

Strategic Planning Board

Agenda

Date: Wednesday, 9th March, 2022
Time: 10.00 am
Venue: Council Chamber, Municipal Buildings, Earle Street, Crewe
CW1 2BJ

PLEASE NOTE –This meeting is open to the public and anyone attending this meeting will need to wear a face covering upon entering and leaving the venue. It is advised that this only be removed when speaking at the meeting.

The importance of undertaking a lateral flow test in advance of attending any committee meeting. Anyone attending is asked to undertake a lateral flow test on the day of any meeting before embarking upon the journey to the venue. Please note that it can take up to 30 minutes for the true result to show on a lateral flow test. If your test shows a positive result, then you must not attend the meeting, and must follow the advice which can be found here:

https://www.cheshireeast.gov.uk/council_and_democracy/council_information/coronavirus/testing-for-covid-19.aspx

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the top of each report.

It should be noted that Part 1 items of Cheshire East Council decision making meetings are live audio recorded and the recordings will be uploaded to the Council's website.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Declarations of Interest/Pre Determination**

For requests for further information

Contact: Sarah Baxter

Tel: 01270 686462

E-Mail: sarah.baxter@cheshireeast.gov.uk with any apologies

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have a pre-determination in respect of any item on the agenda.

3. **Minutes of the Previous Meeting** (Pages 5 - 16)

To approve the minutes of the previous meeting held on 2 February 2022 as a correct record.

4. **Public Speaking**

A total period of 5 minutes is allocated for each of the planning applications for the following:

- Ward Councillors who are not members of the Strategic Planning Board
- The relevant Town/Parish Council

A period of 3 minutes is allocated for each of the planning applications for the following individuals/groups:

- Members who are not members of the Strategic Planning Board and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **20/5700C-Reserved Matters application for appearance, landscaping, layout & scale following outline approval 13/3449C for 404 dwellings, retail unit, public open space, and associated works, Glebe Farm, Booth Lane, Moston, Middlewich for Mr G Bancroft, Taylor Wimpey UK Ltd** (Pages 17 - 40)

To consider the above application.

6. **21/4434N-Reserved matters application proposing details of layout, appearance, scale and landscaping for the residential element (C3 use) of the outline development 15/1537N - Outline planning application (with all matters reserved) for a mixed-use development comprising residential use (Use Class C3) (up to 325 residential dwellings); employment use (Use Class B1), local centre comprising health centre and community facility (Use Class D1), food/non food retail (Use Class A1), public house/restaurant (Use Class A4/A3) and associated works including construction of a new access road with access from the Crewe Green Link Road South, creation of footpaths and provision of public open space and landscaping, Land to the West Of, David Whitby Bay, Weston for Adam Dohren, Taylor Wimpey UK Limited** (Pages 41 - 72)

To consider the above application.

7. **21/4490N-Erection of an up to 5 MW Solar PV Array and circa 25MW battery storage, comprising ground mounted solar PV panels, battery storage compound, vehicular access from the existing site entrance with internal access tracks, landscaping and associated infrastructure including security fencing and CCTV cameras, Leighton Grange Farm, Middlewich Road, Leighton for Daniel Griffiths, Cheshire East Council (Pages 73 - 88)**

To consider the above application.

8. **21/2589M-Construction of an Adventure Golf Course with associated works (re-submission of 20/2925M), Adlington Golf Centre, London Road, Adlington for Adlington Golf Centre Ltd (Pages 89 - 102)**

To consider the above application.

Membership: Councillors S Akers Smith, A Critchley, B Burkhill, S Edgar, S Gardiner (Vice-Chair), P Groves, S Hogben, M Hunter (Chair), B Murphy, B Puddicombe, P Redstone and J Weatherill

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 2nd February, 2022 in the The Capesthorpe Room -
Town Hall, Macclesfield SK10 1EA

PRESENT

Councillor S Gardiner (Chair)

Councillors S Akers Smith, B Burkhill, L Crane (Substitute), S Edgar, P Groves, S Hogben, N Mannion (Substitute), B Murphy, B Puddicombe, P Redstone and J Weatherill

OFFICERS IN ATTENDANCE

Adrian Crowther (Major Applications Team Leader), Nick Hulland (Principal Planning Officer), Paul Hurdus (Highways Development Manager), David Malcolm (Head of Planning) James Thomas (Planning Lawyer) and Emma Williams (Principal Planning Officer)

60 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A Critchley and M Hunter.

61 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of applications 20/4976M,21/1727W and 21/2240C, Councillor S Edgar declared that he was the Vice Chair of the Public Rights of Way Committee who were a consultee on the applications, however he had not discussed the matter.

In the interest of openness in respect of applications 20/4976M and 21/2240C, Councillor S Hogben declared that he was a non-Executive Director of ANSA who were a consultee, however he had not discussed the applications or made any comments on them.

In the interest of openness in respect of applications 20/4976M,21/1727W and 21/2240C, Councillor L Crane declared that she was the Chair of the Public Rights of Way Committee who were a consultee on the applications, however she had not discussed the matter.

In the interest of openness in respect of applications 20/4976M,21/1727W and 21/2240C, Councillor S Akers Smith declared that she was a member of the Public Rights of Way Committee who were a consultee on the applications, however she had not discussed the matter.

In the interest of openness in respect of application, 21/4440C, Councillor S Akers Smith declared that she knew the applicant.

62 MINUTES OF THE PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 22 December 2021 be approved as a correct record and signed by the Chair.

63 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

64 20/4976M-PROPOSED DEVELOPMENT OF A RETIREMENT CARE COMMUNITY (CLASS C2) INVOLVING THE DEMOLITION OF EXISTING DWELLING AND OUTBUILDINGS, RETAINED SINGLE POINT OF VEHICULAR ACCESS, RETAINED TENNIS COURT, FISHING/BOATING LAKE, JAPANESE WATER GARDEN, SECRET/SENSORY GARDEN, WITH NEW ALLOTMENTS, BOWLING/FEATURE GREENSPACE AND WOODLAND WALKS; CONSTRUCTION OF A 60 BED REGISTERED CARE HOME WITH ISOLATION CAPABILITY; 72 NO. ASSISTED LIVING EXTRA CARE 1, 2 AND 3 BED APARTMENTS; A VILLAGE CENTRE HUB BUILDING COMPRISING HEALTH AND WELLNESS AND COMMUNAL FACILITIES, INTEGRATED SATELLITE COMMUNITY HEALTHCARE (GP) CLINIC AND 5 NO. 2 BED AND 9 NO. 1 BED CLOSE CARE SUITES AND HEALTH AND WELLNESS; ASSOCIATED PARKING (INCLUDING ELECTRIC CAR SHARE AND COMMUNITY MINIBUS), BIN STORAGE, PUMPING STATION, ELECTRICITY SUB-STATION, MEANS OF ACCESS AND OFF-SITE PEDESTRIAN FOOTPATH LINK ALONG PEPPER STREET, HIGHWAY IMPROVEMENTS AND BIODIVERSITY NET GAIN, HOLLY TREE HOUSE, PEPPER STREET, CHELFORD, MACCLESFIELD FOR MR

Consideration was given to the above application.

(Parish Councillor Nick Speakman, representing Ollerton with Marthall Parish Council and Justin Paul, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused for the following reasons:-

1. The proposed development would represent inappropriate development within the Green Belt. Furthermore, additional harm would be created to the Green Belt by virtue of loss of openness and

encroachment. It is not deemed that Very Special Circumstances exist that are sufficient to clearly outweigh the harm to the Green Belt and the other harm identified. The development would therefore be contrary to Policy PG3 (Green Belt) of the Cheshire East Local Plan Strategy, saved Policy GC1 (Green Belt (New Buildings)) of the Macclesfield Borough Local Plan and the National Planning Policy Framework.

2. The proposed development would be located outside of a settlement boundary, in an unsustainable location. In addition, the development would lead to a concentration of specialist care facilities resulting in an imbalance of residential uses in the area and would conflict with other relevant policies of the development plan. The development is therefore deemed contrary to Policies SC4 (Residential Mix), SD2 (Sustainable Development Principles), CO1 (Sustainable Travel and Transport), EG2 (Rural Economy) and the strategic aims of Policy PG2 (Settlement Hierarchy) of the Cheshire East Local Plan Strategy and saved Policy DC57 (Community Uses – Residential Institutions) of the Macclesfield Borough Local Plan.
3. The proposed development would have a significant adverse impact upon roosting bats and Great Crested Newts, protected and priority species. The reasons for or benefits of the proposed development do not outweigh the adverse impacts of the proposed development upon these species and so the proposals are contrary to Policy SE3 (Biodiversity and Geodiversity) of the Cheshire East Local Plan Strategy and saved Policy NE11 (Nature Conservation) of the Macclesfield Borough Local Plan. As bats and Great Crested Newts receive protection under the Habitats Regulations, the Council must have due regard to the regulations during the determination of the application. In order to discharge its duties under the regulations the Council must consider whether Natural England would be likely to grant a protected species licence to allow the development to proceed. In this instance, the Council considers that the proposed development is not of imperative overriding public interest and there are suitable alternatives to the current proposals with a reduced impact upon bats and Great Crested Newts. The application therefore fails to comply with the licensing tests in the habitat regulations. Natural England would consequently be unlikely to grant a protected species license in this instance.

In order to give proper effect to the Strategic Planning Board's intent and without changing the substance of its decision, authority is delegated to the Head of Planning in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

(It was noted that Councillor B Murphy abstained from voting on the application).

65 **21/1727W PROPOSED EXTENSION TO SILICA SAND EXTRACTION WITH PROGRESSIVE RESTORATION AT BENT FARM QUARRY, BROWNLOW FARM, WALLHILL LANE, CONGLETON FOR DAVID WALTON, SIBELCO UK LIMITED**

Consideration was given to the above application.

(David Walton, the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report and in the written update to the Board the application be approved subject to the completion of a deed of variation of the Section 106 agreement attached to permission 8/08/0375/CPO to replicate the requirements of the legal agreement to the permission.

And subject to the following conditions:-

1. Timescales for commencement and notification of commencement
2. Approved plans and documents
3. Copy of approved plans to be made available for inspection on site
4. Timescales for cessation and restoration of the site
5. Hours of operation for general mineral activities
6. Hours of operation for noise generative activities
7. Hours of operation for the processing plant
8. Hours of operation for loading, unloading and movements of HGVs
9. Vehicles arriving and leaving the site restricted to using the existing access only, and maintenance of a notice advising drivers to turn right out of the site
10. Wheel cleaning and no deposit of material on the highway
11. Sheeting of vehicles
12. Restrictions on HGV numbers and timing of movements
13. Records of vehicle movements
14. Protection of nesting birds
15. Advance notice of soil stripping
16. Soil to be stripped prior to being used for extraction or associated activities and controls over the use of heavy machinery on soils
17. Soil handling
18. No export of soils without prior approval of the local planning authority
19. Seeding of all soil mounds
20. Weed control
21. 3m height control on soil mounds
22. No importation of waste
23. Surveys prior to any ponds being disturbed and where necessary scheme of translocation of species
24. Implementation of mitigation identified in the ecological impact assessment

25. Water levels of retained ponds to be monitored throughout the life of the site
26. Mounds to be located away from existing trees and hedgerows
27. Limits to depth of extraction
28. Limits on the amount of vegetation to be cleared in advance of sand extraction
29. Colour for any new buildings, plant or machinery on site to match those on site
30. Noise levels for normal mineral operations
31. Noise levels for noise generative activities and limits on timescales of these activities
32. Application of best practicable means for controlling noise on site
33. Noise levels from processing plant
34. Best practicable means for suppression of dust
35. Use of water bowser
36. Monitoring of stream flows within Dairy Brook and Loach Brook
37. Quarterly monitoring of groundwater levels
38. Extension of the groundwater monitoring scheme to include the extended extraction area and increase in extraction depth
39. No dewatering of the site below 81m AOD
40. Compliance with the mitigation in the Flood Risk Assessment and Hydrological Impact Assessment
41. Monitoring of water quality
42. Surface water from plant site to be discharged into the settlement lagoon prior to discharge into a watercourse
43. Procedures for storage of contaminants
44. No contaminants allowed to enter any watercourse
45. No open fires
46. All landscape works and planted areas to be maintained and losses replaced
47. No disturbance to any existing vegetation, waterbodies or watercourses within the site outside of the extraction areas
48. Tree and hedgerow protection and retention
49. Compliance with mitigation in the arboricultural assessment
50. Maintenance of haul roads, fences and other boundary treatments
51. Soil replacement and handling in line with technical guidelines
52. Removal of all plant, machinery, buildings and hardstanding within 24 months of cessation of mineral extraction and restoration of the site in accordance with the approved scheme
53. Lakes to be shaped and battered according to approved documents
54. Bank of the lakes to be grass seeded within three months of them being formed or in the first planting season.
55. Implementation of the restoration scheme and aftercare of the restored habitat for 5 years
56. Provision of shower facilities

In order to give proper effect to the Board's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice Chair) of Strategic Planning Board, to correct any technical slip or

omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should this application be the subject of an appeal, authority be delegated to the Head of Planning in consultation with the Chair (or in their absence Vice Chair) of the Strategic Planning Board to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

66 21/2240C APPLICATION SEEKING DETAILED CONSENT VIA RESERVED MATTERS APPROVAL FOLLOWING OUTLINE APPLICATION 17/1000C FOR 454 DWELLINGS AND THE ASSOCIATED INFRASTRUCTURE AND OPEN SPACE ON LAND OFF GIANTSWOOD LANE AND MANCHESTER ROAD, CONGLETON FOR MICHAEL BLACKHURST, REDROW HOMES

Consideration was given to the above application.

(Michael Blackhurst, representing the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report the application be approved subject to the following conditions:-

1. Approved plans
2. Tree retention
3. Tree Protection
4. Arboricultural method statement
5. Levels survey – Trees
6. Services drainage layout – Trees
7. 10 year maintenance/retention of avenue trees
8. 25 year landscape management plan
9. The proposed development to proceed in accordance with the recommendations of the submitted Ecological Enhancement Strategy
10. Bird nesting season
11. Implementation of the recommendations in the acoustic report
12. Details of play areas including levels to be agreed
13. Details, including cross-sections of the slopes between the adjacent access roads and the far side of the 3 SUDS ponds, along the north eastern boundary to be submitted and approved.

In addition it was agreed that an informative be included which stated any reserved matters application was to leave a landscaped buffer zone to the road frontages and woodland areas along the southern boundary.

In the event of any changes being needed to the wording of the Board's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of

Planning has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Board's decision.

(It was noted that Councillor B Murphy abstained from voting on the application. The meeting was adjourned for a short break).

67 21/4440C OUTLINE APPLICATION WITH DETAILS OF ACCESS (DETAILS OF APPEARANCE, LANDSCAPING, LAYOUT, AND SCALE ARE RESERVED FOR FUTURE DETERMINATION) FOR THE ERECTION OF FLEXIBLE USE CLASS B2/B8 EMPLOYMENT UNITS (INCLUDING ANCILLARY OFFICES), VEHICLE AND PEDESTRIAN ACCESS, PARKING, LANDSCAPING AND ASSOCIATED WORKS, LAND TO THE WEST OF VIKING WAY, CONGLETON FOR MR ADAM SCOTT

Consideration was given to the above application.

RESOLVED

That for the reasons set out in the report and in the written and verbal update to the Board, the application be approved subject to the completion of a Section 106 Agreement securing the following:-

1. Congleton Link Road contribution of £287,310 based on a £30sq.m commercial development. Payable on first occupation.
2. Bus service contribution of £150,000. Payable on first occupation.
3. Biodiversity net gain payment based on 2.30 additional biodiversity units (a total commuted sum of £25.3k.on current figures):
 - submit an updated Biodiversity Impact Assessment (BIA) based upon the final design, layout and detailed landscaping plans to be submitted and approved by the Council with the reserved matters submission; and
 - where the BIA shows an alternative credit amount is required, for this to be calculated based on an agreed formula for the indicative masterplan (£11k per credit required) and for this to be paid to the Council prior to occupation.

And subject to the following conditions:-

1. Commencement of development (3 years) or 2 from date of approval of reserved matters
2. 3 year submission of reserved matters
3. Reserved matters to be approved
4. Approved Plans
5. Materials
6. Landscaping
7. Implementation of landscaping
8. Construction Management Plan to be submitted prior to commencement.

9. Travel Plan to be submitted prior to occupation of the first dwelling.
10. Off-site works for the uncontrolled pedestrian crossing point and ghost right turn lane on Viking Way.
11. Requirement to secure the small section of ped/cycle footway on the north west corner of the site that links to the CLR.
12. Arboricultural Impact Assessment which also considers the SUDs proposals in accordance with Sections 5.4 (BS5837:2012) and Tree protection Plan (Section 5.5 BS57837:2012).
13. Arboricultural Method Statement (Section 6.1 BS5837:2012).
14. A Woodland Management Plan which makes a commitment to enhancing and managing existing tree cover on the site to accord with Policy SE5 and SE3 should be provided.
15. Any future reserved matters application to be supported by an updated protected species surveys, impact assessment and mitigation proposals.
16. Each reserved matters application to be supported by a habitat creation method statement, habitat management plan and ecological monitoring strategy. These to be for a duration of 30 years and informed by the results of the submitted Biodiversity Net Gain Assessment..
17. Ecological enhancement measures to be submitted with each future reserved matters application.
18. Lighting strategy design to minimise impacts on nocturnal wildlife.
19. Reserved matters application to be supported by proposals for the safeguarding of an undeveloped 50m buffer as shown on the submitted parameters plan. No development, including the storage of materials or levels changes to take place within this buffer unless approved in writing by the LPA.
20. Footpaths/cycleways to be routed outside the woodland except where required to form a link to the south.
21. Electric Vehicle Charging points (commercial).
22. Submission of a post demolition Phase II ground contamination and risk assessment together with a remediation report.
23. Control of soils brought onto site.
24. Measures to address contamination should it be unexpectedly be found during works.
25. Jodrell Bank mitigation measures.
26. Approval of levels.
27. Development to accord with the recommendations of the submitted flood risk assessment.
28. Drainage strategy/design in accordance with the appropriate method of surface water drainage chosen.
29. Foul and surface water drained on separate systems.

In the event of any changes being needed to the wording of the Board's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Board's decision.

(The meeting was adjourned for lunch from 12.50pm until 1.30pm. Councillor B Murphy left the meeting and did not return).

68 21/5047N PLANNING APPLICATION FOR THE DEMOLITION OF AN EXISTING BUILDING AND THE DEVELOPMENT OF A BUILDING FOR B8 USE AT UNITS A AND B, 1 WESTON ROAD, CREWE FOR AEW UK CORE PROPERTY FUND

Consideration was given to the above application.

(David Sweeting, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report the application be approved subject to the following conditions:-

1. Standard Time
2. Approved Plans
3. External Material details to be submitted
4. Revised landscape scheme to be submitted and to include mature tree planting
5. Landscape Implementation Scheme
6. Submission of a Tree Protection Scheme
7. Submission of Arb Method Statement
8. Provision of Electric Vehicle Charging infrastructure
9. Provision of Ultra Low Emission Boilers
10. Submission of Phase II contaminated land report
11. Submission of a verification report in accordance with the remediation scheme
12. Prior approval of a soil contamination verification report
13. Development should stop if contamination is encountered
14. Development to be in accordance with FRA
15. Submission of a detailed strategy / design, associated management / maintenance plan for sustainable drainage to include proposals for rainwater harvesting
16. Foul and surface water to be drainage separately
17. Lighting scheme to be submitted prior to commencement of development
18. Cycle storage to be a secure covered storage facility
19. Renewable Energy provision required

In order to give proper effect to the Board's intentions and without changing the substance of the decision, authority is delegated to the Head

of Planning in consultation with the Chair (or in his absence the Vice Chair) of Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

69 21/5514C PROPOSED ERECTION OF A SINGLE WAREHOUSE UNIT (USE CLASS B8) WITH ANCILLARY OFFICE SPACE, ASSOCIATED PARKING, ACCESS, LANDSCAPING AND OTHER WORKS, LAND OFF, FAULKNER DRIVE, MIDDLEWICH FOR BRITISH SALT LIMITED AND STOFORD PROPERTIES LIMITED

Consideration was given to the above application.

(Councillor Carol Bulman, the Ward Councillor, Fraser Ramsay, representing the applicant and Joseph Smith, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report and in the written update to the Board, the application be approved subject to consideration of the hours of operation of the site and the ability for investigation of a local site for biodiversity net gain within the s106, subject the completion of a Section 106 Agreement securing the following:-

Heads of Terms	Amount	Trigger
Biodiversity - off-site habitat creation	£241,147.72	Prior to commencement development

And subject to the following conditions:-

1. Time limit (3 years)
2. Development in accordance with the approved plans
3. Materials
4. No development other than site clearance works to take place prior to submission and approval of a detailed drainage plan
5. No development other than site clearance works to take place prior to submission and approval of surface water drainage details
6. No development other than site clearance works to take place prior to submission and approval of an archaeological written scheme of investigation
7. No development other than site clearance works to take place prior to submission and approval of a construction management plan
8. No development other than site clearance works to take place prior to submission and approval of Phase II ground investigations and risk assessments
9. The development shall not be occupied until a verification report (contaminated land) has been submitted

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken and where necessary a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report shall be submitted to and approved in writing of the Local Planning Authority prior to the occupation of any buildings.
11. Details of any external plant and machinery shall be submitted prior to installation
12. Provision of low emission boilers
13. Provision of electric vehicle charging points
14. Submission of details of any piling operations
15. Construction hours: 09:00 – 17:30hours Mon to Fri, 09:00 – 14:00 hours Sat, with no working on Sundays or public holidays
16. Submission and approval of a site specific dust management plan
17. Nesting bird protection
18. Provision of a construction environmental management plan (nature conservation)
19. Each reserved matters application to be supported by a strategy for the incorporation of features to enhance the biodiversity value of the proposed development
20. The development hereby approved shall only be occupied in connection with operations at British Salt
21. If the consented development has not commenced by the beginning of July 2022 an updated badger survey report is to be submitted to the LPA. The submitted report to include mitigation measures to address any adverse impacts identified
22. The development shall secure 10% of its predicted energy requirements from decentralised and renewable or low carbon sources unless the applicant can demonstrate that this is not feasible or viable
23. The development shall be carried out in accordance with the mitigation measures set out in the submitted Noise Impact Assessment and fork lift trucks and heavy goods vehicles operating on the site shall be fitted with white noise reversing alarms.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice Chair) of the Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should this application be the subject of an appeal, authority be delegated to the Head of Planning in consultation with the Chair (or in their absence the Vice Chair) of the Strategic Planning Board to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

The meeting commenced at 10.00 am and concluded at 4.00 pm

Councillor S Gardiner (Chair)

Application No: 20/5700C

Location: Glebe Farm, BOOTH LANE, MOSTON, MIDDLEWICH

Proposal: Reserved Matters application for appearance, landscaping, layout & scale following outline approval 13/3449C for 404 dwellings, retail unit, public open space, and associated works

Applicant: Mr G Bancroft, Taylor Wimpey UK Ltd

Expiry Date: 11-Mar-2022

SUMMARY

The principle of development has already been accepted as part of the outline approval on this site.

The development will not have a detrimental impact upon residential amenity and would comply with Policy GR6 and GR7 of the CLP.

The design of the proposed development has been the subject of revised plans and is now of an acceptable design. The design complies with Policies SE1, SD1 and SD2 of the CELPS and the CEC Design Guide.

The POS is considered to be acceptable and would be a benefit to this scheme.

The proposed landscaping scheme is acceptable and the development is acceptable in terms of its impact upon ecology (despite the potential impact upon two bird species) and would comply with Policies SE1 (Design), SE3 (Biodiversity and Geodiversity), SE4 (The Landscape), SE5 (Trees, Hedgerows and Woodland) and SE6 (Green Infrastructure) of the CELPS, Policies NR3 and NR4 of the CLP and policies ENV1 and ENV2 of the MNP.

An update will be provided in terms of the impact upon the trees on the site.

The drainage/flood risk implications for this proposed development are considered to be acceptable and will be dealt with as part of conditions 16 and 17 attached to the outline consent.

The proposed access points and the traffic impact as part of this development have already been accepted. The internal design of the highway layout and parking provision is considered to be acceptable and complies with Policies SD1, SD2 and SE1 of the CELPS.

