning application proposing enabling works at Viking Way comprising the erection of site hoardings, removal of existing trees, site clearance, cut and fill excavation, and watercourse realignment.

CONSULTATIONS

Nature Conservation – Following receipt of additional information seeking to address outstanding matters the Council's Ecologist comments as follows:

Outline Consent Conditions 3, 7 and 13

To address concerns about delivery of the ecological mitigation, this application is now supported by a phasing plan that includes delivery of the works within the River Dane Corridor and the additional Ecological Mitigation Area (sometimes referred to as the blue line land) to commence within the next planting season following site clearance works of phases 2-5 commencing. The application is also supported by a habitat creation method statement, management and monitoring strategy.

It is advised that a condition to secure the delivery of the River Dane Corridor works (in accordance with the submitted phasing plan, habitat creation method statement, habitat management plan and detailed landscape plans) would be sufficient to secure the delivery of the habitat creation works.

Updated protected species surveys

Condition 8 of the outline consent required the submission of an updated water vole and otter survey and Condition 9 an updated badger survey.

Surveys for both of these species have been submitted.

No evidence of water voles or otters was recorded. No badger setts were identified on site. Badgers are however active on site and the proposed development will result in the loss of suitable badger foraging habitat which would result in a localised adverse impact upon this species, this would be compensated for through the habitat creation works in the river corridor. If planning consent is granted, it is recommended that a condition be attached which requires the submission of an updated badger survey prior to the commencement of development.

Hedgerows

Native hedgerows are a priority habitat and hence a material consideration. Condition 10 of the outline requires a scheme for the creation of compensatory hedgerow planting to mitigate for the loss of any hedgerows.

The proposed enabling works will result in the loss of a length of hedgerow from the sites interior totalling 59.8m. If the loss of this hedgerow is considered unavoidable, it is advised that adequate compensatory hedgerow planting is proposed within the River Dane corridor, the delivery of which could be secured under the phasing/habitat creation condition discussed above.

River Dane / Radnor Bridge to Congleton Local Wildlife Site (LWS)

This LWS is located on the western boundary of this site. An acceptable buffer between the development and the LWS was shown on the parameters plan associated with the outline consent.

The levels changes proposed within the River Dane corridor appear to encroach into the boundary of the Local Wildlife Site, but the revised Arboricultural report shows that no trees would be removed from the river corridor. It is therefore advised the levels changes would not result in a direct loss of important habitat from the local wildlife site.

If planning consent is granted, it is recommended that a condition be attached that requires the submission of a method statement for the safeguarding of the LWS, including the fencing off of a no-go area during the construction phase.

Additional conditions:

If planning consent was granted additional conditions would be required in respect of the following:

- Safeguarding nesting birds
- Updated badger survey prior to commencement of development.
- Detailed designs of the ponds in the River Dane Corridor to be submitted.
- Condition to secure implementation of the development in accordance with the submitted Phasing Plan revision G and implementation of the submitted habitat creation method statement and habitat management plan, landscaping plans within the River Dane corridor and additional ecological enhancement land.
- Submission of method statement for the safeguarding of the River Dane LWS during the construction phase.

Urban Design – Whilst most of the Council’s Urban Design Officer’s comments are directed to the reserved matters application, the main concerns about the impacts of this enabling works application have now been addressed.

Landscape – Following the submission of revised/additional information, the Landscape officer has confirmed they do not object to this application subject to the following conditions:

- Landscaping Conditions (Implementation)
- Landscaping Conditions (Implementation)
- Submission of Landscape Management Plan
- Submission of Materials Management Plan/Soil Management Strategy

Trees - Having appraised the latest Arboricultural Advice Note received 17th November submitted to support this application, the Forestry Officer has confirmed most of the issues raised have been clarified. The report also contains a Tree Protection Plan – Enabling Works which confirms the alignment of Tree Protection Fencing, the location of no dig surfacing and a method statement for the manner in which works will be undertaken for the duration of the construction period. With regards to whether the removals indicated have been adequately mitigated for this matter is deferred to Ecology and Landscape to confirm. With regard to the regrading works around Veteran tree T74, the report states that a reinforced embankment which has been significantly altered further to earlier comments will be constructed at the edge of the Veteran tree buffer zone. This drawing was requested and has now been updated and can be referenced as Proposed Earthworks – Site Wide drawing number. This broadly corresponds with the latest tree detail although there remains some uncertainty regards the retention of approximately 26-28 metres of the southern end of hedge H8 due to grading proposed to accommodate a SUDS pond in this area of the site.

Appropriate mitigation would be required in the event that the existing hedgerow as referred to above is impacted upon. Conditions are also recommended ensuring tree retention, tree protection and special construction measures.

