

APPLICATION NO: 25/0211/OUT

LOCATION: Land To the North and South of the A533 The Hill, Sandbach

PROPOSAL: Outline application, with all matters reserved except for access, for development comprising up to 325 residential dwellings (Use Class C3), creation of a community park located between Manor Road and the A533 The Hill and other open space and landscaping, associated infrastructure, including earthworks and drainage.

ADDITIONAL REPRESENTATIONS / CONSULTATIONS

Representations have been received from an objector representing the 'Sandbach VS Overdevelopment Without Proper Infrastructure' residents action group. The objection requests that the application be deferred or refused on the basis that the Agenda Report contains procedural and evidential shortcomings which would prevent Members from being able to make an informed decision. The grounds for objection and deferral are summarised below:

- Officers to confirm that all statutory consultees have been properly consulted and their responses received.
- The correct and complete set of application documents to be uploaded to the portal.
- A full and lawful re-consultation period of 28 days on the correct documentation, allowing residents and consultees to provide meaningful, informed feedback.
- There are several concerns with the consultation process that has been undertaken
- The EIA Screening Request planning ref; 24/4693/EIA was not subject of any consultation with residents
- There were technical matters which prevented residents from accessing documents and comment on the EIA screening request
- There have been significant errors on the planning portal, which have resulted in us being consulted on incorrect documents
- Dates of documents and when they were uploaded
- Missing documents
- Dates on plans and documents have not been updated it is difficult to believe they have been updated
- Documents have been split up for example the Revised Design & Access Statement and Spatial Design Code
- Consultation should be reopened to allow for a full and fair 28-day consultation based on the correct and complete documentation
- Not all neighbours were consulted and some received several letters
- Differing deadline dates have been shown

- Recurrent Submissions and Material Changes (Including New Access Points, Access Alterations, and Boundary Adjustments)
- Active travel” routes have been proposed in locations known for poor road safety
- Each new submission materially affects residents who may not have been impacted by the original plans
- Missing representations
- Cheshire Police, Cheshire Fire & Rescue and the relevant Parish Councils have not been consulted

Additional representations have been received objecting to the proposed development on the following grounds:

- The Agenda Report does not show any empathy towards existing residents of Sandbach
- Parcel B is significantly elevated above Rose Way and will impact on neighbouring residential amenity by overlooking and blocking all light
- Loss of property values
- There is no mention how to prevent harm caused to residents, such as planting a high tree line between the plot and existing houses or levels

Active Travel England (ATE) – requested additional information in response to the initial consultation exercise but have not commented on the amended proposals. Their grounds for objection were:

- Revised Travel Plan targets informed by updated trip generation analysis to include a multi-modal breakdown across the whole day
- Off-site infrastructure informed by in-depth qualitative analysis of existing active travel routes
- The provision of details regarding access arrangements for Plot C & D and Plot B
- Detail relating to the potential bus service
- Clarification of the “dedicated provision for pedestrians and cyclists” along the Primary Street
- Review of opportunities for additional pedestrian / cycle access links to ensure adequate level of connectivity and permeability

Natural England – comments awaited.

OFFICER COMMENT

Procedural Matters

EIA = Screening requests submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 to determine whether a development is EIA development are not the subject of public consultation. This is why planning ref; 24/4693/EIA was not subject of any consultation with residents.

Consultation - Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) and the Planning Practice Guidance (PPG) prescribes the statutory requirements for consulting on planning applications and who with. Schedule 4(w)(y)(zb) of the Development Management Procedure Order advises that Natural England must be consulted if development is in or likely to affect a site of special scientific interest (SSSI). Natural England were not initially consulted on the application. It has been advised by the Council's Nature Conservation Officer that Natural England be consulted because the site falls within the Natural England SSSI impact risk zones in respect of Sandbach Flashes SSSI.

Natural England are aware of this planning application and have advised that they may wish to comment. Comments are awaited and will be reported to Members by way of an update should they be received.

Cheshire Police and Cheshire Fire & Rescue are not required to be consulted as part of this application. The relevant Sandbach Town Council and Betchton Parish Council have been consulted and have commented on the application as reported on page 14 of the Agenda Report.

With regard to others statutory consultees, officers can confirm that the Local Planning Authority has fulfilled its statutory obligations in respect of Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO).

Ecology

In respect of likely impacts, Sandbach Flashes SSSI is located roughly 3.8 kilometres distance from the site to the west. Other recent proposals for housing development which are closer to the SSSI than this site have been the subject of Natural England's Standing advice. Subject to the ecological considerations and mitigation proposed, it is considered that the likely impacts on the SSSI would be minor and could be suitably managed.

Highways and Accessibility

Members are advised that there is an error in the Agenda Report on page 29 at paragraph 9.93. which states that:

"Access - There are several access points proposed to the site, and these are all priority junctions off The Hill. Access to all the plots has a ghost right turn lane provision with bus only exit at the western end of the site."

Following the receipt of amended plans, the bus only exit is not now included.

In response to the comments made by Active Travel England (ATE), the applicant submitted further information in the form of a 'Walking Audit Review – St Johns Primary School, Walking Audit Review – Sandbach Town Centre and further details of access arrangement to Parcels C & D. Although Active

Travel England have been reconsulted on this additional information, no further comments have been received.

The accessibility of the site has been assessed by officers including the Council's Head of Strategic Infrastructure (Highways) and for the reasons explained at para's 9.98 - 9.102 on page 29 of the Agenda Report, officers find that the site is accessible and sustainably located, with the proposed mitigation including commuted sums towards increasing frequency of bus service provision and the securing of footpath and cycle connections.

Residential Amenity

With respect to the impact on neighbouring amenity, the levels difference between Parcel B and the recent development at Rose Way is not significant and would be dealt with at reserved matters stage. The illustrative layout shows sufficient separation distance to ensure that a detailed scheme does not result in direct overlooking or loss of light. Levels details will be secured by condition no, 40 recommended on page 40 of the Agenda Report.

Other Matters

Representations have been reviewed, considered and summarised in the report. The relevant sections of the report dealing with the subject of issues raised explain why the proposal accords with policy, or where it does not, why other matters outweigh any identified harm. The detailed representations are available to view on the file.

It is not the relevance of document titles and references which must be considered in determining this planning application. It is their content which must be considered and the merits of the proposal, not what documents have been named. Whilst there are some discrepancies between file references, the relevant plans, documents and information have all been available to view and comment on. It is what is detailed in these which must be considered, not what they have been referenced.

Consultation has taken place over two separate periods well in excess of the minimum 21-day requirements prescribed by the Planning Practice Guidance. Whilst there have been technical errors with the planning portal, the overall time that has been available to residents and consultees to comment on the application and review the relevant documents and submissions exceeds the 21-day requirement. This has been sufficient and is evidenced in the receipt of over 1100 representations.

Large documents such as the Revised Design & Access Statement and Spatial Design Code must be split up into several parts due their size or else they would not be able to be viewed or downloaded by residents and consultees.

Corrections to Agenda Report

The report contains the following typographical errors:

Para 1.1 on page 10 of the Agenda Report states that “Parcels B and D are located to the south of The Hill (A533)”. This should read ‘Parcels B & C’.

Para 9.161 on page 36 of the Agenda Report states that “In terms of potential mineral extraction, the site is not actively queried”. This should read ‘quarried’ not ‘queried’.

RECOMMENDATION

APPROVE as per the recommendation on pages 38-40 of the Agenda Reports Pack.