The development complies with the Development Plan as a whole and is recommended for approval.

RECOMMENDATION

Subject to the outstanding issues relating to the trees on the site and the levels around the NEAP being addressed APPROVE subject to conditions.

SITE DESCRIPTION

The site of the proposed development extends to 15.3 ha and is located to the south of Middlewich. It forms part of LPS42 in the Cheshire East Local Plan Strategy. To the north is residential development fronting Kingswood Crescent, Shilton Close, Northwood Avenue and Inglewood Avenue. To the south is agricultural land. A former sports ground is included within the site. To the east of the site is Booth Lane with the Trent and Mersey Canal beyond, to the west of the site is Warmingham Lane.

The majority of the site is currently in agricultural use and there are a number of trees and hedgerow to the boundaries of the site. The site also includes a number of ponds.

PROPOSAL

This is a Reserved Matters application for 405 dwellings with appearance, landscaping, layout and scale to be determined at this stage.

The access points to serve the site were approved as part of the outline planning permission and are taken from Booth Lane to the east and Warmingham Lane to the west.

The proposed development would have the following housing mix;

- 12 x one-bedroom dwellings
- 47 x two-bedroom dwellings
- 269 x three-bedroom dwellings
- 77 x four-bedroom dwellings

All dwellings would be two-storeys in height apart from 78 units which would be 2.5 storeys in height.

The development includes 10% affordable housing provision (41 units). All will be rented units.

Finally, the application includes the provision of a single-storey convenience store which would be located onto the Booth Lane frontage of the site.

RELEVANT HISTORY

21/2600C - Variation of condition on application 13/3449C Outline application for residential development (approximately 450 dwellings), retail unit (A1, A2, A3, A4 and/or A5) and supporting infrastructure – Application Undetermined

21/0607C - Application for the approval of reserved matters for the appearance, landscaping, layout and scale following outline approval 13/3449C - Outline application for residential

development (approximately 450 dwellings), retail unit (A1, A2, A3, A4 and/or A5) and supporting infrastructure - Application Undetermined

20/5702C - Non-material amendment to 13/3449C - Approved 17th February 2021

20/5699C - Variation of condition 21 on 13/3449C - Outline application for residential development (approximately 450 dwellings), retail unit (A1, A2, A3, A4 and/or A5) and supporting infrastructure – Refused 22nd April 2021

13/3449C - Outline application for residential development (approximately 450 dwellings), retail unit (A1, A2, A3, A4 and/or A5) and supporting infrastructure - Approved 20th February 2018

NATIONAL & LOCAL POLICY

Cheshire East Local Plan Strategy (CELPS)

LPS42 – Glebe Farm, Middlewich

MP1 – Presumption in Favour of Sustainable Development

PG1 – Overall Development Strategy

PG2 – Settlement Hierarchy

PG7 - Spatial Distribution of Development

SC4 – Residential Mix

CO1 - Sustainable Travel and Transport

CO4 – Travel Plans and Transport Assessments

SC5 – Affordable Homes

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

SE 1 - Design

SE 2 - Efficient Use of Land

SE 3 - Biodiversity and Geodiversity

SE 4 - The Landscape

SE 5 - Trees, Hedgerows and Woodland

SE 6 – Green Infrastructure

SE 8 – Renewable and Low Carbon Energy

SE 9 – Energy Efficient Development

SE 13 - Flood Risk and Water Management

IN1 – Infrastructure

IN2 – Developer Contributions

Congleton Replacement Local Plan

GR6 & GR7 Amenity and Health

GR9 Accessibility, servicing and provision of parking

GR13 Public Transport Measures

GR14 Cycling Measures

GR15 Pedestrian Measures

GR16 Footpaths Bridleway and Cycleway Networks

GR17 Car parking

GR18 Traffic Generation

BH4 Listed Buildings – Effect of Proposals
BH9 Conservation Areas
NR2 Statutory Habitats
NR3 Habitats
NR5 Habitats

Middlewich Neighbourhood Plan

The local referendum for Middlewich Neighbourhood Plan was held on the 14 March 2019 and returned a 'no vote'

Moston Neighbourhood Plan

The Moston Neighbourhood Plan was made on the 11th November 2019 and forms part of the Development Plan.

HOU1 – Location of New Homes
HOU2 – Housing Mix and Type
LCD1 – Design and Landscape Setting
LCD2 – Dark Skies
INF1 – Utilities
INF3 – Surface Water Management
ENV1 – Wildlife Habitats, Wildlife Corridors and Biodiversity
ENV2 – Trees, Hedgerows and Watercourses.

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

- 11. Presumption in favour of sustainable development.
- 50. Wide choice of quality homes
- 102-107 Promoting Sustainable Transport
- 124-132 Requiring good design

Supplementary Planning Documents

The EC Habitats Directive 1992
Conservation of Habitats & Species Regulations 2017
Cheshire East Design Guide

CONSULTATIONS

CE Flood Risk Manager: Make the following comments;

- No objection in principle to the proposed reserved matters application.
- The catchment analysis undertaken by Taylor Wimpey confirms that the diverted watercourse will retain 1 in 100 year + CC% flows without causing adverse flooding.
- The developer will also need to apply for land drainage consent under Land Drainage Act 1991 prior to any construction along the existing watercourses.
- Within the pond hydrology assessment, there is no objection in principle retaining minimal catchment flows into these networks. However, the developer must consider a

high-level overflow to the existing ordinary watercourse network, this will ensure no overtopping to the surrounding areas during extreme events. This should be included within the overall drainage strategy once submitted under application no. 21/0228D.

United Utilities: No objection subject to the imposition of a planning condition to require compliance with the submitted drainage plans.

Cheshire Brine Subsidence Board: As a Reserved Matters application the Brine Board will not make any comments.

Canal & River Trust: Offers the following general advice;

- The canal corridor is within a designated conservation area. The amended layout plan shows that the density of development along the Booth Lane frontage has been reduced and a marginally greater landscape buffer and more planting would be provided here, which would assist with softening the appearance of the development and reducing the potential impact on the setting of the conservation area.
- The required acoustic fence along Booth Lane would undermine the role of this greater landscape buffer as the fence would provide quite a harsh edge to the development, however it is understood why this is required to prevent a buffer to the highway/traffic noise. This fence could be coloured green to attempt to blend it into the landscaping.
- In terms of the revised CEMP, the C&RT welcome that this has been updated to include details of the temporary hoarding/fencing with debris netting to be fitted close to sensitive receptors and that the canal has been considered as a sensitive environmental receptor. The C&RT also note at paragraph 7.2.2 the matter relating to preventing silt runoff mitigation to watercourses within and outside the site, including the canal.
- Unable to comment on the Flood Risk Assessment as having difficulty accessing via the website.

CEC Education: No comments received.

Strategic Housing Manager: No objection.

Sustrans: No comments received.

Sport England: Sport England have no specific comments in relation to the reserved matters application. The Section 106 Agreement associated with the outline consent dated 15th February 2018 formally secures the mitigation package associated with the loss of playing field to address Sport England's previous comments.

Natural England: No objection. Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Environment Agency: No comments to make.

Health and Safety Executive: No comments received.

National Grid: No comments received.

SP Energy Networks: SP Energy Networks considers the proposed landscaping plans clearly need to be recorded in any decision so as to ensure these areas remain in this use and maintain their amenity purpose at this location.

The applicant must be made aware of the need to work safely around the SP Manweb assets. There would need to be safe working during construction and post construction and unfettered long-term access. The applicant should be advised of this in an informative added to any consent and also prior to starting work on site to contact the SP Energy Networks.

Cheshire Wildlife Trust: No comments received.

Archaeology: No comments received.

PROW: No comments received.

Strategic Highways Manager: The internal road layout of the site has an acceptable design as is the hierarchy of the roads within the site.

The applicant has provided a revised plan that indicates the pedestrian and cycle connectivity within the site. There revised layout is now considered an acceptable design and no objections are raised.

With regard to the amendment to the access from Booth Lane, it is not considered that a traffic signal junction is now required to serve the development and that a ghost right turn lane junction is an acceptable replacement.

Environmental Health: The following conditions are suggested;

- Implementation of the noise mitigation measures within the acoustic report
- Submission and approval of a Phase II Contaminated Land Report
- Submission of a Verification Report before occupation
- Importation of soils
- Unexpected contamination

Public Open Space: Offer the following comments;

- It is unfortunate we cannot establish a sustainable access to connect the new development to the existing Cheshire East open space land across the brook. However, this appears to have not followed through to the S106 Agreement. To complicate matters further Taylor Wimpey has identified there is a strip of unregistered land situated between Glebe Farm and Cheshire East owned land.
- The POS Officer recommends a reduction in size of the swale with mown pathways however the swale situated within the linear park forms part of the drainage strategy for the scheme. It is therefore not possible to reduce the swale in size as this would adversely impact the drainage strategy which is accepted.
- A second bench with arm rests and back will be incorporated into the linear park along with the area of wildflower seed mix to the south of the NEAP/east of the LEAP is replaced by close mown grass seed mix. This has been confirmed and the change will be actioned, and the landscaping plans updated accordingly.
- It has been confirmed the removal of the two paths currently dissecting the wildflower area will be removed and the layout updated. Unfortunately, due to the easement of the

brine pipe it is understood the LEAP cannot be located further north. The removal of the bulb planting was to facilitate greater informal recreational space however with the easement in place the bulb planting should remain.

- With regards to the condition for the revised LEAP and NEAP. The latest submission is much more 'in keeping' with the surroundings than its previous design, however further information as to the specification, inclusivity and accessibility are required. Some of the equipment appears repetitive with the surfacing being unsuitable due to lack of accessibility and inclusivity. This statement is not an acceptance that the general design, number of items are agreed or approved as this is difficult to do without full specifications.
- A condition should be attached in relation to the design of both the LEAP/NEAP and surrounding open space.

VIEWS OF THE PARISH COUNCIL

Middlewich Town Council: Objection due to concerns over traffic and the traffic plan done in 2013 and improvement to infrastructure, doctors, and schools required.

Moston Parish Council: Moston Parish Council object to the application. The applicants have purchased a large site which will have a major impact on the locality adding to the fact houses are being built in the area with a lack of infrastructure. The applicants seem to have begun a process of seeking to make changes to the outline permission, changes which if accepted would increase the use of Warmingham Lane which does not have the capacity to cope with extra traffic.

REPRESENTATIONS

Letters of objection have been received from 5 local households raising the following points:

- The original application should not have been approved
- Middlewich cannot cope with another 400+ dwellings
- Traffic infrastructure is at capacity in Middlewich
- Infrastructure cannot cope with this level of development (doctors, hospitals, pubs, schools, roads)
- No need for further housing
- Impact upon wildlife
- The site is prone to flooding and the site includes streams and wetland areas
- The proposed access joins two busy roads and will be used as a rat run
- Measures should be put in place to prevent large vehicles using the access as a through route
- Speed bumps will not act as a deterrent to vehicle movements through the site
- A 1.8m boundary fence is proposed and this will prevent existing homeowners maintaining their boundaries
- Proximity of the access to an oak tree – potential damage to the root system of this tree
- Increased air pollution
- The development will create a recreational area without adequate surveillance and will lead to high crime
- Detrimental impact upon quality of life
- Inadequate parking – increased parking within the highway
- Existing traffic congestion on Warmingham Lane, Booth Lane and Long Lane south

- Increased risk of speeding on Warmingham Lane especially at the Sycamore Drive roundabout which has poor visibility
- The adjacent Bellway and Morris development failed to stick to the original plans. Money from both developments has not been spent on improving highways infrastructure
- Introducing young families into an area with dangerous roads
- Proposed plans are not clear with potential drafting errors
- The site is home to large amounts of wildlife
- How will the watercourse be treated on the site
- Plots 280 & 281 should have no side facing windows
- Proximity of plots 280 & 279 to the boundary
- Additional tree planting should take place to the boundary with the existing dwellings
- Query over land ownership

APPRAISAL

Principle of Development

A number of representations raise issues relating to the principle of development. However, the principle of development has been accepted following the approval of application 13/3449C. The site is also allocated for development as part of LPS42 within the CELPS. This application is to consider the appearance, landscaping, layout and scale of the proposed development only.

Housing Mix

Policy SC4 of the submission version of the Local Plan requires that developments provide an appropriate mix of housing (however this does not specify a mix). In this case the development would provide the following mix:

- 12 x one-bedroom dwellings
- 47 x two-bedroom dwellings
- 269 x three-bedroom dwellings
- 77 x four-bedroom dwellings

All dwellings would be two-storeys in height apart from 76 units which would be 2.5 storeys in height. The development proposes 10% affordable housing (41 units all rented).

In this case it should be noted that this is a Reserved Matters which is broadly in accordance with the Design and Access Statement submitted at the outline stage. Policy SC4 does not specify a mix of housing. On this basis the housing mix which is not dominated by larger executive homes is considered to be acceptable.

In terms of dwelling sizes, it is noted that HOU6 of the Site Allocations and Development Policies Document (SADPD) requires that new housing developments comply with the Nationally Described Space Standards (NDSS). As part of the SADPD Inspectors post hearing comments he accepts this requirement but states that;

'as advised in the PPG, a transitional period should be allowed following the adoption of the SADPD, to enable developers to factor the additional cost of space standards into future land acquisitions. Given that the intention to include the NDSS in the SADPD has been known since

the Revised Publication Draft was published in September 2020, a 6-month transitional period for the introduction of NDSS, following the adoption of the SADPD, should be adequate. This should be included as an MM to criterion 3 of Policy HOU 6'

The applicant has provided the following table to show the current position in terms of the house types and NDSS compliance.

Glebe Farm - (Affordable) size units and National Defined Space Standards					
Plot Name	Bedroom Size	SQM	NDSS Size in SQM	% Over NDSS	No of Plots
D444	1B/2P	57.2 & 63.6	58	8.8%	12
EMA 22 Beaford	2B/3P	72.2	70	3.0%	18
NA30 Benford	3B/4P	84	84	0%	7
PA42 Lydford	4B/5P	102	97	3.6%	4
					41
Glebe Farm - (Open Market) size units and National Defined Space Standards					
Plot Name	Bedroom Size	SQM	NDSS Size in SQM	% Over NDSS	No of Plots
Canford	2B/3P	64	70		29
Gosford	3B/4P	80.4	84		81
Byford	3B/4P	91	84	7.7%	44
Braxton	3B/5P	101.3	93	8.2%	78
Easedale	3B/4P	86.5	84	2.9%	51
Amersham	3B/4P	92	84	8.7%	8
Lydford	4B/5P	102	97	4.9%	39
Trusdale	4B/7P	115.4	115	0.34%	17
Coltham	4B/7P	117	115	1.7%	17
					364

This shows that all of the affordable units are NDSS compliant and that 73% of the house types across the entire development are NDSS compliant. Given the 6-month transitional period referred to by the SADPD Inspector this is considered to represent an acceptable compromise.

Affordable Housing

The S106 Agreement completed as part of the outline application requires 10% of the housing on the site to be affordable (all rented).

The applicant is providing the correct amount of Affordable Housing being 41 dwellings. The mix shown on the submitted plans identifies that the following affordable units will be provided as part of this proposed development;

- 12 x one-bedroom units
- 18 x two-bedroom units

- 7 x three bed units
- 4 x four bed units

The proposed location of the affordable units is acceptable as they are provided in 10 groups within the development. The application is acceptable in terms of its affordable housing provision.

Loss of Recreational Open Space

The application site includes a former sports ground which is protected by Policy RC2 (Protected Area of Open Space/Recreational Facility) which would be lost as part of this development. The S106 Agreement completed as part of the outline application secures a contribution of £220,000 towards playing pitch improvements at Sutton Lane.

Public Open Space

The layout shows that that the proposed development would provide a significant amount of open space in the form of the linear park and the central POS. This open space will provide a number of functions such as for recreation, ecology, landscaping and drainage. The amount of POS on this site is considered to be acceptable and no objection is raised from the POS Officer.

The outline application requires that the development provides both a NEAP (Neighbourhood Equipped Area of Play) and LEAP (Local Equipped) within the site. These are shown on the proposed plan and details could be secured via the imposition of a planning condition.

The Councils POS Officer has requested some amendments in the form of landscaping and footpath changes, these have been secured as part of the application.

It has not been possible to secure a link to the existing open space to the north of the site at this stage. This was not a requirement of the outline consent and there is intervening unregistered land between the application site and that controlled by Cheshire East.

The management of the POS would be secured as part of a management company secured as part of the outline consent.

Education

The impact upon education infrastructure was considered as part of the outline planning permission. In this case no contribution for education was secured due to viability issues associated with the outline application and preference was given to securing other mitigation in the form of 10% affordable housing, playing pitch contribution (£220,000) and a Middlewich Bypass contribution (£4,780,000).

NHS

The concerns raised in relation to the impact upon health care infrastructure are noted. However, no contribution was secured as part of the outline consent and contributions were prioritised for other mitigation (playing pitch provision and for the Middlewich Bypass).

Location of the site

The site was found to be locationally sustainable as part of the outline application.

Residential Amenity

In this case the Congleton Borough SPG requires the following separation distances:

- 21.3 metres between principal elevations
- 13.8 metres between a non-principal and principal elevations

It should also be noted that the recently adopted Cheshire East Design Guide SPD also includes reference to separation distances and states that separation distances should be seen as a guide rather than a hard and fast rule. Figure 11:13 of the Design Guide identifies the following separation distances;

- 21 metres for typical rear separation distance
- 18 metres for typical frontage separation distance
- 12 metres for reduced frontage separation distance (minimum)

In terms of the impact upon the properties to the north which front Shilton Close and Kingswood Crescent the proposed dwellings meet the separation distance requirements and have separations distances varying from 21-26m in length.

There are some minor exceptions to the above as plot 283 has a separation distance of 15m to its nearest corner with No 9 Kingswood Crescent. However, the proposed dwelling is angled with a blank side elevation and there is no direct rear-to-rear relationship. Plots 282 and 277 have blank side elevations facing north of 12 and 17m.

In addition to the above all dwellings backing onto the dwellings fronting Shilton Close and Kingswood Crescent are two-storeys in height apart from the dwellings on plots 292, 293, 301 and 302 which are two and a half storeys in height. However, it should be noted that the dormers are sited to the front elevation only and the rooflights to the rear elevation would be above head height so would not raise any privacy issues. A condition will be imposed to removed permitted development rights for rear dormers to these plots.

To the north-west of the site are the dwellings fronting Warmingham Lane, Northwood Avenue and Inglewood Avenue. Due to the layout of the development there are no proposed dwellings sited in close proximity to these existing dwellings.

To the west of the site is a residential development which is under construction and at the time of the case officers site visit there did not appear to be any occupied dwellings on this site. The relationship and separation distances to these approved dwellings would be acceptable.

To the east of the site are a number of dwellings and traveller sites which front onto Booth Lane. The relationship to these residential properties is considered to be acceptable and would be in part mitigated by the proposed boundary treatment.

The impact upon surrounding residential amenity is considered to be acceptable and complies with Policy GR6 of the CLP.

Levels

Condition 23 attached to the outline planning permission requires details of the existing ground levels, proposed ground levels and the level of proposed floor slabs to be submitted as part of the first Reserved Matters application.

The levels plan shows that the existing levels on the eastern part of the site are below the level of Booth Lane by up to 0.5m in places. The level of Booth Lane varies from 39.8 Above Ordnance Datum (AOD) to the north-east and 42.9AOD to the south-east, the responding finished floor levels (FFL) would be increased on the site along the eastern boundary to 39.85AOD to the north-east and 42.85AOD to the south east. This would mean that there would be localised increases in the level of the site by up to 1m but the proposed levels would be comparable to those which exist along Booth Lane. A sectional drawing has been provided through to Booth Lane and this confirms that the proposed levels are comparable to the gypsy traveller site on Booth Lane.

To the north of the site adjacent to the boundary with the dwellings fronting Shilton Close and Kingswood Crescent, the existing levels drop as a ditch runs along the site boundary. In this area the levels would be raised for the proposed dwellings adjoining the northern boundary of the site. The greatest level changes would be the dwellings at plots 303-307 which are at another localised dip on the site. Of these plots 307 and 306 (which sees the greatest level change at 1.83m) do not share a close relationship with the dwellings to the north. A section through plot 306 shows that the nearest adjacent dwelling (18 Shilton Close) has a finished floor level of just 0.42m below that of the proposal on plot 306 with a separation distance of 27m and an off-set relationship.

The dwellings at 12-16 Shilton Close to the rear of plots 303-305 are sited higher than the dwelling at 18 Shilton Close referred to above and although the proposed dwellings on plots 303-305 share a closer relationship the impact in terms of level difference would be less than that referred to above.

Elsewhere along the northern boundary the levels plan shows that the greatest increase in levels is at plots 292 and 282-283. In terms of plot 292 the proposed dwelling does not have a direct rear to rear relationship with the dwelling at the rear. The same applies to plots 282-283 which are 0.53m higher than the nearest adjacent dwellings at 23 Kingswood Crescent.

Within the remainder of the site the levels largely work with those which exist. The exception being the plots which are located closest to the central wetland area where the site level dips. The dwellings which front onto the wetland area would be sited at a higher level than the wetland and four sections have been provided to show the level increases would work. These sections are at plots 268, the road between 237 and 247), 233 and 208. The levels show that there would be steep embankments along this boundary to the retained wetland (these would be up to 2m in height at their highest). An embankment would be provided and this would be largely screened by the existing vegetation within the wetland area which would be retained.

In terms of the level changes and the relationship the Councils Ecologist considers that this would help to limit access to the retained wetland area and its ecological value whilst the hydrology of the large wetland is maintained through the submitted drainage scheme.

The access road from Warmingham Lane shares a close relationship with dwellings which front Inglewood Avenue. The applicant has provided 4 sections through this part of the site and the proposed levels are comparable to those which exist.

To the western portion of the site adjacent to the Seddon Development (approved as part of applications 18/0083C and 21/3020C) there would be some increase in the levels on the site but the development would sit slightly lower than that being built out on the Seddon Site.

Finally, the proposed NEAP is set at a lower level than the nearby dwellings, the applicant has stated that the area of the NEAP will be raised as part of the development by 1m. Sections have been requested in relation to this issue and an update will be provided.

Impact from Construction Disturbance

This issue will be dealt with as part of the condition imposed as part of the outline planning permission (5 – construction hours, 9 – dust management plan, and 10 – environment management plan).

Noise

Condition 12 attached to the outline planning permission requires the reserved matters application to include a detailed scheme of glazing, ventilation mitigation measures and acoustic screening fences.

Due to noise from traffic using Booth Lane and industrial noise from the British Salt Works, noise mitigation measures will be required. The noise mitigation measures will take the form of 2m high acoustic fencing for the rear gardens of certain plots and high specification glazing and trickle vents for certain plots. No objection has been raised in terms of the proposed noise mitigation from the Environmental Health Officer.

The acoustic fencing would be set back from Booth Lane and would be screened in part by existing vegetation and the proposed dwellings and would not be unduly prominent.

Air Quality

The issue of air quality was considered as part of the outline application and conditions were imposed in relation to electric vehicle charging (condition 14), travel plan (condition 13) and dust management (condition 9).

Contaminated Land

The issue of contaminated land was considered as part of the outline application and condition 7 has been attached in relation to this issue.

Lighting

Policy LCD2 of the MNP states that future outdoor lighting systems should have a minimum impact on the environment, minimising light pollution and adverse effects on wildlife. In this case lighting on the site is controlled via condition 8 attached to the outline planning permission.

Highways

The letters of objection raising concerns over the points of access and traffic generation are noted. However, these details were approved as part of the outline application.

In terms of the highway impact the outline application for this development secures a substantial contribution of £4,780,000 towards the delivery of the Middlewich Eastern Bypass.

The proposed layout incorporates a mixture of standard road infrastructure and also shared surface roads, the proposed road types do not raise a design issue and where it has been possible to provide shared surfaces, this had been done. The internal layout as proposed is acceptable.

Revised plans have provided pedestrian connections to the Seddon Development to the west. The highways officer has also confirmed that there are acceptable pedestrian and cycle links from Booth Lane to Warmingham Lane as required by LPS42.

In terms of cycle parking a condition will be imposed to require cycle parking details to be submitted and approved for the proposed apartments.