Flood Risk – The LLFA have no objections in principle to the proposed surface water drainage strategy and support the inclusion of a formal green sustainable drainage (SUDs) train. Whilst they express some concern that the applicant has been unable to carry out a detailed survey onsite to locate the exact route of land drains/ordinary watercourses at this stage, which if found under the proposed footprint of the built development areas, would need to be re-directed. This however can be conditioned.

KEY ISSUES

Ecology – The Council's Ecologist has confirmed that the outstanding issues have now been addressed (subject to conditions), and although a stretch of hedgerow would be removed to accommodate the development, this is compensated for by new hedge planting, which in this case is considered acceptable in the context of the whole development. With regards to conditions, Condition 9 in the Officer's report is no longer required, and the wording of Condition 11 would need to be amended accordingly.

Urban Design – There are now no objections on the grounds of urban design.

Landscape – Issues raised in the original submission have now been addressed subject to the 4 conditions outlined. In addition to condition 17 listed in the officers report, 3 additional conditions are now recommended.

Trees – The Tree Officer has confirmed that the majority of concerns expressed, mainly concerning levels changes, have now been addressed. Whilst it is understood that a section of hedgerow is to be removed – and replaced as part of the proposals, the applicant has been asked to confirm there will be

no impact on the southern section of hedgerow raised. In the officer's report 4 tree conditions are listed (No. 3-6). These are no longer required but would be replaced by one condition as noted above.

Flood risk – Most matters identified in the original LLFA comments have been addressed, however the conditions (15 & 16) are still recommended.

CONCLUSION:

There are no proposed changes to the recommendation, but the additional/amendments to the conditions set out above are suggested should the application be approved. Members will be updated with a full list of recommended conditions at committee picking up all the points above.

APPLICATION NO: 22/2350C

LOCATION: LAND TO THE WEST OF VIKING WAY, CONGLETON

PROPOSAL: Details of reserved matters (Access, Appearance, Landscaping, Layout and Scale) in respect of Phase 2 (commercial floorspace in Use Classes B2/B8/E(g)) of outline planning permission 19/5596C

CONSULTATIONS

Nature Conservation – A number of conditions were attached to the outline consent (19/5596c) at this site.

Condition 3

The red line plan submitted in support of this application refers to this development as Phase 2. It is imperative that the delivery of the River Dane corridor works are delivered by the reserved matters applications coming forward following the grant of the outline permission.

The red line of this application includes the River Dane corridor referred to in condition 3, with the red line of the application extending beyond the proposed commercial development itself. A phasing plan has been submitted in support of this application. The phasing plan (Rev G) includes the delivery of the River Dane Habitat Creation Works including the Blue Line Land (referred to on the phasing plan as the Additional Ecological Enhancement Area), during the next appropriate season following the commencement of site clearance works for Phases 2 – 5. This same phasing plan has also been included with the submitted enabling works application reference 22/2338c.

Condition 7 and 13

Reserved matters to be supported by habitat creation method statement and 30 year management plan and ecological monitoring.

Proposals have been submitted as required by this condition. The proposals include landscape details for the River Dane Corridor as discussed under condition 3.

The submitted Habitat Creation and Management Strategy (paragraph) 4.4 however advises that works in the river Dane Corridor these would not be delivered under this application, but would rather be associated with Phase 3, this is an error in the report.

The delivery of the habitat creation and management works in the River Dane Corridor and Additional Ecological Enhancement Area are proposed to be triggered at the time of site clearance of phases 2-5. This should be conditioned.

Condition 8

A water vole and otter survey as required by this condition has been submitted. No details however appear to have been submitted in respect of the location of

any required surface water outfalls. Confirmation of this point is required but can be dealt with as part of the discharge of condition application.

Condition 9: Updated badger survey

As per original report

Condition 10: A scheme for the creation of compensatory hedgerow planting to mitigate for the loss of any hedgerows lost

Hedgerows losses will occur on site as a result of the enabling works under application 22/2338c. Acceptable compensatory hedgerow planting is proposed within the River Dane Corridor.

Condition 11: Lighting

The lighting scheme as submitted is broadly acceptable as this will result in only limited light spill onto the River Dane Corridor.

There is however a Wildlife Corridor on the site boundary to the north of the existing Airbags Site identified in the Hulme Walfield and Somerford Booth Neighbourhood Plan. The level of light spill onto this feature is not clear from the submitted lighting scheme. The applicant's lighting engineer has however advised that it will not be possible to reduce light spill onto this feature due to its close proximity to the service yard. This part of the site was not identified as supporting significant levels of bat activity. It is therefore advised that lighting in this part of the site would result in a minor impact on bat foraging activity.

Condition 12: Location of proposed outfall based on the results of the detailed hydromorphological survey

This pre-commencement condition, but it is useful to understand the location of any outfalls to the River Dane.

Condition 52: Strategy for the incorporation of features to enhance the biodiversity value of the proposed development.