The level of car parking for the residential units is in accordance with CEC parking standards, 2/3 beds have 2 spaces and 4/5 beds have a minimum of 3 spaces. There are some on-street visitor parking spaces provided at various locations within the development.

The development complies with Policies GR14, GR15 and GR18 of the CLP and policies SD1 and CO2 of the CELPS.

Trees and Hedgerows

An updated Arboricultural Impact Assessment and Method Statement has been received to consider the impact of the revised layout on trees and to address the previous concerns in relation to trees on the site. An update will be provided once comments have been received from the Councils Tree Officer.

Design

The importance of securing high quality design is specified within the NPPF and paragraph 126 states that:

‘The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’

Outline approval (Number of Dwellings/Density)

The issue of the number of dwellings and the density of the proposed development was considered at the outline stage.

Connections

Does the scheme integrate into its surroundings by reinforcing existing connections and creating new ones; whilst also respecting existing buildings and land uses along the boundaries of the development site?

The development would have a vehicular access running through the site and access points onto Booth Lane and Warmingham Lane. There would be pedestrian access points to the Seddon Development to the west of the site to provide connections between the two sites.

To the north the developer is not proposing to make any connections to the existing open space, for the following reasons the footbridge required should have been included within the S106 Agreement as part of the outline application, the footbridge would be located outside the red line boundary of the site and therefore could not be agreed as part of this application and, there is also a strip of unregistered land situated between the Glebe Farm site and the land owned by Cheshire East to the north.

It is unfortunate that further connections cannot be made to the residential areas to the north. However, this is not possible due to the layout of the residential properties to the north.

Facilities and services

Does the development provide (or is it close to) community facilities, such as shops, schools, workplaces, parks, play areas, pubs or cafes?

The site has outline planning permission, is allocated for development within the CELPS and it is therefore considered that the has access to facilities and services.

It should also be noted that in accordance with the outline consent the development includes a convenience store to serve the development and the wider area.

Public transport

Does the scheme have good access to public transport to help reduce car dependency?

Again, this issue was considered as part of the outline application. See above.

Meeting local housing requirements

Does the development have a mix of housing types and tenures that suit local requirements?

Policy SC4 of the submission version of the Local Plan requires that developments provide an appropriate mix of housing (however this does not specify a mix). In this case the development would provide the following mix:

- 12 x one-bedroom dwellings
- 47 x two-bedroom dwellings
- 269 x three-bedroom dwellings

- 77 x four-bedroom dwellings

All dwellings would be two-storeys in height apart from 78 units which would be 2.5 storeys in height. The development proposes 41 rented units as the affordable housing provision.

The proposed development would provide consist of 1-4 bedroom units. Less than a fifth of the dwellings would have four bedrooms and the development would not be dominated by larger dwelling types.

Policy SC4 does not specify a mix and HOU1 cannot be given full weight. On this basis the housing mix is considered to be acceptable.

Character

Does the scheme create a place with a locally inspired or otherwise distinctive character?

Middlewich and Moston are located within the Salt & Engineering Towns area (although it is not an identified example settlement) and the design cues for this are include the following;

- A wide variety of building styles reflecting different periods in the growth of the towns.
- A predominance of red brick terraces and villas.
- Two-storey properties with steep roofed gables onto the street.
- Boundary walls often constructed from same material as main property.
- Subtle variation in detailing or colour palette creates variation between properties within long terraces.
- Properties often set to back of pavement providing strong enclosure to street.
- Brick of various shades and textures is the main building material.
- All eras of architecture are found within the settlement character area
- Existing landscape features should be retained on site to preserve the landscape character.

There is a variation of house-types adjoin the site. There majority appear to be two-storeys in height (although there are some caravans sited along Booth Lane). To the west of the site is a development which is currently under construction. The properties to the north have a more suburban appearance. The dwellings in the area predominantly detached and semi-detached, with a mix of hipped and pitched roofs, the material pallet also includes a mix of red and buff brick and render and includes a mix of grey and red tiled roofs. The age of the surrounding dwellings is mixed but is largely post-war in age.

The dwellings in the locality of the site include a number of design features such as projecting gables, bay windows (single storey), porch detailing, window header and sill details, brick banding, ridge tile detailing, and chimneys.

The proposed dwellings would vary from two storey units to two and a half storeys. They would have a gabled roof design and the roof heights vary across the development which would add some interest. The height variation is consistent with the wider locality in this part of Middlewich and is considered to be acceptable.

Largely it is considered that the proposed development respects this character of the area. Many of the design cues within this location are incorporated into the development with features such

as projecting gables, window header and sill details, brick banding and porch detailing (although all appear to be open porches/canopies).

Details of external materials would be controlled through the imposition of a planning condition as would details of the proposed boundary treatments.

Working with the site and its context

Does the scheme take advantage of existing topography, landscape features (including watercourses), wildlife habitats, existing buildings, site orientation and microclimates?

The site includes a number of natural features such as trees, hedgerows, ponds and the centrally located wetland area. There is also a pipeline running centrally through the site and pylons with overhead cables crossing the site.

Given the significant constraints and easements shown on the plan (the no-build zone and the brine easement in particular) the layout is limited in what it can do but is considered to be broadly successful.

The level of POS and the green heart to the layout is welcomed. Due to the easement constraint associated with the pipeline the development includes a centrally located linear park which runs through the development from east to west. In addition, the centrally located wetland area would be retained and lines up with the existing open space to the north.

The pylons run through a narrow part of the site and the development would be located on either side outside the overhead easement.

Internal connectivity generally good, the housing is laid out in perimeter blocks with a welcome lack of cul-de-sacs which alongside the positioning of the taller 2.5-storey units, will aid legibility and wayfinding.

To the southeast of the site the development shares a closer relationship to Booth Lane and the Canal Conservation Area opposite. The proposed dwellings to this part of the site would be set behind private driveways and a landscaping strip and face onto Booth Lane. This helps with the frontage to the canal and its conservation area which is close to the street at this point.

The houses on plots 4-10 present their backs to the boundary, which is generally not acceptable, but in this case the retention of the mature hedge is considered more important and on balance, this is considered to be acceptable.

Creating well defined streets and spaces

Are buildings designed and positioned with landscaping to define and enhance streets and spaces and are buildings designed to turn street corners well?

The majority of the open space would be to the centre of the site in the form of the linear park and the retained wetland habitat.

The proposed dwellings would be sited to ensure that they overlook the proposed highway network and the open space on the site. The development would use corner-turning units on the corner plots.

Internally within the site the proposed development would be include a mix of car-parking solutions. The car-parking to the front of the proposed dwellings would be within small pockets and would be broken up with landscaping. Parking would also be provided to the side of the dwellings and within small parking courtyards.

In terms of the landscaping within the development this is discussed elsewhere within the report and includes a comprehensive scheme of tree-planting.

Easy to find your way around

Is the scheme designed to make it easy to find your way around?

The site is well connected internally and it would be easy to navigate throughout the development.

Streets for all

Are streets designed in a way that encourage low vehicle speeds and allow them to function as social spaces?

It is considered that the proposed highways design is appropriate and, on the whole, avoids large straight stretches which would encourage speeding. The surfacing materials would be controlled via the imposition of a planning condition.

Car parking

Is resident and visitor parking sufficient and well-integrated so that it does not dominate the street?

Internally within the site the proposed development would be include a mix of car-parking solutions. The amount of car-parking to the front of the proposed dwellings would be acceptable with the parking also provided to the side/rear of the dwellings and within parking courtyards.

Public and private spaces

Will public and private spaces be clearly defined and designed to be attractive, well managed and safe?

The management of the open space and landscape buffers is secured as part of the S106 Agreement.

External storage and amenity space

Is there adequate external storage space for bins and recycling as well as vehicles and cycles?

The submitted plan shows that all units on the proposed development would have private amenity space with rear access. There would be adequate space for future occupiers to store their bins/cycles.

Design Conclusion

On the basis of the above assessment, it is considered that the proposed development represents an acceptable design solution. The development would comply with Polies SE1 and SD2 of the CELPS and the CEC Design Guide.

Landscape

Impact upon the wider landscape was considered as part of the outline application. The application includes a detailed landscaping scheme, and this was originally unacceptable due to the lack of tree planting within the site and to the Booth Lane frontage. Amended plans have now addressed the concerns of the Councils Landscape Architect and the proposals are considered to comply with Policies SE1 and SE4 of the CELPS or LCD1 of the MNP.

Ecology

Statutory Designated Sites

Natural England were consulted on the outline application at this site and did not object subject to conditions. One of these conditions related to further survey information in respect to the use of the application site by birds associated with the Sandbach Flashes SSSI. A wintering and breeding bird survey has now been submitted, which has been provided in part to address this issue. Natural England have raised no objection to this application.

Condition 18: Prior to the commencement of development, a scheme for the provision and management of an undeveloped buffer zone (at least 5 metres wide) between the ponds / watercourses.

One ditch and 6 ponds were recorded on site during the phase one habitat survey undertaken to inform the outline application at this site. Of these the ditch and two of the ponds would be lost under the proposed layout. The proposed layout does not provide the required 5m buffer for the retained ponds.

Condition 19: No development shall commence until details of bat and bird nest boxes to be provided at the site have been submitted.

Proposals in respect of this condition have been included with the submitted 'Bat, Bird, Invertebrate and hedgehog Mitigation scheme version 1.1' submitted in support of this reserved matters application. The Councils Ecologist advises that the proposed features are acceptable and are sufficient to allow the discharge of this condition.

Condition 27: Should the reserved matters application result in the loss of any ponds, these shall be replaced as part of the development in accordance with a scheme to be submitted to and approved in writing by the local planning authority.

As discussed above two of the existing ponds on site would be lost under the currently proposed layout. Detailed designs for replacement ponds to address the loss of these ponds have been submitted and are considered to be acceptable by the Councils Ecologist.

It is necessary to ensure that sufficient surface water continues to be directed to the retained existing ponds to prevent them from drying out as a result of changes to the sites hydrology following the development. Measures to address this risk have been incorporated into the revised drainage scheme.

In order to reduce the risk of contamination of the ponds the parking areas from which water will be directed to the retained ponds should be constructed from permeable block paving. This matter may be dealt with by means of a planning condition.

Bats

Further bat surveys have been undertaken. Temperatures were slightly low during the initial survey visit. This is however unlikely to be a significant constraint on the results of the survey overall. No bat roosts were identified in the trees on site and so the application is unlikely to result in a significant adverse impact upon this species.

The site is considered to be of Local Importance for some species of foraging bats. Most Bat activity occurred around the southern boundary and pond 1. Activity was also concentrated around pond 2. These features would be retained as part of the proposed development, reducing potential impacts upon foraging and commuting bats.

To avoid any adverse impacts on bats resulting from any lighting associated with the development vegetation, it must be ensured that the lighting strategy for the site submitted under condition 8 avoids any light spill onto retained vegetation and ponds particularly Ponds 1 and 2 and the southern boundary vegetation.

Breeding Birds

A detailed breeding bird survey has been undertaken. The application site is of local value for nesting birds and supports a number of more widespread priority bird species which are a material consideration for planning. The loss of hedgerows and existing tree cover would result in the loss of habitat for nesting birds.

Cetti's Warbler (a species receiving specific protection under the Wildlife and Countryside Act) was identified as probably breeding on site due to favourable habitat around pond 1. Pond 1 would be retained as part of the development; however, the adjacent development is likely to deter this species from nesting on site in the future. The proposed development therefore potentially would result in a localised adverse impact upon this species.

The provision of features for nesting birds are required under condition 19 and condition 20 of the outline relates to the safeguarding of nesting birds.

Wintering Birds

Snipe was recorded on site during the wintering bird surveys. Regular presence of this species over a number of years is considered sufficient for a site to be designated as a Local Wildlife Site. In this instance only a single year's data is available, so it is not possible to fully assess the importance of the site for this species. Only a single bird was recorded at any one time, so the site is unlikely to be critically important for this species. Suitable habitat for this species would be retained as part of the proposed development. However, it is difficult to say whether this species would be likely to continue to use the site post development due to increased levels of disturbance.

Hedgerows

Hedgerows are a priority habitat and hence a material consideration. There are extensive hedgerow losses resulting from the proposed layout with a co-responding loss of biodiversity. The development proposals must seek to retain as much of the existing hedgerow network as possible.

The revised landscape plans include proposals for native hedgerow planting. In the event that planning consent is granted this planting would be sufficient to compensate for that lost.

Moston Neighbourhood Plan

The MNP identifies that parts of the application site are supporting 'medium distinctiveness habitat'. In these locations Policy ENV1 of the MNP states that applications will require 'a comprehensive ecological evaluation if they are put forward for development'. This has been provided as part of this application.

Policy ENV2 of the MNP states that development that *'would result in the loss of, or the deterioration in the quality of an important natural feature, including trees and hedgerows and watercourses will not normally be permitted. In exceptional circumstances where the benefit of development is considered to outweigh the benefit of preserving natural features, developments may be permitted subject to adequate compensatory provision being made'*. In this case the principle of the development on this site has already been accepted and adequate compensatory provision is being made.

Additional conditions

If reserved matters consent is granted conditions would be required to deal with the following:

- Submission and implementation of Measures to safeguard retained ponds and marshy grassland during the construction process.
- Submission and implementation of a 30-year habitat management plan.
- Implementation of measures recommend in the submitted 'Invertebrate and Hedgehog Mitigation Scheme' version 1.1.
- Parking areas in areas where water will be directed to retained ponds should be constructed from permeable paving.

Subject to the above the proposed development complies with Policy SE3 of the CELPS, NR2, NR3 and NR4 of the CLP and ENV1 and ENV2 of the MNP.

Hazardous Installations

Part of the site is located within the outer zone of a hazardous installation and a major hazard pipeline crosses the site. In the HSE Padhi+ system identified that the HSE require formal consultation as well as consultation with the National Grid. All residential dwellings proposed as part of the application lie outside the inner zone of the pipeline route covered by the Hazardous Substances Consent which runs through the site.

The HSE and National Grid were formally consulted but have not provided any comments. Given that outline planning permission is in place, the development is acceptable in terms of its impact upon the hazardous installations.

In terms of the electricity infrastructure crossing the site, Scottish Power have been consulted and raised no objection subject to the imposition of an informative.

Flood Risk

The application site is located within Flood Zone 1 (low probability of river/tidal flooding) according to the Environment Agency Flood Maps. A Flood Risk Assessment (FRA) was submitted as part of the outline application.

The impact of the development in terms of drainage was considered as part of the outline application and conditions 16 and 17 relate to the drainage implications of the development.

The Councils Flood Risk Team and the Environment Agency been consulted as part of this application and have raised no objection whilst United Utilities have raised general comments only. As a result, the development is considered to be acceptable in terms of its flood risk/drainage implications and the drainage scheme will be considered as part of the discharge of conditions 16 and 17 attached to the outline consent.

PLANNING BALANCE

The principle of development has already been accepted as part of the outline approval on this site.

The development will not have a detrimental impact upon residential amenity and would comply with Policy GR6 and GR7 of the CLP.

The design of the proposed development has been the subject of revised plans and is now of an acceptable design. The design complies with Policies SE1, SD1 and SD2 of the CELPS and the CEC Design Guide.

The POS is considered to be acceptable and would be a benefit to this scheme.

The proposed landscaping scheme is acceptable and the development is acceptable in terms of its impact upon ecology (despite the potential impact upon two bird species) and would comply with Policies SE1 (Design), SE3 (Biodiversity and Geodiversity), SE4 (The Landscape), SE5 (Trees, Hedgerows and Woodland) and SE6 (Green Infrastructure) of the CELPS, Policies NR3 and NR4 of the CLP and policies ENV1 and ENV2 of the MNP.

An update report will be provided in relation to the impact upon trees on this site.

The drainage/flood risk implications for this proposed development are considered to be acceptable and will be dealt with as part of conditions 16 and 17 attached to the outline consent.

The proposed access points and the traffic impact as part of this development have already been accepted. The internal design of the highway layout and parking provision is considered to be acceptable and complies with Policies SD1, SD2 and SE1 of the CELPS.

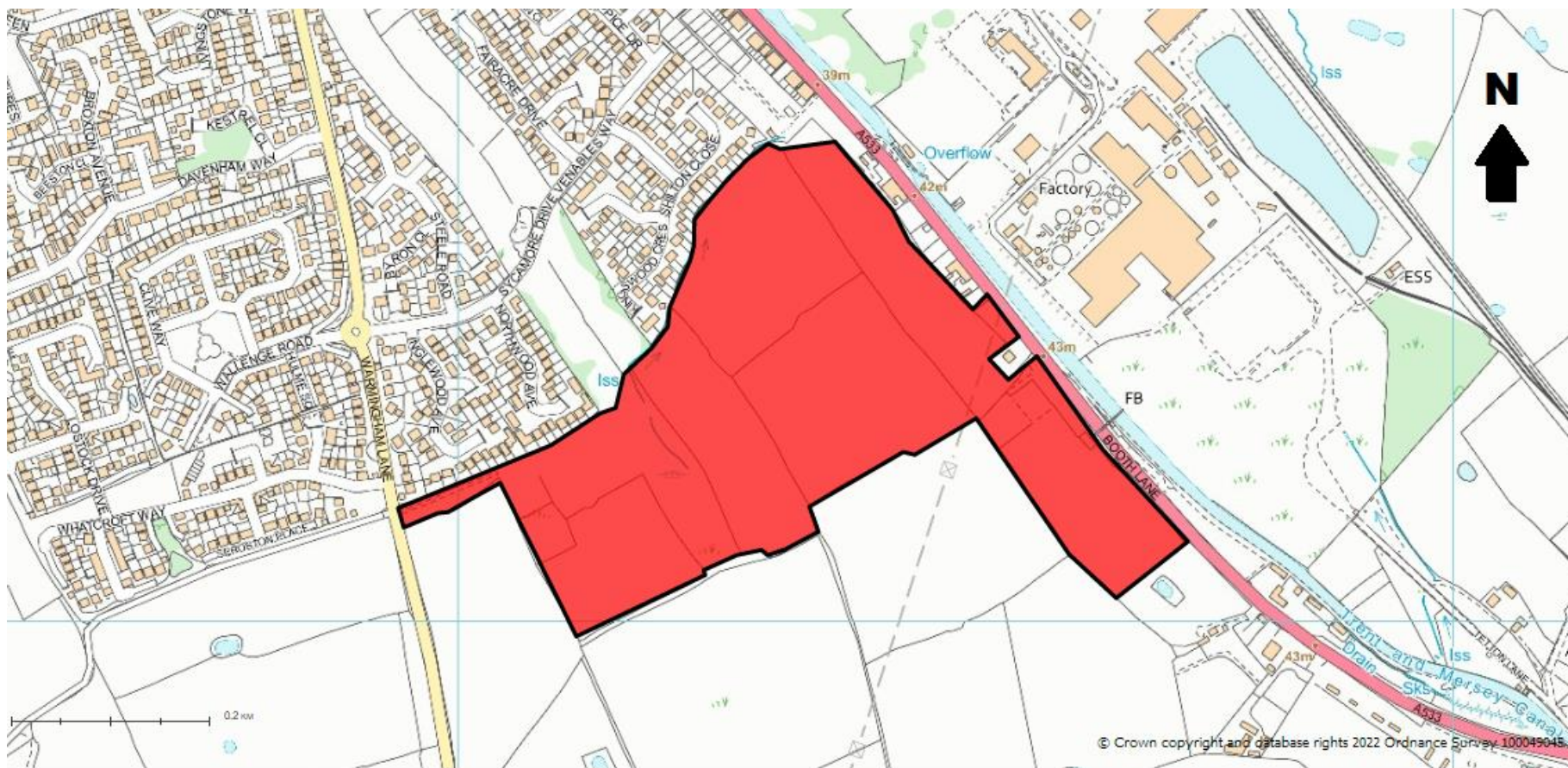
The development complies with the Development Plan as a whole and is recommended for approval.

RECOMMENDATION:

Subject to the outstanding issues relating to the trees on the site and the levels around the NEAP being addressed APPROVE subject to the following conditions;

- 1. Approved plans**
- 2. Remove Permitted Development Rights – roof alterations/dormers plots 292, 293, 301 and 302**
- 3. Submission and implementation of Measures to safeguard retained ponds and marshy grassland during the construction process.**
- 4. Submission and implementation of a 30-year habitat management plan.**
- 5. Implementation of measures recommend in the submitted ‘Invertebrate and Hedgehog Mitigation Scheme’ version 1.1.**
- 6. Parking areas in areas where water will be directed to retained ponds should be constructed from permeable paving.**
- 7. External Lighting**
- 8. Implementation of the proposed landscaping**
- 9. Notwithstanding the approved plans – materials to be submitted and approved**
- 10. Notwithstanding the approved plans – Boundary Treatment to be submitted and approved**
- 11. Notwithstanding the approved plans – Surfacing Details to be submitted and approved**
- 12. Details of the design of both the LEAP/NEAP and surrounding open space**
- 13. Implementation of the noise mitigation measures within the acoustic report**
- 14. Bin/cycle stores for the proposed apartments and convenience store**

In the event of any changes being needed to the wording of the Board’s decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chair of the Strategic Planning Board (or Vice Chair in their absence) provided that the changes do not exceed the substantive nature of the Board’s decision.



Application No: 21/4434N

Location: Land to the West of , DAVID WHITBY WAY, WESTON

Proposal: Reserved matters application proposing details of layout, appearance, scale and landscaping for the residential element (C3 use) of the outline development 15/1537N - Outline planning application (with all matters reserved) for a mixed-use development comprising residential use (Use Class C3) (up to 325 residential dwellings); employment use (Use Class B1), local centre comprising health centre and community facility (Use Class D1), food/non food retail (Use Class A1), public house/restaurant (Use Class A4/A3) and associated works including construction of a new access road with access from the Crewe Green Link Road South, creation of footpaths and provision of public open space and landscaping.

Applicant: Adam Dohren, Taylor Wimpey UK Limited

Expiry Date: 17-Nov-2021

SUMMARY

The application site lies within the Basford East Strategic Site which is allocated under CELPS policy LPS 2. It is considered that the proposals meet the requirements of policy LPS 2 as they relate to this site.

The principle of erecting up to 325 dwellings on this site with access from David Whitby Way has already been permitted under application 15//1537N. This application considers the Approval of Reserved Matters, which comprises layout, scale and appearance, landscaping and access.

Amendments to the design and layout of the proposals have been secured during the course of the application. Further clarification is awaited on some detailed design and layout issues, particularly in respect of the relationship of the scheme with the non-designated heritage assets at Crotia Mill.

Both this development and the proposed Crotia Mill scheme (subject to current hybrid application 19/3649N) need greater integration in character terms. This is however reliant on addressing the 2 schemes cohesively in this part of the site. In addition, the east west pedestrian link needs to be successfully integrated and recognises the value in opening up the Crotia Mill site. It is recommended that a condition be imposed enabling the layout and design of the south-eastern part of the Taylor Wimpey scheme to be revisited in conjunction with the assessment of future proposals at Crotia Mill.

Strong green infrastructure around the perimeter of the site is retained and enhanced, and significant areas of green amenity space provided within the development including the Linear

Park alongside Basford Brook. The provision of play and amenity open space accord with the requirements of the S106 agreement and the parameters plan of the outline approval,

The impact on the wider highway network arising from the development of this site was addressed during the consideration of the outline application. The internal road network meets relevant highways design standards and adequate car parking is provided in accordance with parking standards identified in the CELPS.

Issues relating to amenity, flooding, drainage and public rights of way have been addressed and are subject to conditions where necessary.

Additional information is awaited to address ecological issues particularly in respect to safeguard habitat and protected species in Basford Brook. An update of this position will be provided.

Air quality and contaminated land matters were addressed at the outline stage, and the current reserved matters application raised no further points of concern on these matters.

The application is therefore recommended for APPROVAL, subject to evidence that the development is eligible to join Natural England's District level Licencing Scheme.

Recommendation: Delegate to the Head of Planning in consultation with the Chair of Strategic Planning Broad (or Vice Chair in their absence) to APPROVE subject to receipt of evidence that the development is eligible to join Natural England's District level Licencing Scheme and Conditions

DESCRIPTION OF SITE AND CONTEXT

The site is largely redundant arable land, covering around 8 hectares forming part of the wider Basford East Strategic Allocation under CELPS Policy LPS 2. Outline approval 15/1537N was granted in 2016 within the strategic allocation on the western and northern side of David Whitby Way for a mixed use residential and commercial development, a local centre including up to 325 dwellings with access from the Crewe Green Link road (David Whitby Way).