As per original report

Condition 53: Landscape / public realm / habitat management plan

This condition, amongst other things, requires the submission of a time-table for the delivery of habitat creation works. The submitted Habitat Creation and Management strategy refers to works within the river Dane corridor being delivered in a phased manner but no firm proposals for delivery are provided. The phasing plan submitted under condition 3 however requires habitat creation works in the River Dane Corridor and Additional Ecological Mitigation Area to commence in the next appropriate season following the commencement of site clearance works for phases 2-5.

River Dane / Radnor Bridge to Congleton Local Wildlife Site (LWS)

This LWS is located on the western boundary of this site. An acceptable buffer between the development and the LWS was shown on the parameters plan associated with the outline consent.

If reserved matters consent is granted, it is recommended that a condition be attached that requires the submission of a method statement for the safeguarding of the LWS, including the fencing off of a no-go area during the construction phase.

Bats

A number of trees were identified at the outline stage as offering potential to support roosting bats. None of these trees would be affected under this reserved matters application.

Conditions

In addition to the conditions in the officers report the following condition is recommended:

- Implementation of habitat creation and habitat management within the site and the River Dane corridor and additional ecological enhancement area in accordance with the submitted phasing plan and habitat creation and management strategies.

Urban Design – At the time of writing this report the Council’s Urban Design Officer was still awaiting some architectural ‘tweaks’ to this phase 2 application.

The Officer confirms the amendments to the landscaping and SuDs have been improved and the overall layout of the site is now supported. He does however highlight that the applicant is removing part of the hedge on the western boundary and re-planting to accommodate the levels changes.

Landscape – Following the submission of revised/additional information, the Landscape officer has confirmed they do not object to this application subject to the following conditions:

- Landscaping Conditions (Implementation)
- Landscaping Conditions (Implementation)
- Submission of Landscape Management Plan
- Submission of Materials Management Plan/Soil Management Strategy

Trees - The latest submitted Arboricultural Advice clarifies most of the issues raised with this application. The applicants position in respect of levels changes impacting the northern end of Hedge H8 is now confirmed as being removed and the extent of hedgerow to be removed is anticipated to be 50metres. With regard to the regrading works around Veteran tree T74, the report states that a reinforced embankment which has been significantly altered further to earlier comments will be constructed at the edge of the Veteran tree buffer zone. This drawing was requested and has now been updated and can be referenced as Proposed Earthworks – Site Wide drawing and does now broadly correspond with the tree detail although there remains some uncertainty regards the retention of approximately 26-28 metres of the southern end of hedge H8 due to grading proposed to accommodate a SUDS pond in this area of the site. With regards to whether the removals indicated have been adequately mitigated for the tree Officer defers to Ecology and Landscape to confirm they are satisfied with the mitigation proposed

The Arboricultural information is found to be broadly acceptable to minimise detrimental impacts to retained trees and hedgerows. During the enabling works application (22/2338C) details should be submitted with this application for the avoidance of doubt to ensure the tree protection measures will be applicable for the duration of every approved construction phase for this area of the site.

A condition is recommended relating to tree protection and special construction measures.

Flood Risk – Following their original comments as set out in the officer's report, the LLFA reiterate their comments as set out above in relation to application 22/2338C but offer no objections to the application, subject to a condition regarding an overall detailed strategy / design limiting the surface water runoff generated by the proposed development and highlighting the need to discharge condition 16 on the outline.

KEY ISSUES

Ecology – The Council's Ecologist has confirmed that the outstanding issues have now been largely addressed (subject to conditions). With regards to conditions, Condition 6 & 7 in the Officer's report would remain but an additional condition regarding the Implementation of habitat creation and habitat management within the site and the River Dane corridor is recommended.

Urban Design – Whilst Members will need to be updated on the minor elevational changes suggested, it is considered that in terms of urban design all the significant matters have been addressed. The hedge issue is picked up in other comments.

Landscape – Issues raised in the original submission have now been addressed, subject to the 4 conditions outlined. As there are no recommended conditions regarding landscape in the officer's report, 4 additional conditions are now recommended.

Trees – The Tree Officer has confirmed that the majority of concerns expressed, mainly concerning levels changes, have now been addressed. Whilst it is understood that a section of hedgerow is to be removed – and replaced as part of the proposals, the applicant has been asked to confirm there will be no impact on the southern section of hedgerow. An additional tree condition as set out above is recommended and would replace the 4 conditions set out in the report (Conditions 2-5).

Flood Risk – There are no objections from the Flood Risk Team and they have confirmed the wording of Condition 11 set out in the officer's report.

CONCLUSION:

There are no proposed changes to the recommendation, but the additional/amendments to the conditions set out above are suggested should the application be approved. Members will be updated with a full list of recommended conditions at committee picking up all the points above.

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