Reserved Matters approval (19/2454N) has been granted for primary infrastructure works to serve the site and facilitate the development of future phases of development. This includes the provision of a spine road running westward from the roundabout on David Whitby Way including a crossing over Basford Brook. The approved infrastructure work is at an advanced stage of construction.

An area approved to accommodate commercial uses and a local centre lies between the eastern site boundary of the proposed residential scheme and David Whitby Way.

On the eastern side of David Whitby Way, and within the wider Basford East allocation, outline approval 14/4024N was granted for the development including 490 new homes and primary school. Reserved matters approval (19/5934N) was subsequently granted in November 2020 for a development of 449 homes (Onward Homes). The school site is secured through the

S106 agreement and the Council's Education team have advised that proposals for a 2 Form Entry Primary School is at an early stage of preparation.

To the west of the application site lies Phase 3 of the Basford East allocation which will accommodate employment uses. This lies between the western boundary of the residential scheme and the West Coast main railway line.

The south-eastern part of the application site wraps around Crotia Mill Farm which is also within allocation LPS 2. Crotia Mill Farm includes a group of traditional, former farm buildings dating from the late 18th/19th Century, but which also notably incorporate a much earlier Water Mill. All are considered to be non-designated heritage assets. The Crotia Mill site is currently subject to a hybrid planning application (19/3649N) which has not been determined. Full approval is sought for the conversion and extension of retained farm buildings for mixed commercial/leisure uses (Classes A2/ A3/ B1/ D1 and D2) and in outline for the erection of new residential development on the northern and eastern side of the mill yard.

The southern boundary of the site extends up to the A500 Hough-Shavington by-pass with open countryside beyond. Stoke on Trent/Nottingham railway passes alongside the northern site boundary beyond which lies Weston Road that is lined by commercial units and warehousing.

The site includes the Basford Brook Local Wildlife Site which is also identified under Policy LC6 of the Weston and Basford Neighbourhood Plan as a Wildlife Corridor. Basford Brook/Mere Gutter flows through the application site and there are a number of ponds present within the site which support different habitats and flora and fauna.

DETAILS OF PROPOSAL

This application seeks approval for all Reserved Matters relating to the appearance, landscaping, layout, access and scale of 325 dwellings, and associated open space and infrastructure pursuant to outline planning approval 15/1537N. The outline application was supported by an Environmental Impact Assessment (EIA).

Access to the site is from the western arm of the existing roundabout on David Whitby Way and being delivered through Reserved Matters Approval 19/2454N. This connects to an access "spur" road running north/south to serve the housing development and also the commercial area / local centre adjoining the eastern boundary of the application site. A southern loop road serving the remainder of this part of the scheme will lead off the "spur" road, passing Crotia Mill and crossing Basford Brook and then run northwards back to a junction with the spine road.

The proposed 325 dwellings will be made up from 227 market dwellings and 98 affordable units. These will comprise of a mix of detached, semi-detached, and terraced units ranging from 1-4 bed units. This large scheme comprises three separate phases and will implemented over several years.

The development will provide public open space including amenity space, an equipped play area (LEAP) adjacent to Crotia Mill, trim trail and orchard planting. Naturalistic play features are also provided within the northern part of the development. A central linear greenspace follows the route of Basford Brook and a network of adjacent SUDS ponds, basins and swales. To

accord with the outline approval (condition 38) of undeveloped buffer areas are also provided alongside Basford brook to safeguard and enhance wildlife habitat.

In accordance with the outline approval (condition 40), ecological habitat is also being created within land on the eastern side of David Whitby Way. A 'Habitat Creation and Management Plan' was secured through the first reserved matters application comprising the primary infrastructure works (19/2454N). The approved 'Habitat Management Plan' proposes enhanced habitat for Great Crested Newts, bats, invertebrates, nesting birds and reptiles.

Revised plans have been received during the application process in response to issues raised by the Council, predominantly in relation to design & open space, planting/landscaping, street hierarchy and pedestrian/cycle routes.

RELEVANT HISTORY

20/0615N - Deed of variation in connection with outline planning permission 15/1537N Approved to Modify S106 27-Mar-2020

19/2545N - Approval of all reserved matters following outline approval 15/1537N for the infrastructure works at Basford East. Approved 05-Nov-2019

19/3649N - Hybrid planning application for mixed use and residential development comprising; a) in full: the conversion, alteration and extension of the former mill and two farm buildings to business / professional services (Classes A2 and B1) and/or food and drink (Class A3) and/or non-residential community uses (Class D1) and/or leisure uses (Class D2), under Class V of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) with initial vehicular and pedestrian access from Mill Lane and permanent vehicular and pedestrian access from the future highway network serving the Basford East Strategic Site, and associated car parking and landscaping, and; b) in outline: residential development with vehicular access from the future highway network serving the Basford East Strategic Site and associated car parking and landscaping, and with all other matters reserved. (Crotia Mill) - NOT DETERMINED

19/2545N - Approval of all reserved matters following outline approval 15/1537N for the infrastructure works at Basford East. Approved 05-Nov-2019

19/0704N - Non-material amendment to approved application 15/1537N - Outline planning application (with all matters reserved) for a mixed-use development comprising residential use (Use Class C3) (up to 325 residential dwellings); employment use (Use Class B1), local centre comprising health centre and community facility (Use Class D1), food/non-food retail (Use Class A1), public house/restaurant (Use Class A4/A3) and associated works including construction of a new access road with access from the Crewe Green Link Road South, creation of footpaths and provision of public open space and landscaping. Approved 10-March-2019

16/2465N - Variation of Conditions 4, 5 and 6 on application 14/1366N - to fell additional trees as part of the Crewe Green Link Road Scheme. Approved 03-Nov-2016

15/3550N - Non material amendment to 14/1366N - Dual carriageway road, known as the Crewe Green link Road (south) linking A500 with the A5020 and associated works. Approved 25-Aug-2015

15/1537N - Outline planning application (with all matters reserved) for a mixed-use development comprising residential use (Use Class C3) (up to 325 residential dwellings); employment use (Use Class B1), local centre comprising health centre and community facility (Use Class D1), food/non-food retail (Use Class A1), public house/restaurant (Use Class A4/A3) and associated works including construction of a new access road with access from the Crewe Green Link Road South. Approved 23-Dec-2016

14/1366N - Variation of condition 2 (plans) attached to planning application 12/4115N. Dual carriageway road, known as the Crewe Green Link Road (South) linking the A500 with the A5020 and associated works. Approved 06-Jun-2014

12/4115N - Dual carriageway road, known as the Crewe Green Link Road (South) linking the A500 with the A5020 and associated works. Approved 18-Jan-2013

POLICIES

Cheshire East Local Plan Strategy (CELPS)

LPS 2 - Basford East

PG 1 - Overall Development Strategy

PG 2 - Settlement Hierarchy

PG 7 - Spatial Distribution of Development

SD 1 - Sustainable Development in Cheshire East

SD 2 - Sustainable Development Principles

SE 1 - Design

SE 2 - Efficient Use of Land

SE 3 - Biodiversity and Geodiversity

SE 4 - The Landscape

SE 5 - Trees, Hedgerows and Woodland

SE 6 - Green Infrastructure

SE 8 - Renewable and Low Carbon Energy

SE 9 - Energy Efficient Development

SE 12 - Pollution, Land contamination and Land instability

SE 13 - Flood Risk and Water Management

CO 1 - Sustainable Travel and Transport

CO 2 - Enabling Business Growth Through Transport Infrastructure

CO 4 - Travel Plans and Transport Assessments

EG 1 - Economic Prosperity

EG 3 - Existing and Allocated Employment Sites

IN 1- Infrastructure

IN 2 - Developer Contributions

SC 1 - Leisure and Recreation

SC 2 - Outdoor Sports Facilities

SC 4 - Residential Mix

SC 5 - Affordable Homes

The Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy Local Plan that still apply and have not yet been replaced. These policies are set out below.

Crewe and Nantwich Replacement Local Plan

BE.1 – Amenity
BE.3 – Access and Parking
BE.4 – Drainage, Utilities and Resources
BE.6 – Development on Potentially Contaminated Land
BE.16 – Development and Archaeology
NE.5 – Nature Conservation and Habitats
NE.7 – Sites of National Importance for Nature Conservation
NE.8 – Sites of Local Importance for Nature Conservation
NE.9 – Protected Species
NE.11 – River and Canal Corridors
NE.17 – Pollution Control
NE.20 – Flood Prevention
NE.21 – New Development and Landfill Sites
TRAN.3 – Pedestrians
TRAN.5 – Provision for Cyclists
RT.9 – Footpaths and Bridleways

Weston and Basford Neighbourhood Plan

- Made on the 16 November 2017.

However, the Neighbourhood Plan states that. “For the avoidance of doubt the policies in the Plan do not cover the land at the major allocations at Basford West, Basford East and South Cheshire Growth Village”.

Other Material Considerations

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)
Cheshire East Design Guide - SPD

CONSULTATIONS

Environmental Protection: No objection subject to conditions requiring the provision of noise mitigation and remediation of unexpected contamination with standard informatives relating to hours of construction, Piling and Dust Management. Issues relating to and external lighting and air quality are being addressed under conditions of outline approval 15/1537N.

Strategic Housing Officer: No objection

United Utilities: No objection

Natural England: No objection

Historic England: No comments.

Sport England: Comments as follows "Sport England was consulted on the outline application to which we objected. I note from the decision notice and S106 agreement that our concerns have not been addressed and there is no provision for formal sport as part of the proposal. Whilst the provision of walking and cycling routes is supported Sport England has no further comment".

Network Rail: Objects;

The development will have an unacceptable impact on risk on Basford Wood Level Crossing. The Council is requested to include a Grampian Condition upon the grant of planning permission to ensure that:

- The PROW over Basford Wood Level Crossing is permanently stopped up via s257 of the T&CPA, and,
- The closure of the level crossing, and any necessary diversionary route must be completed prior to the new dwellings being occupied.

In addition:

- The general layout of the road appears to align with Network Rail's plans for an access road to the Arriva Train Care Depot. However, NR have not had the opportunity to review this design in relation into scheme drawings for the road and to assess or input into the practicalities of the 'tie in' area between the two roads or the wider scheme.
- The submitted layout and overlay plans do not accurately reflect alignment of the adjoining HS2 safeguarding area and Phase 2a Act extents for the access road which is a Scheduled work in the Act.

HS2 Ltd: Formal HS2 safeguarding directions are not effective in respect of applications for approval of Reserved Matters as they are not applications for planning permission. Although the planning layout would tie in with the 'future Network Rail access road' it does not accurately reflect alignment of the adjoining HS2 safeguarding area.

CEC Strategic Highways Manager: No objection, as the proposed infrastructure is of suitable design and standard to serve the development.

National Highways: No objection

Flood Risk Manager: No objection

Public Rights of Way Unit: Object. Parts of Basford FP2 and Weston FP17 appear to run along the estate roads. Detailed information is required as to how the footpaths will be accommodated and/or suitable proposals for diversions of the footpaths.

Cheshire Archaeology: No objection. There are extant archaeological conditions attached to outline planning proposal 15/1537N

Environment Agency:

- No objection in terms in respect to Flood Risk on basis that development to be carried out in accordance with the submitted Flood Risk Assessment (Report No: 2014-083-Rev A, Dated: 09/03/2015, by the Flood Risk Consultancy Limited).

- Recommends that a Condition should be imposed in respect of the remediation of unexpected contamination which may be discovered.
- Further details required of large undeveloped buffer zone around Basford Brook and for the protection and/or mitigation of damage to populations of white-clawed crayfish and associated habitat during construction works and once the development is complete
- Bridges shall be clear spanning structures with the abutments set back from the watercourse on both banks of Basford Brook to provide a natural riparian river bank beneath the bridge. (detailed design of Bridges/crossings required under Condition 37 of the outline approval)

Weston and Basford Parish Council:

- Concerned that this proposed scheme suffers from the absence of a comprehensive detailed master plan for Basford East
- The development sits most uncomfortably with Crotia Mill. Whilst this is outside the application site, it abuts it. We need to know the details of the proposed Crotia Mill development before any decision can be made on the layout which surrounds it. There is a collar of social housing on two sides of Crotia Mill which is of very high density and will be likely to result in a ghetto. This could well be detrimental to the character which the owner of Crotia Mill wishes to create. Social housing should be pepper potted around the site.
- The details on one of the layout plans show vehicular access onto Mill Lane. There must be no vehicular access back into Weston. (NB Vehicular access not proposed from the scheme to Mill Lane)
 - The buffer zone on either side of the access road from the central roundabout off David Whitby Way is considered to be totally inadequate in width. This links the layout to a large industrial allocation close to the West Coast Main Line to the west and will take industrial traffic near to dwellings. Also, the buffer zone along the western boundary of the site bordering a definitive right of way looks to be extremely narrow. No details of this industrial area have yet been submitted.
- The detailing of the layout in relation to the proposed commercial development which will abut David Whitby Way needs more scrutiny. One would assume that the dwellings in this location will face onto the proposed commercial centre given that this area is referred to as the local centre. Without any details of the proposed commercial development to which it relates (outside Wimpey's ownership), the layout in this location doesn't give any feeling of sense of place. In layout terms it's just a row of dwellings.
- The point needs to be made yet again that there needs to be a proper pedestrian crossing facility to link this development with the primary school and other facilities on the eastern side of David Whitby Way (outside the site boundary). This should be a footbridge and not a pelican crossing or similar, given the likely conflict of pedestrian movements across this extremely busy road which is part of the principal road network. There also needs to be a proper pedestrian crossing across the access Road from the central roundabout within the site boundary to facilitate safe pedestrian movement through the proposed footpath / play area system.
- In visual terms the layout could be considerably improved if Cheshire Railings were incorporated at strategic points. This would reflect some local character within the development.
- In design terms the two and a half storey houses seem to be randomly scattered across the layout. They need to be sensitively positioned to create focal points, visual stops etc.

OTHER REPRESENTATIONS;

A representation has been received from the occupier Fir Tree Cottage, Weston Road raising the following concerns:

- Although supportive of the proposal grave concerns of the impact this will have on traffic using Weston Road, B5472.
- Subject to constant HGV's using Weston Road as a quicker route to the A500, both day and throughout the night, including weekends, with a detrimental effect on the quality life
- The 50mph speed limit on David Whitby Way deters many drivers, instead choosing a "B road" with a national speed limit. Very little traffic uses David Whitby Way, choosing Weston Road instead. This road came at a cost of £26.5 million pounds and is often empty, certainly HGVs do not use this road.
- With ongoing roadworks and the potential to decrease the speed limit on David Whitby Way, this will further exacerbate the issue.
- A 30mph speed limit should be introduced from the roundabout at David Whitby Way to Crewe Hall, Weston Road to reduce the speed of the traffic, and enable vehicles to safely pull out of driveway and for residents to cross the road. This will also reduce noise from lorries speeding past property at up to 60mph overnight.

Letters of objection have been received on behalf of the Witter Trust, the owner of Crotia Mill Farm and express concerns over the relationship of the scheme to the development of their own site. In summary they comment:

1. It is imperative that our client's and the Taylor Wimpey proposals are considered together in the interests of good planning and place-making. This is the approach which the Places Matters NW Design Panel Review also advocates.
2. Separate determination of the proposals is in conflict with the development plan as the policy for Site LPS2(4) of the Part 1 Local Plan clearly stipulates that Crotia Mill Farm must be retained and incorporated into the new Basford East community.
3. There is a very real risk of pre-determination and very likely consequences of 'getting it wrong' such that our client will abandon the restoration of Crotia Mill Farm if the Taylor Wimpey application is approved in isolation without fully-tested and robust safeguards being put in place.

OFFICER APPRAISAL

Key Issues

- Principle of development
- Housing
- Design
- Crotia Mill
- Highways
- Ecology
- Trees
- Landscape
- Open Space
- Amenity
- PROW

- Flood Risk/Drainage

Principle of Development

The application site lies within the Basford East Strategic Site which is allocated under policy LPS 2 of the CELPS for the delivery of employment use together with the up to 850 new homes. It is considered that the proposals meet the requirements of policy LPS 2 as they relate to this site.

This application relates to the acceptability of the proposed development in context of the reserved matters as the principle of erecting 325 dwellings including site access from David Whitby Way and the associated provision of crossings over Basford Brook has already been granted under outline planning approval 15/1537N. Therefore, considerations of the Layout, Scale Appearance, Landscaping and Access are the principal considerations of the proposed development and the details of all relevant technical matters are discussed within the report.

The development is bound by the terms of the Section 106 agreement which has been subsequently varied under 20/0615N, to secure the following:

- Affordable housing provision (30%)
- Education contribution and securing of primary school site
- Highway contributions (including a contribution towards a bus service)
- Contribution towards scheme of traffic management/calming measures in the Village of Weston.
- Open Space provision and management
- Ecology (barn owl habitat)

Primary Infrastructure works including road access serving the site from David Whitby Way were secured under Reserved Matters Approval (19/2454N) and comprise the first phase of development within the application site. These works are close to completion.

Housing

In accordance with the S106 Agreement (as varied), the scheme will provide 30% affordable housing (98 units) in clusters spread throughout the site. In accordance with the requirements of Policy SC5 of the CELPS for the provision of both social rented and/or intermediate housing, as appropriate.

To address concerns raised by the Strategic Housing Officer the proposals have been amended to show an acceptable degree of 'pepper potting' of affordable units within the development together with the inclusion of several of 4-bedroom affordable dwellings.

Given the provision now proposed, the Housing Officer has advised that an appropriate mix of property sizes and tenure split is proposed with affordable units being satisfactorily distributed throughout the site. In terms of tenure 65% of units are for rent, and 35% units will be available for Shared Ownership (Intermediate units). The provision includes;

- 18 - One bed units

- 42 - Two bed units
- 34 - Three bed units
- 4 - Four bed units

Policy SC4 of the Cheshire East Local Plan requires developments to provide a reasonable mix of housing types, tenures, and sizes. The 325 dwellings will be made up from 227 market dwellings and 98 affordable units. These will comprise of a mix of detached, semi-detached and apartment units ranging from 1–4-bedroom units. This scheme is proposed to be implemented on a phased basis (comprising three separate phases) over several years. It is considered that the proposed mix is acceptable by size, tenure and type. Therefore, the proposal accords with policy SC4 of the CELPS.

The proposed housing mix is designed to provide a variety of accommodation for different household types and sizes spread throughout the development.

Layout / Design

Policies SD2 and SE1 of the CELPS expect housing developments to achieve Building for Life 12 (BfL12) standard, and that development proposals consider the wider character of a place in addition to that of the site and its immediate context, to ensure that it reinforces the area in which it is located. These principles are also reflected in the CEC Design Guide. BfL12 uses a traffic light system, with the aim of eliminating reds, whilst maximising the number of greens. The Council's Design Officer has undertaken a BfL12 assessment of the application, which is reflected in the commentary below.

1. Connections

The layout provides for opportunities for the provision of strategic pedestrian links to the eastern part of the wider Basford East allocation and connecting to the South Cheshire Growth Village, albeit this relies upon third party land and agreement with adjoining landowners. In particular the success of the east-west connection within this part of the site will require collaboration of the applicant with the developer of the Crotia Mill site to deliver a co-ordinated design.

If all elements come forward then a green could be awarded but considered appropriate to award amber at this stage given the phasing/timing of nearby facilities, and the need to secure pedestrian connection to areas off site through successfully including the east-west pedestrian route as part of the layout, particularly the area that relates to the Crotia Mill site.

2. Facilities and services

The site is presently some distance from existing facilities but forms part of a wider allocation that will include local commercial and employment development and a local centre. The site will also connect to SCGV which will also have local facilities. A primary school site is to be provided as part of the Basford East scheme, but CEC Education is responsible for the delivery of the school itself.

A variety of open space is proposed, including several areas of formalised play including a LEAP adjacent to the Crotia Mill site, smaller local areas of play and a trim trail. The layout provides for opportunities for the provision of strategic pedestrian links to the western part of

the wider CELPS site and the South Cheshire Growth Village, which are secured within the layout. If all elements come forward then a green could be awarded but considered appropriate to award amber at this stage given the phasing/timing of nearby facilities and the school.

3. Public transport

The site itself can be served by a limited bus service. The S106 Agreement requires a financial contribution to support new bus services to serve the development;

Bus stops on David Whitby Way are to be provided to saved and served by Bus route 85 which is hourly in both directions linking Nantwich and Newcastle-under-Lyme. All parts of the site are readily accessible on foot to the bus route on David Whitby Way.

4. Meeting local housing requirements

A range of house types are proposed from 1 bed apartments to 4 bed larger family houses. Housing mix and tenure plans have been provided evidencing the distribution and mixing of house and tenure types and the extent of their pepper potting. Affordable homes are in the main widely spread out across the application site.

5. Character

The layout provides a framework that creates a positive structure of streets and spaces with a distinct hierarchy of street types and achieves an outward looking development overlooking the main public spaces and landscaped edges. The scheme is designed to incorporate four character areas defined as the Rural Edge, Green Core, Local Centre and Crotia Mill. The Design Officer considers this overall approach to be acceptable given that the Crotia Mill character area has been enlarged to include the plots north and south of the southern loop road and interrelationship with Crotia Mill. However, the scheme presents some issues about how this development and the Crotia Mill sites interface, given the character and density in the south-eastern part of the site, and reservations remain that these two sites are not being designed collaboratively.

Improvements have been made to the layout and refinements to the design of house types during the course of the application which has provided a greater sense of identity and better overall quality for the scheme. Focal buildings have been enhanced with additional detailing to emphasise their positioning in the layout.

Specific character types have been identified which for the most part are quite subtle in variation but with a more tailored approach to the dressing of the buildings in the immediate proximity of the Crotia Mill site, in conjunction with changes to layout. This part of the site is however especially sensitive however and was the subject of specific comment in the Design Review process, summarised in the Findings as *“Maximise the value of Crotia Mill and hold back your final designs, if necessary until this can be fully integrated”*. Whilst revisions have been made to house types and some minor changes in proximity to the Crotia Mill site, concerns raised by The Design Officer remain about the positive integration and fully exploiting the potential of the south eastern part of the site remain.

Overall, the scheme has included tree lined streets. Although one area where more trees could be accommodated would be along the southern primary loop is in the eastern verge, where significant lengths of the verge show no trees in the landscape information. The Design Officer further considers that wherever possible additional trees should be provided in secondary streets and spaces, and within front gardens to help break up communal parking areas. Additional areas of rain gardens have provided along the southern avenue street and key spaces in the northern part of the site but ideally, they could be used more extensively used on edges adjacent to open space and for Mews parking areas. Amended landscape plans are to be submitted and an update will be provided.

The Design Officer has advised that street design and surfacing materials are not fully in accord with the CEC design guide and recommends that this issue addressed through a suitable planning condition.

Cheshire East is presently developing its own guidance in relation to SuDS design. This advocates a much more natural approach to larger components such as detention ponds/basins, to ensure they retain water year-round; have more naturalised forms; provide landscape and ecological value and are designed to avoid the need to exclude people, allowing greater interaction and educational/social value. The Design Officer advises that further detailed information on the design of proposed SuDs features is needed for reassurance that these will have a naturalised character adding to the quality of the landscape setting. A condition is recommended requiring the submission of working design/details for SuDS basins and rain gardens.

The Design Officer has concluded that if there were not uncertainties around the successful design and integration of Crotia Mill which fully exploited the potential of this part of the site, the scheme would meet the requirements of this criterion (character) for an award of green.

6. Working with site/context

The primary outstanding contextual issue is the relationship and integration with the Crotia Mill site, notwithstanding the improvements secured in opening up the relationship of the mill site to the brook, the associated preservation of the peat landscape and provision of the themed open space/play immediately to the west of the Mill.

The quality and relationship of development to the south and east of the Mill site and the lack of co-ordination between the design of the two sites means there is concern that the opportunity presented by the mill site and its surroundings will not be fully realised.

As referenced above in relation to Suds, given the relation to the brook and its valley, Suds could contribute significantly to the sense of place but only if designed well and as an integrated element of the landscape. Further detailed information on the design of proposed Suds features is needed to ensure that these features will have a naturalised character adding to the quality of the landscape setting. The Design Officer has recommended a condition be imposed requiring the submission of working design/details for Suds basins and rain gardens as these features will be important to the final character and appearance of the scheme.

In addition, the Design Officer has commented that an area to the west of the Crotia Mill site, could be designed based on 'sponge' principles to help in its characterisation and to take account of the peatland in that area.

The Design Officer has concluded that if there were not the uncertainties around the successful design and integration of Crotia Mill and the requirement of further details of the character and design of suds, it is considered that the remainder of the scheme would probably meet the requirements for an award of green

7. Creating well defined streets and spaces

There is a defined hierarchy within the street design and generally a perimeter block structure has been formed with buildings presenting active frontages onto streets and spaces. Buildings positively address corners through the inclusion of appropriate corner turning designs with active elevations.

8. Easy to find your way around

The scheme is awarded green as it has a logical structure and is inherently legible. In particular there is a definite street hierarchy defined by the main loop route though the southern heart of the site. Focal spaces and buildings within character areas are incorporated at key points within the layout.

The legibility of the scheme is already reasonably sound, particularly through the provision of the Linear Park running north /south alongside Basford Brook and network of pedestrian routes through the site. However, the creation of a focus in the southern part of the site with Crotia Mill as the centrepiece, would also further enhance the scheme's legibility as well as help create a distinct part of the scheme tied into key routes through the development and beyond.

9. Streets for All

This is considered to warrant an award of green, although the Design Officer considers further refinements could still be secured, by including more tree planting in secondary streets and ensure that more areas are characterised by rain garden treatments.

Street materials should also be compliant with the Design guide. This will be secured by a planning condition in order to resolve several deviations from the materials set out in the Design Guide SPD. It is also recommended that conditions are imposed requiring details of the design of pedestrian focused crossing points across the main east/west access and the southern primary loop.

10. Car parking

The Design Officer considers that this should be awarded green. Amended plans have been submitted which have reduced the concentration of areas of frontage parking. This has been undertaken in several areas, including the surfacing frontage parking in blockwork as part of creating Mews spaces.

There are some grouped frontage parking areas (e.g. plots 67-71) that are surfaced in bitmac but these are quite sporadic and not widespread or are sufficiently broken up by landscaping to not overly dominate. Mews streets have been created in several areas and courts, both surfaced in block.

11. Public and private spaces

A positive green spine is created within the scheme focused upon the Brook, characterised by the waterscape and in the southern area by the relationship and setting of Crotia Mill. It is positive that playspace in this area will be themed and that this will be complimented by other local play within the scheme. Amended landscape plans are awaited to ensure that the character of the suds along the green spine required is of satisfactory quality.

Whilst ideally the Design Officer considers that the introduction of a feature akin to a mill pond to reinforce the setting of Crotia Mill site within POS to the west of the Mill, the siting of this this feature cannot however for technical drainage issues form part of the Suds proposals for the scheme.

As recommended by the Design Officer the SuDS concept has included an increased use of rain gardens, reinforcing the relationship to water and helping to create more people focused streets and spaces.

Properties generally have reasonable sized gardens. Although, ideally private/communal space needs to be clearly identified for apartments and also the provision of balconies has not been incorporated into the house type designs which would have been beneficial for overlooking areas of POS and providing modest areas of private space.

The Design Officer considers that an arts/interpretation trail could also be provided to help characterise spaces and routes through the site and enhance legibility, potentially building on the proposals for the Mill based character of the main open space/play. It is recommended that this is secured through a planning condition

Landscape and Habitat Management Plans have been submitted. However, a condition is recommended to secure a minimum 25-year management period for open space, ecological areas, and SuDS and a 10-year period for frontage landscaping, including trees in front gardens.

Whilst more tree planting is shown to reinforce the existing green infrastructure framework, amended landscape plans are awaited to ideally include more native woodland trees to be secured and as future natural landmarks in key locations within the site.

Given that amended landscape details are awaited this awarded Amber.

12. External Storage

The submitted Refuse Strategy Plan shows recycling bin storage will be provided in the rear gardens for houses with paths giving direct access to the streets for collection. The apartments will have communal bin storage areas in locations with easy access for refuse collection

operatives. However, whilst indicated, there is there is little detail of cycle storage for apartments, and it is recommended that this is secured through a planning condition.

Summary of assessment

There are no reds. Ambers in respect of Criteria 2 & 3 are beyond the control of the applicant and independent on the wider community and social infrastructure coming forward.

The ambers where there is still an element of concern are where further changes are advocated. These mainly relate to the relationship of the south-eastern part of the development adjoining Crotia Mill, relating to 1 Connections (especially where it relates to the wider east/west link), 5 Character, 6 Working with the site/context and 11 Public and private spaces. But arguably these BfL12 criteria could be considered borderline green on the basis of the successful integration of the development with the adjoining Crotia Mill scheme.

The Design Officer considers that the outstanding issues relate to the detailed design and integration of both sites, and this can be addressed through a planning condition being imposed enabling the south eastern part of the TW Scheme to be revisited in conjunction with revised proposals for Crotia Mill.

Crotia Mill

The relationship of the development with Crotia Mill which is non-designated Heritage asset is of critical importance in terms of the development of Basford East. Policy LPS 2 (point 4) states that the development of Basford East will achieve through, *"the retention and incorporation of the existing farm buildings on the site, potentially as part of the local centre"*.

A hybrid application (19/3649N) is currently under consideration for the conversion, alteration and extension of the existing building as Crotia Mill to accommodate a range of mixed commercial and leisure uses in full. Residential development on the eastern and northern side of Mill yards buildings is proposed in outline and adjoins the proposed Taylor Wimpey (TW) scheme. Access is proposed to the Crotia Mill development via the southern loop road from the TW scheme.

Prior to the submission of the TW Reserved Matters application the proposals were subject to an independent review by Places Matter. The review commented that:

"There was a lot of discussion regarding Crotia Mill and the Panel noted the difficulties of this being in another ownership. You are all making steps to unlock the advantage of this asset, but it still needs a more integrated and joined up design approach. You were asked to hold back the design of this part of the site, if necessary, until the plans for the Mill are further advanced

Your submissions have noted the value of Crotia Mill and you were asked to go back to the previous photographs included in the tender and use these to further inform your work on context. In particular start to reference the key design features of the existing farm buildings and their related spaces / groupings as a potential driver for what will become a wider Crotia Mill character area in the south east part of your proposed new housing scheme."

Despite the revisions made to address issues raised by the Design Review and subsequent changes during the course of the application, further refinement and improvements to the development in the south-eastern part of the scheme which adjoin the Crotia Mill site are necessary. and through working collaboratively with the applicant at Crotia Mill, or as also recommended by design review by holding this part of the site back to allow that to happen.

In addition, the east/west pedestrian route connecting development through Basford East to the South Cheshire Growth Village is a key feature of both Local Plan allocations. As set out by the Councils Design Officer above at present it is considered that the proposals need refining to ensure that the east-west route is positively designed into the scheme to enable Crotia Mill and the central POS to integrate within the wider allocated development.

The Crotia Mill applicant has lodged objections to the TW scheme on the basis that both schemes should be considered together and that the revised access to serve the Crotia Mill from the TW scheme to secure an appropriate route for the east/west link are not consistent with the current proposals of 19/3649N undermining their delivery and viability. However, at this stage fundamental aspects of the Crotia Mill proposals and their impacts on the historic significance, character and setting of Crotia Mill are still subject to assessment. Further details are also required to ensure a satisfactory interface of its residential proposals with the adjoining TW scheme as well as the need to satisfactorily safeguard the setting and character of the existing Mill yard buildings. A more direct route for the east/west Basford East pedestrian route through the mill yard via a shared access point also needs to be secured.

In summary, both the TW and Crotia Mill schemes need greater integration in character terms and as recommended by the Places Matter design review, this should act as a distinct character area of the whole site and the "heart" for the wider development. This is reliant on addressing the 2 schemes cohesively in this part of the site.

In these circumstances, it is recommended that a condition be imposed enabling the layout and design of this small albeit sensitive part of the Taylor Wimpey scheme to be revisited in conjunction with the assessment of future proposals at Crotia Mill. The condition will require such revised details to be submitted within a period of not less than 12 months following the approval of 21/4434N. This is considered an appropriate period within which to allow such proposals to be prepared collaboratively further to full engagement between the parties, but also ensure that development within this part of site would not be subject to unreasonable delay in the event that detailed and appropriate proposals of the Crotia Mill scheme are not forthcoming.

Highways & Accessibility

This Reserved Matters application is for 325 dwellings only and not for the other uses approved as part of the outline application. Only the internal road layout submitted is for consideration and issue relating to access and traffic impact on the main road network was addressed at outline stage.

Highway Design

The proposed development comprises three separate areas of housing with the main access points taken from the approved road infrastructure that connects with David Whitby Way.

The internal roads are a mix of standard design carriageway with a footway on both sides, shared surface roads and private drives. The main adoptable highways would be the main access roads and shared surface roads. As requested by the Highways Officer additional information demonstrates that the minimum width of the adoptable shared surface roads is 4.8m. Swept paths have been submitted that indicate sufficient turning space is available in a cul-de-sac situation.

The internal design of the roads is considered acceptable and the layout benefits from having improved connectivity with the number cul-de-sacs reduced. There are a number of internal non-vehicular paths proposed linking to the boundary of the site that are shown to be not adopted. These paths are shown as links to promote active travel and are confirmed to be at least 3m wide to accommodate both pedestrians and cyclists.

The design of the road infrastructure, pedestrian footways and cycle tracks as submitted are acceptable for adoption by the Council.

Parking

The level of parking provision overall is 2 spaces per unit as a minimum, with a mixture of garages, driveways and frontage parking providing the provision. There are some areas where unallocated visitor spaces have been provided.

All properties will have cycle storage provided either internally within garages or in external storage units.

Highway Summary

Access to the site from the principal highway network has already been approved along with any associated traffic impact of the site on the highway network. The internal layout is for consideration in this application, and the Highway Officer concludes that the design of the internal roads and pedestrian cycle/infrastructure provides good connectivity within the site and therefore raises no objections to the proposals

Basford East Pedestrian/Cycle Route

A specific policy requirement of LPS 2 (Basford East, Crewe) is for development of pedestrian links (allowing for cycle access) to the South Cheshire Growth Village (LPS 8) to the east and the wider development with the Basford East Strategic Allocation to specifically provide a safe and secure environment for children to travel to school.

The development of 449 dwellings on the eastern side of David Whitby Way approved under 19/5934N incorporated a high-quality pedestrian/cycle route between the proposed South Cheshire Growth Village and David Whitby Way. A Toucan crossing on David Whitby Way secured under outline approval 15/1537N will enable this link to connect with the TW residential scheme, future commercial development and importantly through to Crotia Mill. The Highway Officer has advised that the provision of the Toucan crossing can be satisfactorily provided on David Whitby Way, notwithstanding the concerns raised by the Parish Council. The crossing

is required to be provided under the outline approval (15/1537N) prior to the occupation of units of the TW residential scheme.

The future layout of the commercial development alongside David Whitby Way will therefore be required to include the route between the crossing and the TW residential a scheme. The east/west pedestrian route continues through the TW scheme to achieve a reasonably direct and sustainable route though to Crotia Mill site which has the potential to be an attractive centrepiece to this part of the Basford east allocation and a destination from nearby housing areas.

It is considered that the provision of a satisfactory east-west pedestrian route as part of the layout, and particularly the area that relates to the Crotia Mill site, is vitally important to the wider Basford East development (and indeed the South Cheshire Growth Village).

Ecology

There are various ecology matters to consider and these are broken down into the following subsections and assessed accordingly. However, as set out below additional information and clarification in respect of ecological issues has been requested by the Councils Ecologist, and also the Environment Agency (EA). Further information to address these matters is expected to be submitted shortly and an update of the position will be provided at the SPB meeting.

The impact upon ecology and protected species was considered as part of the outline application (15/1537N) and as a result conditions were attached to this approval. including the need to safeguard the ecological value of Basford Brook and its bankside habitat.

Condition 38: A Reserved Matters Application shall include a detailed scheme for the provision and management of a large undeveloped buffer zone alongside Basford Brook.

The provision of suitable undeveloped buffers is essential to safeguard the regionally important population of white clawed crayfish associated with the brook. Whilst the Council's Ecologist would prefer these buffers to be of increased depth, there is no specified minimum size of buffers detailed on the approved parameters plan accompanying the outline approval nor by condition.

The applicant has provided additional details demonstrating that in the main, 13m wide undeveloped, buffer wide zones are provided on either side of Basford Brook. There are some points where the development would marginally encroach into this 13m zone, but this would be outside the minimum 8m standoff, byelaw distance required by the EA. It is considered that the undeveloped buffer areas as shown would comply with provisions of condition 38.

The Councils Ecologist has noted that Build Route plan (Rev D) also includes a proposed 2.4m Close Board Fence erected across the Brook/LWS in the vicinity of the extant attenuation ponds. It is not clear what the function of this fencing is. It is advised that this fencing must be removed from the vicinity of the brook/LWS.

Condition 39: Reserved Matters Application shall include an updated protected species assessment and mitigation strategy.

A revised protected species survey and mitigation method statement has been submitted in support of this application as required by this condition.

White Clawed Crayfish

The submitted assessment advises that the brook crossings should be designed to maintain connectivity along the brook. Designs for the culvert crossing have been submitted in support of this reserved matters application, but no information has been provided as to how the designs have been arrived at. Furthermore, the outfalls and culverts designs are yet to be approved by the EA. The Council's Ecologist advises that the submitted mitigation method statement must be revised to include details of how the proposed road crossing on the southern loop road has been designed to minimise the impacts on this species.

In order to minimise impacts on White Clawed Crayfish the Council's Ecologist has advised that the brook crossing must consist of:

- A bottomless culvert/bridge of suitable wide span to retain the existing banks of the brook,
- Precast offsite (not constructed on site to avoid concrete pollution of the brook).
- Craned into position.

The drainage outfalls must also be designed to minimise impacts on crayfish. To achieve this the outfalls must be set back from the existing bank of the brook. This would enable small sections of additional soft bank to be created in the vicinity of the outfall to compensate for the loss of existing bank to the outfalls and allows the duration of in-channel works to be minimised.

A mitigation method statement must also be provided detailing how impacts on crayfish will be minimised during the installation of the drainage outfalls and culvert. However, proposals must be submitted for the installation of the outfalls which includes the outfalls channels and headwalls being installed in position prior to construction breaking through the existing bank of the brook. This is to ensure that the duration of works in the existing channel are limited.

Proposals for the damming of the brook and over-pumping water during the construction of the crossing points and outfalls is provided in paragraph 2.37 of the submitted mitigation method statement. This section however includes no measures for safeguarding of this protected species. The draining of sections of the brook to allow the installation of these features would have a significant adverse impact on any crayfish present.

The submitted strategy must therefore be revised to include proposals for the safeguarding of crayfish in this drained down working area. This should include a hand search of all banks and tree roots for crayfish with any crayfish relocated outside of the damned area. Proposals must include the timing of this operation to avoid sensitive seasons. All pumping equipment should be sterilised prior to bring on site. All works are to be specified to be undertaken by a licenced ecologist.

The Council's Ecologist also advises that there is an overlap between mitigation measures, such as essential biosecurity measures, which are proposed to be included in the Construction Environmental Management Plan (CEMP) and those measures which are to be detailed in the condition 39 submission. This potential duplication may cause confusion and reduce the clarity of what is required on site. It is recommended that all the White Clawed Crayfish mitigation is

detailed in the condition 39 submission only, but references be made in the relevant section of the CEMP to highlight the need to implement works in the vicinity of the brook in accordance with the mitigation measures detailed in the condition 39 submission.

In summary the submission is still deficient in respect of White Clawed Crayfish and is required to be revised to include the following:

- Evidence of how the drainage outfalls and brook crossings have been designed to minimise impacts on crayfish (as required by condition 43).
- A mitigation method statement detailing measures to be implemented during the installation of the outfalls and crossings to minimise the risk to crayfish.
- Biosecurity measures.
- Measures for the avoidance of contamination of the brook.

Great Crested Newts (GCN)

The submitted assessment advises that the developer is considering entry into Natural England's District level Licencing Scheme as a means of address the adverse impacts of the proposed development upon this species. This approach is supported. The Council's Ecologist requires that the application is supported by a copy of the countersigned Impact Assessment and Conservation Payment Certificate as evidence that the development is eligible to join the licencing scheme. However, the applicant has advised that this cannot be provided in advance of the consideration of the application at SPB. It is therefore recommended that the Committee resolves to approve the application subject to the receipt of this documentation and delegates the decision to the Head of the Development Management and the Chair of SPB.

Common Toad and Slow Worm

The revised mitigation strategy includes measures to reduce the risk of these species being harmed during site clearance works.

Access to ponds

This condition requires the submission of proposals to limit public access to the retained ponds. The submitted landscape plans show native hedgerows around the ponds. These hedgerows will however take time to mature before they form an effective barrier. It is recommended that an appropriate fence be installed in addition to the hedgerows. This can be installed behind the proposed hedgerows if that is preferred. The plans should also include a secure gate to allow access to the ponds for maintenance purposes.

Features for nesting birds

Acceptable proposals for the incorporation of features for nesting birds have been submitted (Plan 1373 BB 01 Rev B). The delivery of these measures would form part of compliance with condition 39.

Condition 40: A Reserved Matters Application for any phase, shall include a scheme for habitat creation and woodland planting within the triangular shaped, red line land located to the east of the link road and to the south of the railway line.

Acceptable proposals as required under this condition were submitted under consented application 19/2545N for the infrastructure works at this site. Condition 40 requires this to be provided prior to the occupation of the residential phase of the development.

However, confirmation is required by the Councils Ecologist of who would deliver the agreed habitat creation and management of this area. This information can be included in an updated Habitat Management Plan.

Condition 41: In accordance with the Great Crested Newt Mitigation Strategy and Environmental Statement, the proposed ecological mitigation ponds shall not be utilised as part of the drainage/SUDs scheme for the development.

Based on the submitted drainage scheme this condition appears to be complied with.

Condition 43: A Reserved Matters Application for any phase of the development shall include a strategy to include details of the siting and design of surface water outfalls into and proposed road crossings, to safeguard the ecological value of Basford Brook and its bankside habitat.

There are a number of outfalls proposed into the Basford Brook, which is a Local Wildlife Site supporting one of the few remaining populations of white clawed crayfish in Cheshire, is very sensitive to changes in water quality. It must therefore be ensured that the scheme is designed in accordance with the requirements of this condition.

As discussed above under condition 39, the application must be supported by a commentary detailing how the road crossing and culverts have been designed to comply with this condition. Further to the guidance on this can be achieved as set out above, the applicant has been requested to provide the following information to ensure compliance with Condition 43:

- A Strategy to include details of the location, number and design of surface water outfalls. A drawing (s) should be provided of their design, insofar as this will provide sufficient detail to demonstrate that the outfalls are set back from the bank of the brook as set out above to minimise the impact on White Clawed Crayfish
- A general specification of the bridge/crossing is required as part of the strategy, demonstrating the safeguards which will be taken to protect this population of White Clawed Crayfish and habitat. This can then inform the detailed design of the bridge/crossing required for approval under outline Condition 37.

Condition 44: Reserved Matters Application shall be supported by a Habitat Management Plan for that phase.

The revised habitat management (Plan TEP Version 4 dated 10/02/22) is acceptable.

Hedgerows

Hedgerows are a priority Habitat and hence a material consideration. The submitted Arb impact assessment (TEP Version 1.0 27/5/21) advises that 232m of existing hedgerow would be lost as a result of the proposed development. However, the development proposes 1500m of new

hedgerow planting and this is considered to sufficiently compensate for that which is to be removed.

Veteran Trees

Veteran Trees receive specific policy protection. Two veteran trees have been identified on site. Tree T78 and T81. These trees are not proposed for removal and the Council's Tree Officer has confirmed below they are located within public open space and will be unaffected by the proposals.

Trees

The site is allocated within the CELPS as Basford East, Crewe (Site LPS2) for mixed use development. Having regard to arboriculture the allocation refers to the retention of green infrastructure including the significant depth of native woodland and other semi-natural habitat screening along all boundaries; to offset detrimental visual impact to the countryside, provide a buffer to the development, railway line, the open countryside and the setting of Crewe Hall (A grade 1 listed building) and creation of wildlife habitats

This application is supported by an Arboricultural Impact Assessment (AIA) (Ref 8733.001 Version 1.0 dated May 2021) that includes a Tree Survey, Tree Constraints Plan, Tree Works Plan and Arboricultural Method Statement Heads of Terms. The AIA broadly considers the design principles of BS5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations, but does not include a Tree Protection Plan.

The Tree Survey identifies 117 individual trees, 38 groups of trees and 9 hedgerows, the majority of which are located around the perimeter of the site. Two Veteran trees an Alder (T78) Alder and a Willow (T81) have been identified within the site.

Trees within and immediately adjacent to the site are currently not protected by a Tree Preservation Order or lie within a designated Conservation Area.

Parcels of woodland to the north western and northern boundary sections of the site are identified as deciduous woodland priority habitat in the DEFRA Priority Woodland Habitat Inventory and Forestry Commission National Forest Inventory.

Layout Design – Direct Loss of Trees

The Assessment has identified eight (8) individual trees that require removal to accommodate the development. These include one High (A) category Sycamore tree (T53) to facilitate construction of a new culvert, three (3) moderate (B) category trees, two (2) low (C) category trees and two (2) trees that are deemed unsuitable for retention due to their condition. A further seven (7) low (C) category groups of trees and one group that is unsuitable for retention due to condition have also been identified for removal.

The loss of one A category tree and moderate category trees and groups to provide site access is regrettable however a detailed landscape plan has been provided which includes provision for the planting of 573 new trees and 1500m of native hedgerow. Having regard to CELPS

policy SE 5 the Tree Officer is satisfied that this provides sufficient mitigation and net gain to offset the negative impact of tree loss.

Layout Design – Impact on Root Protection Areas (RPA)

A proposed new road adjacent to trees T11 to T22 and group G4 along the southern boundary of the site will encroach within the root protection area between 3-23%. BS5837:2012 Design recommendations on permanent hard surfacing within the root protection area of retained trees advises that this should not exceed 20% of existing unsurfaced ground within the RPA. A condition is recommended to secure protection measures through a planning condition.

Some minor encroachment into the RPA of trees T84 and T85 will be required. The encroachment is less than 5% and therefore this would not have any significant long-term impacts subject to an appropriate method statement.

Access facilitation pruning

Two High (A) category Oak trees (T12 and T17) within the linear group to the south of the site will require to be pollarded due to the position of the access road. Given the extent of pruning proposed and likely root loss (referred to above) it is anticipated that both these trees are unlikely to survive. It is evident that as part of the process of mitigation the design layout of the road has not accounted for, nor seeks to avoid the impact on these trees and such impacts should effectively be considered as a tree loss and appropriate mitigation is provided.

Layout Design – Avoiding Future Conflict

The design of the layout appears to provide adequate separation between the built form and trees that avoids excessive shading and reduced daylight and sunlight to plots.

Veteran Trees

The two Veteran trees identified on site will be located within public open space and will be unaffected by the proposals. Management of these trees should be considered as part of the overall management plan for the areas of open space.

It is recommended that conditions are required to ensure the provision of a scheme for the protection of retained trees including an Arboricultural method Statement, and a scheme for the management for any retained tree identified as being or having the potential to be a veteran tree.

Landscape

A key landscape requirement within LPS 2 is the provision of green infrastructure including new planting, the creation of tree lined boulevards, provision of green spaces and retention of existing trees and hedgerows.

Although the development will involve some loss of trees this will be compensated by the proposed planting scheme and furthermore the majority of hedgerows within the site are also retained in accordance with one of the site-specific principles of development listed under LPS

2. The submitted proposals includes the provision for the planting of 573 new trees and 1500m of native hedgerow.

This planting scheme will also help to soften the built form and assimilate the development into the wider landscape context. Existing tree corridors are enhanced with additional native planting. This is especially important in close proximity to local footpath routes and visual screening around site edges.

The proposals include a linear park, which runs north/south through the site, along the course of Basford Brook. The park provides significant recreational and amenity value, and also ensures a buffer zone around Basford Brook in order to protect the habitat and biodiversity potential. This area provides a local destination greenspace at the south of the site which importantly preserves the landscape setting on the western side of Crotia Mill.

Proposed housing would front the park and POS to provide necessary surveillance. The park also incorporates potential for play, the use of naturalistic play elements and woodland themed installations. Areas of Suds are located here, in order to offset potential impact of the development on the flood zone, albeit further details are required to ensure this will be of an appropriate naturalistic character and design will be secured by a condition.

The park opens up to a greenspace at the south of the site which importantly preserves the landscape setting to Crotia Mill and is conveniently accessible via the existing PROW network.

The northern, southern and western fringes of the site also include extensive landscaped buffer areas which will allow for the retention of existing trees and habitat.

Extensive landscaped buffer areas are provided between dwellings located on the northern and southern side of the central spine road serving the scheme which in the future will also provide access to the employment development within adjoining land of the strategic allocation to the east. In addition, roadside tree planting the landscape buffer areas, will provide a green corridor into the development of depths of between around 7m to 11m in depth.

The proposals incorporate a street hierarchy, with main avenues and tree lined streets. amended tree planting details and landscape plans area awaited to further enhance the greening of the scheme.

Areas of landscaping and open space are subject to management arrangements secured under the S106 agreement and need to accord with maintenance details as set out within the submitted management plan. However as set out above a condition is recommended to ensure that a minimum 25-year management period for open space, ecological areas and SuDS and a 10-year period for frontage landscaping, including trees in front gardens.

Public Open Space

The Landscape Strategy Masterplan provides the open space broadly in accordance the Parameters Plan submitted at Outline application stage. This equates to 4,875sqm of shared recreational open space and 6,500sqm of shared children's play space which is a total of around 11,375sqm of open space

A key feature of the POS proposals is the linear park, which runs north/south through the site, along the course of Basford Brook. The park provides significant recreational and amenity value and is conveniently accessible via Public Rights of Way and internal footpath network

The Leisure Officer stated that for a development of this size, a NEAP play facility would ordinarily be required, however in this case the hard-surfaced area included as a fundamental component of a 'traditional' NEAP is not considered to be in keeping with the green infrastructure of the site. A LEAP is proposed for the scheme and sited within POS to the west of Croatia, together with naturalistic play features within the northern area of the development, a trim trail and community orchard within the southern-most POS.

It is therefore considered that an acceptable range of play spaces and variety of recreational opportunities will be provided across the development

However, further details are required for the design and specification of the playspaces and the timescales for their provision. It is advised that the play facility (LEAP) should be to Fields in Trust standards, enjoy a predominately flat area, catering for all age ranges and embrace the Equality Act being highly inclusive and accessible for all. The play facility can be "mill themed" but blending with the play elements through the green spine.

The Leisure Officer advises that footpaths in an around the open spaces should be permeable resin bound gravel giving good accessibility whilst giving a natural feel. Details for the surfacing and lighting of footpaths within the site are required to be approved under condition 24 of the outline approval.

The Leisure Officer also considers that information/interpretation boards should be provided along with potential for an art trail focussing the ecology of this site. Any trees which need to be felled as part of the development which are suitable for sculpting should be recycled on site.

Concerns have been raised as regards the southern site construction compound occupying the site of the LEAP and wider POS. Given that this can lead to long term problems with compaction and damage to soil structure, resulting in long term drainage issues and difficulty establishing trees and other vegetation. In addition to this there are peat deposits to the west of Croatia Mill that maybe affected. However, the applicant has confirmed that the submitted Construction Environmental Management Plan (CEMP) is being reviewed and the Compound will be relocated to avoid these potential issues. Although, the details of the CEMP are required to be approved under Condition 42 of the outline approval and form no part of this application.

Amenity

There are no residential properties close to the site. Consequently, the siting and design of the development will have no adverse on the residential amenities of existing dwellings.

In consideration of amenity for future occupiers of the proposed development, the layout adheres to, or closely adheres with, the recommended separation standards within CEC Design Guide to ensure the future occupiers of the proposed development are not detrimentally impacted in terms of loss of light, or privacy, or an overbearing impact from each other.

Although some of the proposed gardens are a little small in size, notwithstanding this, it is deemed that they are sufficient in order for the future occupiers to enjoy normal activities e.g. sitting out, hanging washing, BBQs etc. Furthermore, large areas of shared public green space are provided within the development.

Environmental issues associated with this development in terms of noise, air quality and contaminated land were considered as part of the outline application and a number of planning conditions are attached to the outline consent to safeguard residential amenity.

The site lies to the north of the A500 and just to the west of David Whitby Way. the West Cast Main Line is located to the west and elevated section passes to the north of site. A Noise Impact Assessment (NIA) is submitted in support of these proposal in accordance with Condition 34 of the outline approval.

The Council's Environmental officer has advised that the noise impact from road and rail traffic and commercial activity on the proposed development has been assessed in accordance with:

- BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings
- BS4142:2014 Methods for rating and assessing industrial and commercial

An agreed methodology for the assessment of the noise source

This NIA recommends a noise mitigation scheme to ensure that future occupants of the properties are not adversely affected by noise. This includes the use of windows of standard well-fitted thermal double glazing, specialist acoustic vents to be fitted instead of standard window frame slot vents for several plots facing towards David Whitby Way and the provision of acoustic boundary fencing (2m) to several identified plots within the southern part of the site

The Council's Environmental Protection Officer has advised that the mitigation measures recommended by the NIA are acceptable in safeguarding the amenities of future residents of the development.

In addition, the layout has ensured that proposed dwellings are well set back behind buffer planting along the central spine road, which will serve as the main access to the adjoining employment land to the west in the future. Extensive landscape buffer areas will also be provided alongside the western site boundary ensuring that appropriate stand-off distances are secured between new housing and the future employment site.

Public Rights of Way

The proposed development will affect/obstruct Basford FP2 and Weston FP17 and is adjacent to Basford FP1. The proposal shows parts of Basford FP2 and Weston FP17 running alongside the loop road of the southern part of the development. The Public Rights of Way Officer considers that in accordance with DEFRA guidance that, *"any alternative alignment [of a Public Right of Way] should avoid the use of estate roads for the purpose wherever possible and preference should be given to the use of made-up estate paths through landscaped or open space areas away from vehicular traffic"*

The realigned routes of public footpaths within the site (FP2 and FP17) mainly pass through greenspace, other than a relatively short length of FP2 which runs alongside the footway on the southern side of the loop road where it needs to utilise the proposed road crossing over Basford Brook. This footpath becomes FP17 and the eastern side of the brook and provides a new link to Crotia Mill and connections onto Mill Lane.

The proposed realigned routes of FP2 and FP17 would be required to be formally diverted.

Network Rail considers that Basford FP1 will have greater use due to proposed development and will have an unacceptable impact on risk on Basford Wood Level Crossing and as a result object to the application. It is requested that a Grampian condition is imposed requiring the PROW (Basford FP1) over Basford Wood Level Crossing to be permanently stopped up, the closure of the level crossing and any necessary diversionary route being completed prior to the new dwellings being occupied.

However, in this case, it is not considered reasonable to impose such a planning condition to require the developer to facilitate the formal closure of FP1 where it crosses the railway line, particularly given it is well outside of the application site. Furthermore, this issue should have been addressed at the outline application stage. It is noted that notwithstanding the illustrative masterplan accompanying the outline proposals (15/1537N) clearly showing links onto FP1 from the residential scheme, Network Rail did not object to the development or raise these concerns at this time. In these circumstances, it is therefore considered appropriate for Network Rail to address the closure of this section of FP1 under its own statutory powers.

Flood Risk/Drainage

Drainage and flood risk issues were addressed at the outline stage. It was considered that the Flood Risk assessment was acceptable and surface water would be dealt with by appropriate SUDs techniques. The proposed drainage strategy includes such SUDs features including attenuation storage in swales and basin/ponds, with discharge to the Basford Brook.

The Council's Flood Risk Manager has raised no objections in principle to the Reserved Matters Application and proposed Drainage Strategy. Although detailed issues are required to be addressed in respect of the design of elements of the drainage system, these matters are controlled by Conditions 11 and 12 imposed on the outline approval. Drainage details are being considered by the Council under a discharge of conditions application.

United Utilities raised no objections on the outline application and again have raised no issues in relation to the current application. Other than the concerns raised by the EA's Ecologist which are addressed above, the Environmental Agency have raised no objections to the development subject to compliance with the conditions of the outline approval including Condition 10 requiring the development to be undertaken in accordance with the approved Flood Risk Assessment.

Proposed infrastructure works and structures over or within 8m of Basford Brook would be subject to Environmental Permitting (England and Wales) Regulations 2016, and a permit may therefore be required from the Environment Agency.

The application proposals are therefore deemed to adhere with Policy SE13 of the CELPS.

CONCLUSIONS

The application site lies within the Basford East Strategic Site which is allocated under CELPS policy LPS 2. It is considered that the proposals meet the requirements of policy LPS 2 as they relate to this site.

The principle for the erection of 325 dwellings on this site with access from David Whitby Way has already been permitted under application 15/1537N. This application considers the Approval of Reserved Matters, including layout, scale and appearance, landscaping and also details of access.

Amendments to the design and layout of the proposals have been secured during the course of the application. Further clarification is awaited on some detailed design and layout issues, particularly in respect of the relationship of the scheme with the non-designated heritage assets at Crotia Mill.

Both this development and the proposed Crotia Mill scheme (subject to current hybrid application 19/3649N) need greater integration in character terms. This is however reliant on addressing the 2 schemes cohesively in this part of the site. In addition, the east west pedestrian link needs to be successfully integrated and recognises the value in opening up the Crotia Mill site. It is recommended that a condition be imposed enabling the layout and design of the south-eastern part of the Taylor Wimpey scheme to be revisited in conjunction with the assessment of future proposals at Crotia Mill.

Strong green infrastructure around the perimeter of the site is retained and enhanced, and significant areas of green amenity space provided within the development including the Linear Park alongside Basford Brook. The provision of play and amenity open space accord with the requirements of the S106 agreement and the parameters plan of the outline approval,

The impact on the wider highway network arising from the development of this site was addressed with during the consideration of the outline application. The internal road network meets relevant highways design standards and adequate car parking is provided in accordance with parking standards identified in the CELPS.

Issues relating to amenity, flooding and drainage, and public rights of way have been addressed and are subject to conditions where necessary.

Additional information is awaited to address ecological issues particularly in respect to safeguard habitat and protected species in Basford Brook. An update of the position will be provided.

Air quality and contaminated land matters were addressed at the outline stage, and the current reserved matters application raised no further points of concern on these matters.

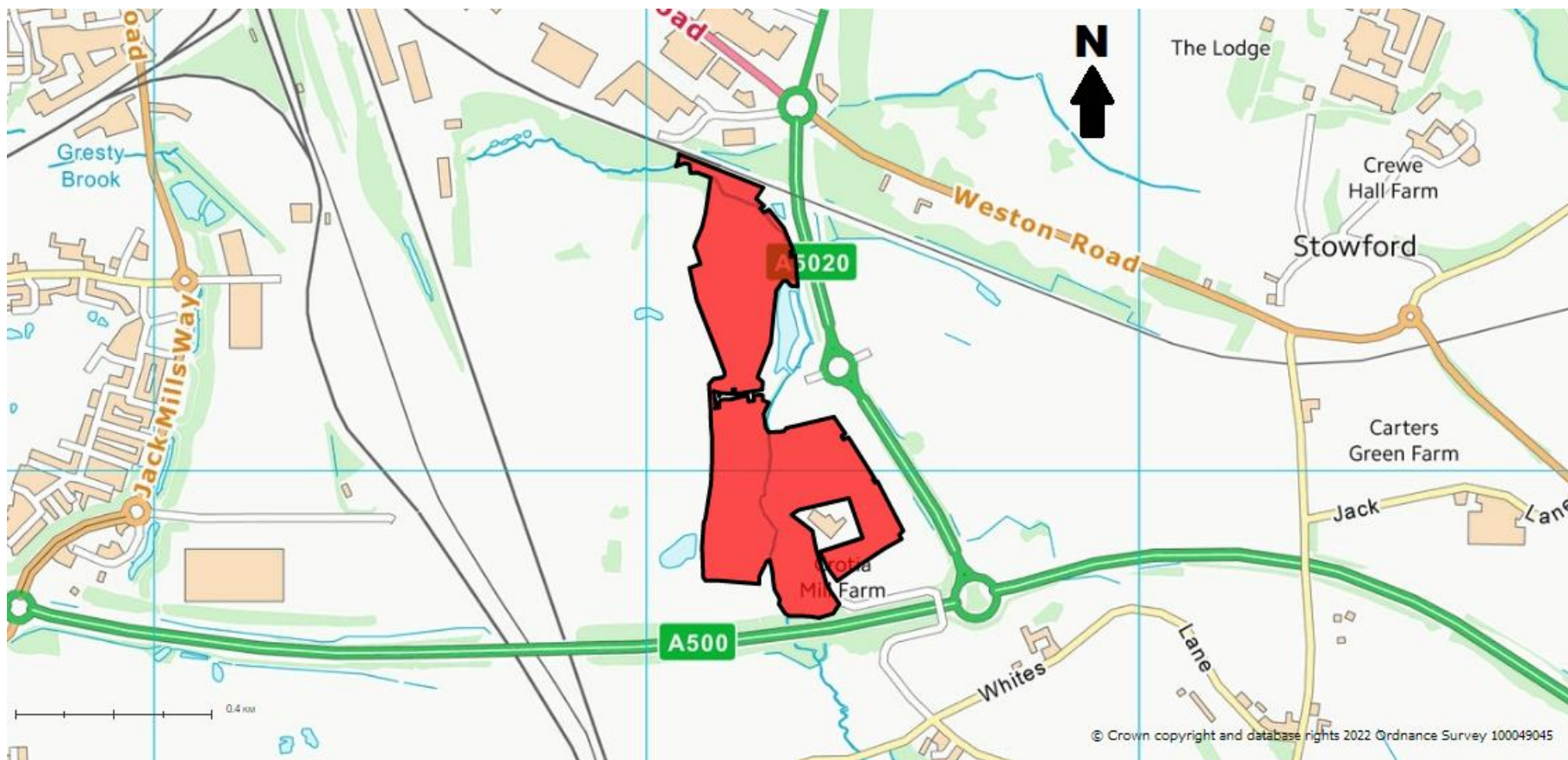
The application is therefore recommended for APPROVAL, subject to the receipt of further consultation responses and evidence that the development is eligible to join Natural England's District level Licencing Scheme.

RECOMMENDATION

Delegate to the Head of Development Management in consultation with the Chair of Strategic Planning Broad (or in their absence the Vice Chair) to APPROVE subject to receipt of evidence that the development is eligible to join Natural England's District level Licencing Scheme and the following Conditions:

1. In accordance with outline permission
2. In accordance with approved plans
3. Further details to be submitted and approved of the design and layout the south- eastern part of the scheme adjoining Crotia Mill
4. Submission/approval of facing and roofing materials
5. Details of hard surfacing treatments
6. Implementation of landscaping
7. Tree Protection Scheme and Arboricultural Method Statement
8. Management of veteran trees
9. Noise mitigation – Implementation
10. Design detail, specification and implementation of play areas/features
11. Cycle storage details – Apartments
12. Provision of public art/interpretation
13. Inclusion of pedestrian crossing points on the main east-west spine and southern avenue
14. Submission of working design/details for SuDS basins and rain gardens
15. Details of lighting and street furniture to be submitted
16. 25-year landscape management period
17. 10 years maintenance/retention of roadside trees
18. Remediation of Unexpected Contamination
19. Importation of soils

In order to give proper effect to the Strategic Planning Board's intent and without changing the substance of its decision, authority is delegated to the Head of Planning in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution before issue of the decision notice.



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Application No: 21/4490N

Location: Leighton Grange Farm, MIDDLEWICH ROAD, LEIGHTON, CW1 4QQ

Proposal: Erection of an up to 5 MW Solar PV Array and circa 25MW battery storage, comprising ground mounted solar PV panels, battery storage compound, vehicular access from the existing site entrance with internal access tracks, landscaping and associated infrastructure including security fencing and CCTV cameras.

Applicant: Daniel Griffiths, Cheshire East Council

Expiry Date: 19-Nov-2021

SUMMARY

The NPPF requires that Local Planning Authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources.

The proposed development would create a 5MW solar PV array and 25MW of battery storage on the land. This would contribute to tackling the challenges of climate change, lessening dependence on fossil fuels and benefitting energy security. These benefits would accord with the Framework's renewable energy provisions, which indicate that the delivery of renewable, low carbon energy is central to the economic, social and environmental objectives of sustainable development.

In terms of sustainability, the benefits of the provision of a source of renewable energy, for which there is a recognised need, outweighs harm to the local environment having regard to the impact on open countryside and agricultural land.

The proposal would satisfy the economic and social sustainability objectives by providing energy from a renewable, low carbon source.

The proposal is considered acceptable in terms of landscape, amenity, ecology, flood risk and highway safety.

The scheme therefore represents a sustainable form of development and the planning balance weighs in favour supporting the development.

RECOMMENDATION:

Approve subject to conditions

PROPOSAL

The proposal is for the erection of an up to 5MW solar PV array and circa 25MW battery storage, comprising ground mounted solar PV (photo voltaic) panels, battery storage compound, vehicular access from the existing site entrance with internal access tracks, landscaping and associated infrastructure including security fencing and CCTV cameras.

As well as the PV array the following elements would be created:

- Client Substation
- DNO (District Network Operator) Substation
- Battery Storage
- HV (High Voltage) Switching Gear
- Fencing and CCTV Cameras
- Internal Access Tracks
- Sub AC Cables and Transmission Lines
- Inverter and Transformer

The lifespan of the solar farm is expected to be approximately 40 years and it could then be dismantled and the land restored to agricultural use.

SITE DESCRIPTION:

The application site is 12.2 hectares in size accessed from Middlewich Road. It is generally level where the panels will be sited and then slopes down towards the River Weaver. It is currently in use as arable agricultural land and is designated as being within open countryside in the adopted local plan.

The site is adjacent to an organic waste recycling facility (OWRF) and to the west is a wastewater treatment works and an existing solar farm.

RELEVANT HISTORY:

There is no relevant planning history relating to the actual site but the history set out below relates to the OWRF.

18/0552N The construction and operation of an In Vessel Composting (IVC) Facility with associated Aerated Static Pile (ASP) composting, screening and blending operations – Approved 9th August 2018

18/5383N The extension of an access road off the A530 already approved under planning reference 18/0552N – Approved 7th December 2018

19/2356N Minor amendments to approval 18/0552N including the removal of an oak tree, installation of a weighbridge kiosk, an electrical substation and feeder pillar, 3 no. additional escape staircases, additional storage tank and moving of rainwater attenuation tank and surface water headwall – Approved 3rd September 2019

19/4752N Variation of condition 3 on approval 18/0552N for construction & operation of an In Vessel Composting (IVC) Facility with associated Aerated Static Pile (ASP) composting, screening and blending operations – Approved 27th October 2020

NATIONAL & LOCAL POLICY

National Policy:

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Development Plan:

Cheshire East Local Plan Strategy (CELPS)

PG6 – Open Countryside
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE1 - Design
SE2 – Efficient use of Land
SE3 – Biodiversity and Geodiversity
SE4 – The Landscape
SE5 – Trees, Hedgerows and Woodland
SE6 – Infrastructure
SE7 – The Historic Environment
SE8 – Renewable and Low Carbon energy
SE9 – Energy Efficient Development
IN1 – Infrastructure
IN2 – Developer Contributions

Crewe and Nantwich Replacement Local Plan (CNRLP)

BE.1 – Amenity
BE.3 – Access and Parking
BE.4 – Drainage, Utilities and Resources
BE.6 – Development on Potentially Contaminated Land
BE.16 – Development and Archaeology
BE.21 – Hazardous Installations
NE.5 – Nature Conservation and Habitats
NE.6 – Sites of International Importance for Nature Conservation
NE.7 – Sites of National Importance for Nature Conservation
NE.8 – Sites of Local Importance for Nature Conservation
NE.9 – Protected Species
NE.17 – Pollution Control
NE.20 – Flood Prevention

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

The **Minshull Vernon Neighbourhood Plan** has not yet reached a stage that carries any weight.

CONSULTATIONS:

Highways:

No objection.

Environmental Protection:

No objection subject to an informative relating to working hours.

Natural England:

Originally requested further information relating to Sandbach Flashes SSSI and birds. This has now been received and they now have no objection to the development.

Environment Agency:

No objection.

Flood Risk:

No objection subject to drainage informatives.

United Utilities:

Originally objected due to the presence of a water main. The layout has now been amended to address this.

Cheshire Archaeology Planning Advisory Service:

Recommend a condition relating to WWII remains.

Minshull Vernon Parish Council:

None received at the time of report writing.

REPRESENTATIONS:

Neighbour notification letters were sent to adjoining occupants and site notices posted. At the time of report writing, one representation has been received questioning where the solar array will be sited. This is clearly shown on the submitted site plan, which is available to view on the Council website.

KEY ISSUES

The key issues to be considered in the determination of this application are set out below. They are the principle of the development, sustainability, renewable energy production, highways, amenity, agricultural land, heritage assets, landscape, trees, ecology, flood risk and archaeology.

PRINCIPLE OF DEVELOPMENT

Policy PG6 of the Cheshire East Local Plan Strategy (CELPS) states that:

Within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.

A number of exceptions are listed within policy PG6 but are of no direct relevance to this proposal. There is however more detailed guidance on renewable energy within the NPPF and other Local Plan policies.

Paragraph 158 of the NPPF states that:

When determining planning applications for renewable and low carbon development, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and*
- b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.*

Cheshire East Local Plan Strategy is Policy SE8 (Renewable and Low Carbon Energy) which states that *'the development of renewable and low carbon energy schemes (including community-led initiatives), together with any ancillary building(s) and infrastructure, will be positively supported and considered in the context of sustainable development and any impact on the landscape'*.

The Policy states that weight will be given to the wider environmental, economic and social benefits arising from renewable and low carbon energy schemes, whilst considering the anticipated adverse impacts, individually and cumulatively upon:

'The surrounding landscape including natural, built, historic and cultural assets and townscape, including buildings, features, habitats and species of national and local importance and adjoining land uses'.

The justification to the Policy then goes onto identify the technologies that will be most viable and feasible including *'solar thermal and photovoltaics on south facing buildings throughout the Borough. Ground mounted schemes may be more appropriate where they do not conflict with other policies of the plan'*.

Need for Renewable Energy

In relation to need, paragraph 158 of the NPPF makes it clear that Local Planning Authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy.

Alternative Sites

The applicant has undertaken a site selection assessment including the technical suitability, grid connection feasibility, planning issues and site availability.

Conclusion

In this case, the principle of the proposed development would be contrary to the Policy PG6 of the CELPS as it does not fall within any exceptions listed within the policy. However, there is significant support within the NPPF and through Policy SE8 (Renewable & Low Carbon Energy), for sustainable energy developments. As a result, it is necessary to consider whether the proposal represents sustainable development and assess if any other material considerations indicate if the development is acceptable.

SUSTAINABILITY

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improve productivity; and by identifying and coordinating the provision of infrastructure;

A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

ENVIRONMENTAL OBJECTIVE

Renewable Energy Production

The development would potentially produce 5MW of electricity. There would also be battery storage provided to store electricity when demand is low. This would contribute to tackling the challenges of climate change, lessening dependence on fossil fuels and benefiting energy security. These benefits would accord with the Framework's renewable energy provisions, which indicate that the delivery of renewable, low carbon energy is central to the economic, social and environmental objectives of sustainable development.

The Climate Change Act 2008 (2050) Target Amendment) Order 2019 seeks to reduce greenhouse gas emissions from 80% to 100% and the provision of this facility would contribute to this and the transition to a carbon neutral sustainable future.

Landscape, Trees and Hedgerows

As part of the submission a Landscape and Visual Appraisal has been submitted, this states that it has been undertaken in accordance with the Guidelines for Landscape and Visual Impact Assessment (GLVIA3) 2013. This identifies the landscape baseline nationally – NCA61 – Shropshire, Cheshire and Staffordshire Plain and locally – LCT4: Cheshire East Plain, specifically LCA4: Wimboldsley as identified in the Cheshire East Landscape Character Assessment 2018.

The appraisal identifies that the topography of the wider area is generally level except for the area near to the River Weaver where the land falls to approximately 30m AOD, and that there is a pronounced slope within the site, rising from approximately 40m AOD to 50m AOD on the eastern boundary. The site itself forms part of two fields separated by a ditch. Part of the southern field forms the location of an organic waste recycling facility. The fields are bound by a number of hedgerows and trees.

The appraisal indicates that the landscape sensitivity of the wider landscape and the site is medium, that the effects on landscape features would be minor adverse and slight, as would the effects on the landscape character during construction. The operational effects are identified as a negligible effect on landscape features, reducing to neutral after 15 years; a negligible effect on topography, reducing to neutral after 15 years and that the landscape character of the surrounding area negligible adverse, reducing to negligible after 15 years, but for the site major adverse and remaining large after 15 years. The visual appraisal indicates that all the properties nearby would be screened and that there would be a negligible effect.

The Council's Principal Landscape Architect broadly agrees with the LVA, the application site is visually well contained and with only filtered views from nearby receptors. There are therefore no objections to the proposals on landscape or visual impact grounds.

Ecology

The submitted ecological appraisal covers a much more extensive area than the red line of the current application. Consequently, not all the recommendations of the submitted appraisal may be pertinent to this application.

Statutory Designated Sites

The application site falls within Natural England's SSSI impact risk zones. Natural England have been consulted on this application and requested additional information be submitted in respect of Sandbach Flashes SSSI. This information has now been submitted and Natural England no longer has an objection to the development.

Great Crested Newts

This protected species was recoded at one pond during the submitted survey. The proposed development would result in the loss/disturbance of terrestrial habitat of relatively limited value for this species. This would result in a relatively low adverse impact upon this species.

The submitted report recommends that the proposed development be entered into Natural England's District Licencing scheme for the species. This approach is supported and is sufficient to maintain the favourable conservation status of the species. This should be secured by condition.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected the proposed development the planning authority must have regard to whether Natural England would be likely to subsequently grant the applicant a European Protected species license under the Habitat Regulations. A license under the Habitats Regulations can only be granted when:

- the development is of overriding public interest,
- there are no suitable alternatives and
- the favourable conservation status of the species will be maintained.

The UK implemented the EC Directive in the Conservation (natural habitats etc) regulations which contain two layers of protection:

- A licensing system administered by Natural England which repeats the above tests
- A requirement on local planning authorities (“lpas”) to have regard to the directive’s requirements.

The Habitat Regulations 2010 require local authorities to have regard to three tests when considering applications that affect a European Protected Species. In broad terms the tests are that:

- The proposed development is 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
- There is no satisfactory alternative
- There is no detriment to the maintenance of the species population at favourable conservation status in its natural range.

Current case law instructs that if it is considered clear or very likely that the requirements of the directive cannot be met because there is a satisfactory alternative, or because there are no conceivable “other imperative reasons of overriding public interest”, then planning permission should be refused. Conversely, if it seems that the requirements are likely to be met, then there would be no impediment to planning permission be granted. If it is unclear whether the requirements would be met or not, a balanced view taking into account the particular circumstances of the application should be taken.

Test 1: Overriding Public Interest

The development would secure the provision of low carbon renewable energy, which is considered to be in the public interest.

Test 2: No satisfactory alternative

The applicant has undertaken a site selection assessment including the technical suitability, grid connection feasibility, planning issues and site availability. This has shown that this site is the only one suitable and available to them. As such there is no satisfactory alternative.

Test 3: “the action authorised will not be detrimental to the maintenance of the species

concerned at a favourable conservation status in their natural range”.

The proposed development will be entered into Natural England’s District Licencing scheme for the Great Crested Newts. This approach is supported and is sufficient to maintain the favourable conservation status of the species.

This approach ensures that the effects of the development can be appropriately assessed against the environmental circumstances which exist at the time the development is carried out and against up-to-date legislation and ensures that the effects of the development are controlled, mitigated and managed.

Overall, therefore it is considered that the development contributes to meeting an imperative public interest, there is no satisfactory alternative, and that the interest is sufficient to override the protection of, and any potential impact on bats and Badgers, setting aside the proposed mitigation. It is considered that Natural England would grant a licence in this instance.

Parkland/Scattered Trees

Parkland is a priority habitat and hence a material consideration. This habitat was recorded during the submitted ecological survey. For the most part this habitat is located outside of the redline of the application, with a narrow strip present within the western boundary of the application site. The main ecological interest in parkland habitats is related to the presence of mature trees. There are no trees within the area identified as Parkland within the application boundary. It is therefore considered that this habitat is not likely to be affected by the proposed development.

Breeding Birds/Wintering Birds

The submitted ecological assessment advises that the site has potential to be of significant value for priority ground nesting birds, many of which are a material consideration for planning. A number of these species, including yellow wagtail, were recorded outside the redline boundary of the application, during the submitted Phase One Habitat survey. A site supporting regular breeding of this priority species would qualify as a Local Wildlife Site and be considered to be of County value.

The submitted Preliminary Ecological Appraisal recommends a breeding and wintering bird survey be completed to determine the value of the site for birds. These surveys have not been undertaken. It is therefore not possible to fully assess the potential impacts of the proposed development upon birds.

A desk-based assessment has been undertaken that includes records from the area surrounding the application site. There is no indication that bird surveys have previously been recorded on the application site. The applicant has provided a copy of a 2017 breeding bird survey which covers much of the current application site. No priority ground nesting birds were recorded on site during this survey but were recorded in small numbers offsite.

Considering the information available and in the absence of detailed survey information and a reasonable worst case scenario assessment, the proposed development has the potential to result in an adverse impact on ground nesting birds, including priority species, which potentially would be significant at the County level. This impact would only occur if the land was used as an arable crop which is suitable for these bird species. The application site however supported

a silage crop in January 2022 which would be of limited value for ground nesting birds. Therefore, based on the current status of the site the proposed development would be unlikely to have a significant impact upon ground nesting priority bird species.

At the time of writing a single wintering bird survey has been undertaken. Based on the results of this initial site visit it is considered that the site is unlikely to be of significant value in respect of wintering birds. A second survey visit is programmed for February. Updated comments will be provided if a report of the results of this visit are received prior to the determination of the application.

Hedgerows

Native hedgerows are a priority habitat and hence a material consideration. It appears that the proposed access point between the two blocks of solar panels may result in the loss of a section of hedgerows of up to 15m.

If there is a loss of hedgerows and this is considered unavoidable, it is considered that enhancement of the existing hedgerows is sufficient to compensate for this loss. This should be controlled by condition.

Potential of Trees on Site to Support Bats/Barn Owls

Not all trees on site were assessed during the site visit undertaken to inform the submitted ecological appraisal. The submitted appraisal recommends that a further assessment of the trees on site for their potential to support roosting bats is undertaken. As barn owls have been recorded in this broad locality, it is considered that any trees removed must also be assessed for their potential to support this species.

The applicant has however indicated that all trees would be retained. It is therefore considered that further surveys of the trees are not necessary, and on that basis the proposed development would not be likely to result in an adverse impact upon roosting bats or Barn Owl.

Biodiversity Net Gain.

In accordance with Local Plan policy SE3(5) all development proposals must seek to lead to an overall enhancement for biodiversity. In order to assess the overall loss/gains of biodiversity the application is supported an assessment undertaken in accordance with the Defra Biodiversity 'Metric' version 3. The submitted metric shows that the proposed development, with appropriate landscaping, would deliver a net gain for biodiversity.

If planning consent is granted a condition is required to ensure the submission and implementation of appropriate habitat creation and long-term management to ensure the scheme delivers a biodiversity net gain.

Flood Risk

The site is located within flood zone 1 and the applicant has outlined appropriate measures within the Flood Risk Assessment which can effectively mitigate the flood risk on site.

The Council's Flood Risk Manager and the Environment Agency have assessed the proposals and have no objection. This is subject to compliance with the details contained within the Flood Risk Assessment.

Agricultural Land

Policy SE2 (Efficient use of Land) of the CELPS, at section 4, states that development should safeguard natural resources, including high quality agricultural land (grades 1, 2 & 3a)

The National Planning Policy Framework highlights that the use of such land should be considered when determining planning applications. It advises local planning authorities that, 'significant developments' should utilise areas of poorer quality land (grades 3b, 4 & 5) in preference to higher quality land.

The Agricultural Land Classification Report submitted in support of the application states that the development would utilise Grade 3b and Grade 4 agricultural land. Therefore, the proposed development would result in the temporary loss of a limited amount of moderate and poor-quality agricultural land for the 40-year lifetime of the proposed development.

ECONOMIC OBJECTIVE

The Framework includes a strong presumption in favour of economic growth.

Specifically, in relation to the rural economy the Framework identifies that planning policies and decisions should enable the development and diversification of agricultural and other land based rural businesses.

The NPPF makes it clear that planning policies and decisions should help create the conditions in which businesses can invest, expand, and adapt.

SOCIAL ROLE

Highways

Safe and Suitable Access

The access off Middlewich Road that will be used is that which was recently upgraded through applications for the organic waste treatment facility and the access was improved with large radii of 20m so that it could accommodate large refuse and construction vehicles. The access was widened to over 7m to allow 2 large vehicles to pass each other and visibility splays in excess of 160m are available. Wheel wash facilities will be provided within the site to prevent mud and debris being deposited onto the highway.

Traffic Generation

The vehicles to be used will include small and medium size vans, self-tipping, off-loading, HGV and grab vehicles, articulated vehicles, and concrete mixers. The applicant has stated that construction hours would be 07:00 to 19:00 Monday – Friday and 08:00 to 13:00 on Saturdays with no works allowed on Sundays and public holidays, and that the development will take place over a 6-month period.

During the peak construction period the daily two-way vehicle movements will be approximately 70 for HGVs and 34 for LGVs. The A530 accommodates approximately 500

HGV movements per day and excess of 10,000 total vehicles movements per day, and the temporary increase will have a minimal highways impact.

The operational stage of the project will only require occasional maintenance visits and it is not likely to generate more than a half dozen movements in a month.

Conclusion

Given the significant improvements to the access that have already taken place, and the low traffic that the development will generate, the highways impact is acceptable and no objection is raised by the Head of Strategic Infrastructure.

Amenity

Given the isolated rural nature of the site there are no residential properties near the application site, the closest being Leighton Grange which the access passes, The Lodge which is situated at the access point from Middlewich Road and Brayne Hall Farm to the west of the wastewater treatment works. There may be some disruption caused during the construction phase of the development, but this would be limited.

Public Rights of Way

The site has no public rights of way within it or in close proximity to it and as such do not present a constraint to the proposed development.

Impact upon the setting of the Local Heritage Assets

The nearest designated heritage asset to the site is Brayne Hall Farm, a Grade II listed building. This is 500m away from the site and the Crewe wastewater treatment works sits between it and the development site. As such it is considered that there would be no harm to its setting.

The proposal therefore is in compliance with paragraphs 194 and 195 of the NPPF.

Archaeology

The proposed development sits in an area with some archaeological considerations.

These archaeological considerations include the footings and below ground remains relating to the WWII Heavy Anti-Aircraft Battery, first recorded in 1940 and present on the 1945 RAF aerial photographs of the proposed development area.

While the proposed solar panels are concentrated to the west of the site, and the remains of the buildings associated with the battery are concentrated to the east of the proposed site, the location of the battery storage and the substation are directly in line with the location of one of the heavy anti-aircraft guns.

Therefore, it is recommended that a programme of archaeological observation is undertaken during the groundworks for the battery storage and substation to identify and record any below ground remains relating to the anti-aircraft gun.

This programme of archaeological observation may take the form of a developer funded watching brief, during key stages of the development. These key stages include the initial removal of topsoil, excavations for foundations and excavations for services to the battery storage and substation. This work should be secured by condition.

Planning Balance

The NPPF requires that Local Planning Authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources.

The proposed development would create a 5MW solar PV array and 25MW of battery storage on the land. This would contribute to tackling the challenges of climate change, lessening dependence on fossil fuels and benefitting energy security. These benefits would accord with the Framework's renewable energy provisions, which indicate that the delivery of renewable, low carbon energy is central to the economic, social and environmental objectives of sustainable development.

In terms of sustainability, the benefits of the provision of a source of renewable energy, for which there is a recognised need, outweighs harm to the local environment having regard to the impact on open countryside and agricultural land.

The proposal would satisfy the economic and social sustainability objectives by providing energy from a renewable, low carbon source.

The proposal is considered acceptable in terms of landscape, amenity, ecology, flood risk and highway safety.

The scheme therefore represents a sustainable form of development and the planning balance weighs in favour supporting the development.

RECOMMENDATION

Approve subject to the following conditions:

- 1. Time limit**
- 2. Approved plans**
- 3. Submission and implementation of habitat creation method statement and 30-year management plan**
- 4. Entry into Natural England's District Licencing Scheme for Great Crested Newts**
- 5. Protection for breeding/nesting birds**
- 6. Tree retention**
- 7. Tree protection measures**
- 8. Compliance with the submitted Flood Risk Assessment**
- 9. Programme of archaeological observation during the groundworks for the battery storage and sub-station**
- 10. Within 40 years following the development being brought into use or within 12 months of cessation of electricity generation, whichever is sooner, all equipment**

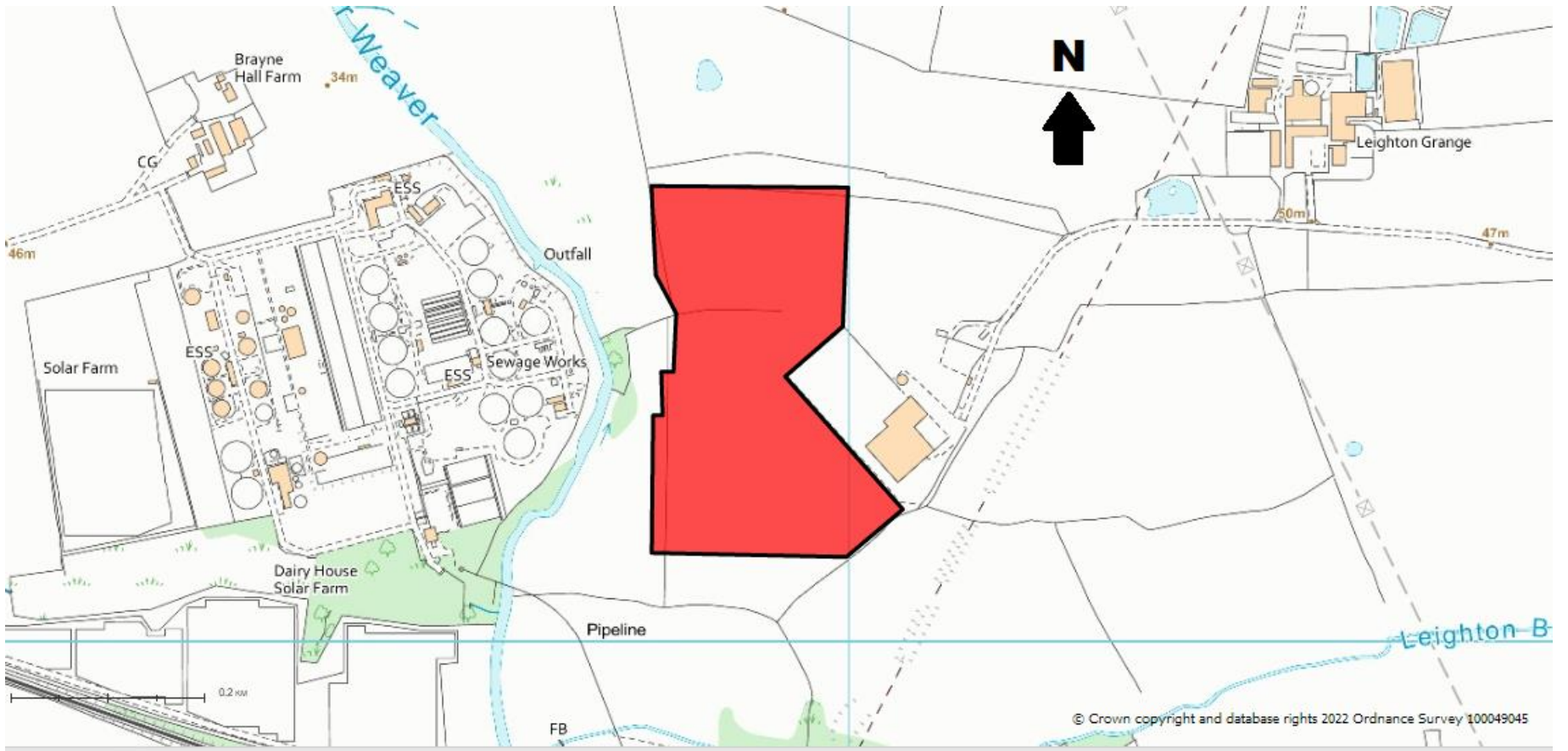
and structures shall be dismantled and removed from the site and the land restored to agricultural use

Informatives:

NPPF

Advice on the hours of noise generative works

In order to give proper effect to the Board's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice Chair) of the Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution before issue of the decision notice.



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Application No: 21/2589M

Location: ADLINGTON GOLF CENTRE, LONDON ROAD, ADLINGTON, CHESHIRE, SK10 4NG

Proposal: Construction of an Adventure Golf Course with associated works (re-submission of 20/2925M)

Applicant: Adlington Golf Centre Ltd

Expiry Date: 04-Feb-2022

SUMMARY

The site lies within the North Cheshire Green Belt. National and local policy affords significant protection to the Green Belt. Whilst the existing use of the land is as a golf course, and the proposal for an Adventure Golf Facility would fall within the same use, the proposal would involve the provision of a substantial number of structures and significant engineering operations to re-profile the land. Whilst the provision of buildings (which would also include the themed structures) could be considered as 'appropriate facilities' for outdoor sport and recreation as well as the associated engineering operations, this is subject to their impact on openness.

Taken as a whole, the various structures, features and associated means of enclosure would have a material impact on openness and cause encroachment into the countryside thereby undermining the purposes of including land within the Green Belt. By reason of the harm to openness, the proposed development represents inappropriate development in the Green Belt. The benefits of the proposal in terms of promoting the health and wellbeing of users and the positive impact on the local economy including tourism are not enough to outweigh the substantial harm to the Green Belt. The proposal is therefore contrary to the advice of the NPPF and Development Plan Policies PG 3 of the CELPS and saved GC1 of the MBLP.

In considering the previously refused application, it was determined that there would be 'other identified harm' in the form of harm to the landscape contrary to policies SE 1 and SE 4 of the Cheshire East Local Plan Strategy. However, this application is supported by revised landscape mitigation proposal that would include extensive native woodland planting surrounding the Adventure Golf Course. Also, there are a number of woodland blocks located in close proximity. In time this would mitigate the proposals and would be beneficial in what is a changing landscape in the locality and so the revised landscape proposals are acceptable.

The site lies within the Manchester Airport Safeguarding Zone. The Safeguarding Authority for Manchester Airport has confirmed that the likely threat to aircraft from birdstrike arising from the revised scheme, which is a material consideration, could be addressed by condition. Thus, the previous reason for refusal relating to aircraft safety has now been resolved.

There are no objections on the grounds of residential amenity, ecology, trees, highways, public rights of way, flood risk or heritage assets. However, these considerations do not outweigh the harm to the Green Belt and so the application is recommended accordingly.

RECOMMENDATION

REFUSE

SITE DESCRIPTION

This application relates to land associated with Adlington Golf Centre, which is located to the south west of Adlington Business Park in Poynton. Adlington Golf Centre currently comprises of a driving range, academy course, a pitch and putt course and a graduate course with a clubhouse building and car park. This application relates specifically to the original 9-hole graduate golf course situated to the north east of the existing golf centre. The site measures approximately 4.5 ha in size. The land sits directly to the west of the proposed Poynton Relief Road which would run on a north to south alignment. The site remains fairly open with some variance in levels across the site. Adlington Bridleway No.42 runs along the northern and western boundaries to the site providing access to Shirdfold Farm which is located approximately 70 metres to the north. The site lies within the North Cheshire Green Belt and Manchester Airport's Safeguarding Area.

PROPOSAL

Full planning permission is sought to construct an Adventure Golf Course with associated works in place of the original 9-hole graduate course, which has been replaced by a newly opened 9-hole graduate course located to the south of the golf centre. The original graduate course had to be replaced as a result of the proposed Poynton Relief Road as it severed the course. The applicant is seeking to re-purpose the remaining land to the west of the proposed road with an 18-hole Adventure Golf Course based on Australian themes as well as a service hut of approximately 10 metres x 5 metres, with ground engineering works. This application follows the refusal of an earlier similar scheme determined under planning ref; 20/2925M. The differences between this and the earlier refused scheme are:

- Revised landscape proposals
- Ayres Rock: This structure has been reduced in height by 0.5m and it would be lower than the level of the landscaped embankment.
- Sydney Harbour Bridge: This structure has been reduced in height by 0.25m

The original scheme was refused for the following reasons

1. The site lies within the North Cheshire Green Belt. The proposed development, whilst not inappropriate development by definition, would lead to a loss of openness and encroachment in the Green Belt. The various structures, features and associated means of enclosure would have a material impact on openness and cause encroachment into the countryside thereby undermining the purposes of including land within the Green Belt. By reason of the harm to openness, the proposed development represents

inappropriate development in the Green Belt. There are not considered to be material considerations that clearly outweigh the harm to the Green Belt by reason of loss of openness and other identified harm. The proposal is therefore contrary to the National Planning Policy Framework, Policy PG 3 of the Cheshire East Local Plan Strategy and saved Policy GC1 of the Macclesfield Borough Local Plan.

2. The proposal would result in the introduction of large features which would appear incongruous in the landscape and countryside, contrary to Policies SE 1 and SE 4 of the Cheshire East Local Plan Strategy.
3. Insufficient information has been submitted with the application to determine the likely threat to aircraft from birdstrike, which is a material consideration. Approval of the scheme contrary to the advice of the Safeguarding Authority for Manchester Airport would be contrary to the advice the Town and Country Planning (safeguarded aerodromes, technical sites and military explosives storage areas) Direction 2002.

These revised proposals seek to address these reasons for refusal.

RELEVANT PLANNING HISTORY

00/1519P – EXTENSION AND IMPROVEMENTS OF EXISTING DRIVING RANGE FACILITIES, NEW CAR PARKING PROVISION AND NEW 9-HOLE GOLF COURSE AND ACCESS – Approved 05-Oct-2000

01/1640P - CONSTRUCTION OF NEW ACCESS ROAD (TO SERVE ASSOCIATED DEVELOPMENT WITHIN STOCKPORT BOROUGH), SECURITY LODGE AND LANDSCAPING – Approved 01-Oct-2004

20/2925M - Construction of an Adventure Golf Course with associated works – Refused 19-Nov-2020

POLICIES

Cheshire East Local Plan Strategy – 2010-2030

PG3 – Green Belt

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

IN 1 - Infrastructure

SE 1 - Design

SE3 – Biodiversity and Geodiversity

SE 4 - The Landscape

SE 5 - Trees, Hedgerows and Woodland

SE 7 – Heritage Assets

SE 13 - Flood Risk and Water Management

SC 1 – Leisure and Recreation

SC 2 – Indoor and Outdoor Sports facilities

SC 3 – Health and Wellbeing

EG 2 - Rural Economy

CO2 – Enabling Business Growth Through Transport Infrastructure

Macclesfield Local Plan (Saved policies)

BE.1 – Amenity
BE.3 – Access and Parking
BE.4 – Drainage, Utilities and Resources
NE.5 – Nature Conservation and Habitats
NE.9 – Protected Species
NE.17 – Pollution Control
NE.20 – Flood Prevention
GC1 – Green Belt

Adlington Neighbourhood Plan (Stage 7 – Neighbourhood Area Designation) Adlington has been designated as a 'Neighbourhood Area', which is a very early stage in the Neighbourhood Planning process and can be afforded limited weight at this stage.

Other Material Considerations

The National Planning Policy Framework 2021 (NPPF)
National Planning Practice Guidance (NPPG)

CONSULTATIONS (External to Planning)

Environmental Protection – No objection subject to informatives relating to construction hours and contaminated land

Flood Risk Manager – No objection subject to a condition that the development is carried out in accordance with the submitted Flood Risk Assessment (FRA)

Highways – No objection

Manchester Airport (MAN) – No objection subject to conditions requiring submission and approval of bird hazard management plan measures and informatives in relation to protecting aircraft.

National Grid – No objection but advise that there is gas apparatus in the vicinity of the site that may be affected by the proposals.

Public Rights of Way (PROW) – No objection - Although the proposed development appears to be adjacent to a Public Right of Way, namely Bridleway No.42 in the parish of Adlington, it is unlikely the development will impact on the adjacent PROW it is recommended that an advice note be attached to any approval reminding the developer of their obligations.

United Utilities – No objection

VIEWS OF ADLINGTON PARISH COUNCIL

No Objection - Adlington Parish Council strongly support this planning application. The Parish Council is of the view that this is a positive development which will not have a detrimental impact on the openness of the Greenbelt in this area.

VIEWS OF POYNTON TOWN COUNCIL

No objection.

OTHER REPRESENTATIONS

Representations have been received from 104 addresses, on the following grounds:

- Fully support it. Families would use it regularly.
- Will bring jobs and tourism to Poynton, Adlington and Macclesfield. Increases trade for other hospitality businesses. Also benefits wider South Manchester/Stockport/Cheshire East region.
- Need open space recreation more than ever now due to pandemic. Nearest similar attraction 30+mins drive away.
- As the existing golf business has lost land through the Poynton relief road CPO, we must give the business a chance to continue.
- The development would introduce the younger generation to golf.
- No reason why this should be refused as land is already used for golf.
- Will protect the green belt. Reduces risk of more housing.
- Gives something for our young people to do. Allows them to meet up. Somewhere for families to go and have some quality time together.
- The designs will improve biodiversity. Low environmental impact.
- Will help reduce the visual impact of the new bypass
- Will help maintain better mental and physical health.
- Current site will get overgrown and disused.
- Object to the plans [reasons not given].

OFFICER APPRAISAL

Principle of Development

The National Planning Policy Framework (NPPF) affords the Green Belt significant protection stating at para 148:

“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

NPPF Para 149 states that a Local Planning Authority should regard the construction of new buildings in the Green Belt as inappropriate development unless it meets with one of the exceptions listed. One such exception is:

“b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

NPPF Para 150 (b) states that, amongst other things, other certain forms of development including 'engineering operations' are not inappropriate development provided they also preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

Policy PG 3 of the CELPS and saved Policy GC1 of the MBLP similarly afford significant protection to the Green Belt and resist inappropriate development. Both policies permit proposals for outdoor sport and recreation where they preserve openness. However, saved Policy GC1 is more restrictive than the NPPF and CELPS PG 3 in that excepted buildings will only be permitted where they are 'essential'.

The proposal does not involve a change in the use of the land as it would remain in use as a golf course. However, the proposal does seek permission for some significant engineering operations including a re-profiling of the land to facilitate its use as a 'themed' Adventure Golf Facility. Added to this, there would be a substantial number of structures erected to accompany the theme of each hole, some of which would be sizeable. Similarly to the refused scheme, it is indicated that these would be centred around an Australian theme, so for example, the course would feature scale versions of Ayers Rock and the Sydney Opera House.

The provision of buildings (which would also include the themed structures) could be considered as 'appropriate facilities' for outdoor sport and recreation. However, this is subject to their impact on openness. The engineering operations are not inappropriate development in the Green Belt either, again, subject to the impact on openness.

Safeguarding the countryside from encroachment and keeping land permanently open is a fundamental aim of Green Belt policy. The essential characteristics of Green Belts are their openness and permanence.

The proposal would include the construction of a single storey 'service hut' building, which would serve as the point of sales area with a small office for administration purposes. This building would have a footprint of approximately 10 metres by 5 metres and would measure 4.5 metres in height to the apex of the proposed pitched roof, which would be a modest size. Individually, this structure would be of small scale and would therefore have a limited impact on openness. However, the impact on openness needs to be assessed in the round, taking account of the cumulative impacts of the whole development.

With regard to the layout of the site, this is only really shown indicatively with 'sketch proposals'. However, it does show that the facility would typically include pathways, greens and the various proposed themed structures on and in between the holes. It would also include varying boundary treatments, again to accommodate the theme of the facility. The structures would be of varying height, size and scale.

The largest structure would be a scale model of Ayers Rock on hole 15. Again, the plans are not detailed and just show a sketch drawing. However, this indicates that it would measure some 24 metres in length with an overall height of nearly 5.5 metres. On hole 16, there would be water tower to mimic a gold mine. This structure would have a height of approximately 4 metres in height. Other notable structures include a bridge on hole 5, which would measure approximately 16 metres in length, 2 metres wide and would have a height of approximately 3 metres and hole 4 which would have a replica of Sydney Opera House structure measuring approximately 3.4 metres in height. There would be various other themed structures of a smaller size ranging from a 'Ute', kangaroo, 'dunny' and boomerangs.

In terms of their impact on openness, this needs to be considered in the context of the proposed land levels, as the engineering operations would comprise of a cut and fill exercise in order to create a central

lake feature and to re-profile the land to create the 18 holes. This would in part reduce the overall height of some of the structures relative to the existing ground levels. However, taken as a whole, the various structures, features and associated means of enclosure would have a material impact on openness and cause encroachment into the countryside thereby undermining the purposes of including land within the Green Belt. There would be tangible harm to the openness by virtue of the cumulative size and scale of the structures which would serve to undermine both the visual and spatial aspects of openness. By reason of the harm to openness, the proposed development represents inappropriate development in the Green Belt.

For this scheme to be granted planning permission, the identified harm to the Green Belt (and any other harm) must be *clearly outweighed* by other considerations and whether there are any 'very special circumstances' which exist to outweigh the identified harm. Whilst the applicant did not initially put forward a case of very special circumstances, the following have been cited by the applicant as being sufficient to amount to very special circumstances:

- Without the structures proposed, the adventure golf course scheme could not be delivered
- It accords with the national and local policy imperatives to promote healthier lifestyles: see e.g. Local Plan Strategic Priority 2(3)
- The Scheme would lead to the efficient and effective use of the golf course land rendered unviable by the PRR
- The proposals are consistent with and supported by Golf England's Strategy (2017 – 2021) and research carried out by the R&A and European Golf Association which underline the importance of adventure or mini-golf as an entry point to the sport
- Significant economic benefits will flow from the Scheme both in terms of job creation and bringing money into the local economy. Paragraph 81 of the Framework provides that substantial weight should be placed on the need to support economic growth.
- The facility would complement the range of facilities already on offer at Adlington Golf Centre. It would serve to diversify the business and attract a wider spectrum of paying participants, including younger people and families in particular as well as sustaining a well-established business
- The proposed development would satisfy demand for additional opportunities for sport and recreation within a highly sustainable location. It would significantly benefit the community in terms of their health and well-being and attracting a wider spectrum of the population e.g. younger children and families
- The extensive shrub and tree planting would not only deliver a net biodiversity gain but sequester carbon in line with one of the Government's most important policy objectives

The applicant states that the structures / buildings would be necessary to facilitate the proposed recreational use as an adventure golf course. Whilst it is accepted that an adventure golf course by its very nature would require themed structures to serve its purpose and attract users, this does not warrant the overly large structures proposed in this case. This could be achieved with an alternate theme or by reducing the largest structures. Similarly, the health and wellbeing benefits and also the benefits derived from promoting leisure use within the Green Belt are acknowledged, but again could be achieved with a more sensitive scheme. For these reasons, these points attract limited weight in the context of the proposals put forward.

The applicant contends that the proposal would lead to the efficient and effective use of the golf course land rendered unviable by the Poynton Relief Road (PRR). Whilst the relief road would indeed sever the former golf course, this has already been compensated for and the course that was lost has also been

replaced with a brand-new replacement golf course by the Council. The construction of the relief road will result in a change to the appearance of the area to the east. However, this places greater importance on maintaining openness of the Green Belt to the west. Accordingly, this is given limited weight.

The applicant's very special circumstances, such as the benefits the proposal would have on the health and wellbeing of users and the positive impact on the local economy including tourism are noted. It is acknowledged that the proposal would provide additional recreational facilities which would assist the health and wellbeing of the community as well as the local economy these considerations are given moderate weight. These considerations do not override the fact that both national and local policy direct decision makers to attach substantial weight to harm to the Green Belt. The weight of these other considerations is not enough to outweigh the substantial harm to the Green already identified contrary to the advice of the NPPF and Development Plan Policies PG 3 of the CELPS and saved GC1 of the MBLP.

Landscape Impact

The application site is an open, undulating landscape, bound to the east by the Adlington Industrial Estate, a residential development - Shirdfold Farm to the north, the remainder of the Golfing facility to the south and the wider rural landscape to the west, with the former Woodford Aerodrome site and Stockport at a distance to the west. The application site, part of a golf course, is gently undulating, with sparse tree cover along with some boundary hedgerows, further to the south are a number of woodland blocks.

The application has been supported by a Landscape and Visual Appraisal (LVA). This identifies the baseline landscape setting of the application site and that of the surrounding landscape including the commencement of the Poynton Relief Road. The appraisal identifies the National character area – NCA61 – Shropshire, Cheshire and Staffordshire Plain, and also the local landscape character, as identified in the Cheshire East Landscape Character Assessment (LCA) 2018, which indicates that the application site is located within the LCT 11: Higher Wooded Farmland type and specifically LCA 11a: Adlington.

The proposed Australian themed adventure course will be partly at a lower level than the surrounding area and contained with higher earthworks – the submitted cut and fill drawing indicates that this will range from a mean level of 99.00 in the central plateau area to a maximum mound height of 106.00, although surrounded topography rises from east to west on the whole, from 99.00 on the edge of the western part of the mound to 102 on the outer boundary of the eastern extent of the mound.

The submitted Holes document identifies in sketch form the separate Australian themed features for each hole. While this includes no accurately dimensioned drawings a scale bar has been included with each illustration– although it is not possible to accurately measure each installation, it appears that for the larger items the Sydney Opera House is approximately 4m in height, the Sydney Harbour Bridge approximately 3.5m, Ayres Rock approximately 4.75m, the Gold mine approximately 4m and the Spider and Bats Hole appears to be 1.3. The remaining features are smaller or fairly horizontal and range from a rider on a horse to rocks and a Kangaroo.

The landscape proposals indicate that softworks associated with the proposals would include native species woodland and understorey, themed native species and marginal planting within the golf playing area. The Landscape and Visual Appraisal indicates that the landscape sensitivity for landscape features is Low, for landscape character is Low Sensitivity and that the Magnitude of Effect on landscape features

would be low and adverse at year 1 and by year 15 low to medium and beneficial, and that the landscape effects would be Low/ Medium and adverse at year 1 and Low – Medium and beneficial at year 15. Visual effects are identified as ranging from negligible – Moderate adverse at year 1 to negligible to minor/moderate beneficial at year 15.

While the Council's Principal Landscape Architect broadly agrees with the Landscape and Visual Appraisal, he does not fully agree with all the summary and conclusions. While the appraisal highlights Stockport Council's LCA and identifies that the Urban Fringe Farmland type would be a more appropriate baseline, the application site lies within Cheshire East and the Cheshire East Landscape Character Assessment provides the baseline landscape character, this indicates that the application site is located within LCT 11: Higher Wooded Farmland type and specifically LCA 11a: Adlington. Policy SE4 – The Landscape of the Cheshire East Local Plan Strategy identifies that all development should conserve the landscape character and quality and should where possible, enhance and effectively manage the historic, natural and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes; and that development will be expected to incorporate appropriate landscaping. In this instance, the Council's Principal Landscape Architect agrees that the extensive native woodland planting surrounding the Adventure Golf Course would be appropriate. Also, there are a number of woodland blocks located in close proximity and it would not appear incongruous in the wider landscape. In time it would also mitigate the proposals and would be beneficial in what is a changing landscape in that locality and so do not consider that the landscape proposals are contrary to Policy SE 4 – The Landscape.

The Council's Principal Landscape Architect does however agree with the appraisal that the introduced hole features could be considered incongruous (7.12) but does not consider that they are introduced features that one would normally associate with a golf course. While the Council's Principal Landscape Architect accepts that the proposed landscape mitigation proposals would screen some items immediately and some in the longer term, it is also the case that a number of the introduced items are substantial built structures and of a scale in scale that may be an issue in what the submission identifies as being development within the Green Belt, in which Policy PG 3 – Green Belt applies. However, the Council's Principal Landscape Architect does not object on landscape grounds.

Trees

The application is supported by an Arboricultural Impact Assessment (AIA). It identifies 5 trees for removal to accommodate the proposed adventure golf course. The AIA concludes that these tree losses could be appropriately mitigated for with replacement planting as part of a landscape strategy. It also concludes that retained trees would be able to be protected with suitable measures. The loss of trees would be compensated for by the landscaping proposals.

Ecology

The Council's Nature Conservation Officer (NCO) has reviewed the application with regard to the following species:

Great Crested Newts - This protected species is known to occur at a number of ponds in this broad locality. The application site however offers very limited habitat for great crested newts and the proposals would not result in the fragmentation or isolation of great crested newt habitat. Considering the scale and nature of the proposed development and its distance from the nearest ponds, the potential impacts of the proposed development are limited to a low risk of any newts that venture onto the site being killed or

injured during the construction process. In order to address this risk, the applicant's ecological consultant has recommended the installation of an amphibian fence for the duration of the works. The NCO has advised that provided these measures are implemented, the proposed development would be highly unlikely to result in a breach of the Habitat Regulations. Consequently, it is not necessary for the Council to have regard to the Habitat Regulations during the determination of this application and the impact on the scheme on this species is acceptable.

Bats - A single tree has been identified as having potential to support roosting bats. However, the said tree is located outside of the application site and so would not be affected by the proposed development. Whilst the application site offers limited opportunities for roosting bats, bats are likely to commute and forage around the site to some extent. To avoid any adverse impacts on bats resulting from any lighting associated with the development, if planning permission is granted, a condition should be attached requiring any additional lighting to be agreed.

Badgers - Whilst this species is known to occur in the wider locality, no evidence of a sett was recorded during the latest survey of the application site. This species is not reasonable likely to be significantly affected by the proposed development.

Biodiversity Net Gain - Local Plan Policy SE 3 requires all developments to contribute positively to the conservation of biodiversity. Whilst this application has not been supported by a Biodiversity Metric, the very low value of the existing habitats on site mean that the proposed development is likely to lead to an increase in biodiversity value of the site as a result of the associated native planting.

Conditions are recommended requiring the submission of details of lighting, protection of nesting birds and accordance with proposed great crested newt mitigation measures. Subject to this, the scheme is found to be acceptable in terms of nature conservation and compliant with CELPS Policy SE 3 and saved MBLP Policy NE 5.

Manchester Airport Safeguarding

The Safeguarding Authority for Manchester Airport has assessed the proposed development against the aerodrome safeguarding measures. The creation of the lake as part of the proposals has the potential to increase the risk of Birdstrike to aircraft using Manchester Airport. Manchester Airport is satisfied that details as to how the site operators would prevent geese and other bird species from that are hazardous to aircraft from becoming established at the site as well as visiting feeding water birds could be secured by a condition requiring submission of a bird hazard management plan. Other conditions regarding lighting and prohibiting the use of solar photovoltaic (of which none are proposed) would ensure that the safety of aircraft is maintained by the proposals. Subject to conditions, the proposal would accord with the advice the Town and Country Planning (safeguarded aerodromes, technical sites and military explosives storage areas) Direction 2002 and therefore the previous reason for refusal regarding aircraft safety has been addressed.

Highway Implications

The proposed course would be open between 09.00 and 21.00 hrs Mon-Sun and would employ 8 new staff to operate the course. The existing Adlington Golf Centre car park has 163 spaces would be used for the parking requirements of the new adventure course. The Head of Strategic Infrastructure (HSI - Highways) has confirmed that no highways objections are raised on the basis that the proposed new adventure golf course is located at an existing golf centre. The HSI has confirmed that the scheme does

not raise any highway concerns in respect of traffic impact or parking. The scheme is found to be acceptable in terms of highways and parking.

Residential Amenity

The nearest residential property, 'Shirdfold Farm', is located some 70 metres of the northern boundary of the proposed Adventure Golf Course. Given that the lawful use of the site is already as a golf course, it is not considered that the proposal would materially harm neighboring amenity by reason of noise. The proposals are also of sufficient distance away so as to not cause material harm by reason of loss of light, visual intrusion or loss of privacy.

Public Rights of Way (PROW)

The proposed development lies adjacent to a Public Right of Way, namely Bridleway No.42 in the parish of Adlington. The Council's Public Rights of Way Unit has confirmed that it is unlikely that the development will impact on the adjacent Bridleway. However, it is recommended that an advice note be attached to any approval reminding the developer of their obligations.

Flood Risk and Drainage

The site is located within Flood Zone 1 where flooding from rivers and the sea is very unlikely with less than a 0.1 per cent (1 in 1000) chance of flooding occurring each year. The application is supported by a Flood Risk Assessment. In the absence of any objection from the Council's Flood Risk Manager, the scheme is found to accord with Policy SE 13 of the CELPS and saved Policy NE 20 of the MBLP.

Heritage Assets

The closest designated heritage asset is the Grade II Listed Lostock Hall Farmhouse to the north. However, the proposed site is far enough away from the building and its curtilage not to directly affect its setting and therefore will be acceptable in this regard. The proposal accords with CELPS Policy SE 7.

CONCLUSIONS AND PLANNING BALANCE

The site lies within the North Cheshire Green Belt. National and local policy affords significant protection to the Green Belt. Whilst the existing use of the land is as a golf course, and the proposal for an Adventure Golf Facility would fall within the same use, the proposal would involve the provision of a substantial number of structures and significant engineering operations to re-profile the land. Whilst the provision of buildings (which would also include the themed structures) could be considered as 'appropriate facilities' for outdoor sport and recreation as well as the associated engineering operations, this is subject to their impact on openness.

Taken as a whole, the various structures, features and associated means of enclosure would have a material impact on openness and cause encroachment into the countryside thereby undermining the purposes of including land within the Green Belt. By reason of the harm to openness, the proposed development represents inappropriate development in the Green Belt. The benefits of the proposal in terms of promoting the health and wellbeing of users and the positive impact on the local economy including tourism are not enough to outweigh the substantial harm to the Green Belt. The proposal is therefore contrary to the advice of the NPPF and Development Plan Policies PG 3 of the CELPS and saved GC1 of the MBLP.

In considering the previously refused application, it was determined that there would be 'other identified harm' in the form of harm to the landscape contrary to policies SE 1 and SE 4 of the Cheshire East Local Plan Strategy. However, this application is supported by revised landscape mitigation proposal that would include extensive native woodland planting surrounding the Adventure Golf Course. Also, there are a number of woodland blocks located in close proximity. In time this would mitigate the proposals and would be beneficial in what is a changing landscape in the locality and so the revised landscape proposals are acceptable.

The site lies within the Manchester Airport Safeguarding Zone. The Safeguarding Authority for Manchester Airport has confirmed that the likely threat to aircraft from birdstrike arising from the revised scheme, which is a material consideration, could be addressed by condition. Thus, the previous reason for refusal relating to aircraft safety has now been resolved.

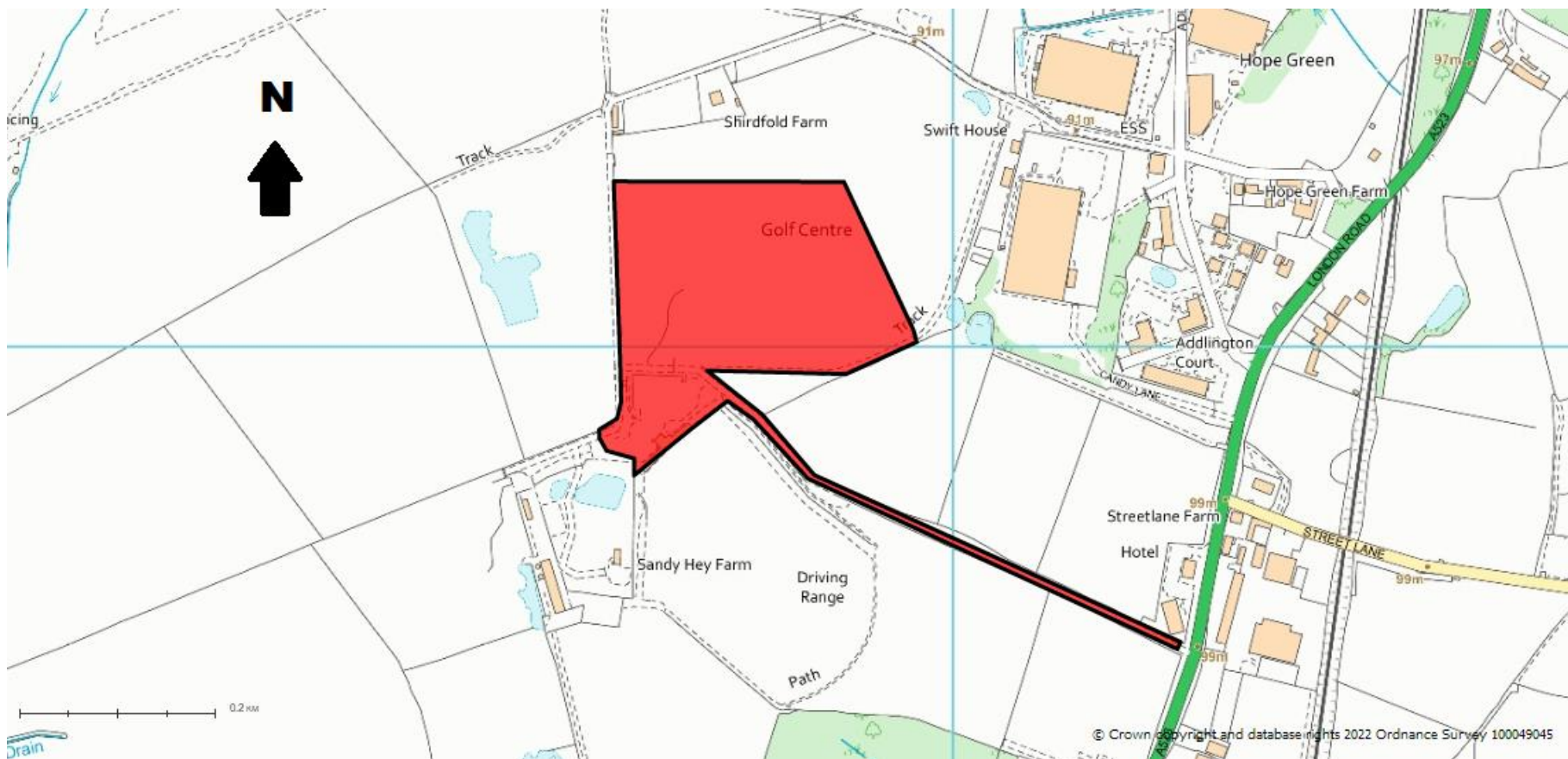
There are no objections on the grounds of residential amenity, ecology, trees, highways, public rights of way, flood risk or heritage assets. However, these considerations do not outweigh the harm to the Green Belt and so the application is recommended accordingly.

RECOMMENDATION

Refuse for the following reasons:

- 1. Green Belt - The site lies within the North Cheshire Green Belt. The proposed development, whilst not inappropriate development by definition, would lead to a loss of openness and encroachment in the Green Belt. The various structures, features and associated means of enclosure would have a material impact on openness and cause encroachment into the countryside thereby undermining the purposes of including land within the Green Belt. By reason of the harm to openness, the proposed development represents inappropriate development in the Green Belt. There are not considered to be material considerations that clearly outweigh the harm to the Green Belt by reason of loss of openness. The proposal is therefore contrary to the National Planning Policy Framework, Policy PG 3 of the Cheshire East Local Plan Strategy and saved Policy GC1 of the Macclesfield Borough Local Plan.**

In order to give proper effect to the Board's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in his absence the Vice Chair) of the Strategic Planning Board to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.



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