

Appendix Two

Application No: 12/4837M

Location: FIBRESTAR LIMITED, REDHOUSE LANE, DISLEY, SK12 2EW

Proposal: Reserved matters application for the erection of 121 residential dwellings, including details of appearance, scale, layout and landscaping in relation to outline permission 12/0165P (Original permission 08/2718P)

Applicant: Adele Snook, Persimmon Homes North West

Expiry Date: 18-Mar-2013

SUMMARY RECOMMENDATION

Approve subject to conditions

MAIN ISSUES

- Housing provision
- 25% Affordable Housing (previously approved)
- Design considerations
- Provision of Public Open Space
- Residential Amenity
- Highways
- Landscaping & forestry
- Ecology
- Land contamination
- Air quality

REASON FOR REPORT

The proposal is a major development as defined by The Town and Country Planning (Development Management Procedure) Order 2010. Under the Council's constitution such applications are required to be considered by Committee.

SITE DESCRIPTION

FibreStar is an employment site, located off Redhouse Lane, Disley. The businesses on site (FibreStar and HarcoStar) manufacture drums for packaging of products.

The businesses are still in operation, but in a low key manner.

The site comprises 5.27 hectares of brownfield land, within a predominantly residential area.

DETAILS OF PROPOSAL

This application seeks permission for the Reserved Matters (appearance, scale, layout and landscaping) for the erection of 121 residential dwellings, following the Outline permission 12/0165P, which related to the principle of the development, approved on 18th June 2012. (Original permission 08/2718P)

RELEVANT PLANNING HISTORY

- 12/0165M Application to Vary Condition 30 (Pertaining to Highways) of Planning Approval 08/2718P
Approved with conditions and varied s106 18 June 2012
- 08/2718P Outline Planning Application For The Demolition Of Existing Buildings And Erection Of C3 Residential; C2/C3 Senior/Assisted Living And B1/B8 Employment
Approved with conditions & a S106, 27 June 2011

RELEVANT PLANNING POLICIES

Regional Spatial Strategy

The Secretary of State for Communities and Local Government has announced that North West Regional Strategy will be revoked. An Order will be laid in Parliament to formally revoke the strategy, until that happens the policies should still be given weight as part of the Development Plan according to their degree of consistency with the NPPF.

- DP1 - Spatial Principles, promoting sustainable development
- DP2 - Promote Sustainable Communities
- DP5 - Manage Travel Demand
- EM2 - Remediating Contaminated Land
- EM18 - Decentralised Energy Supply
- W3 - Supply of Employment land
- W4 - Release of Allocated Employment Land

Local Plan Policies:

- DC1 - New Build
- DC3 - Amenity
- DC5 - Natural Surveillance
- DC36 - Road Layouts and Circulation
- DC37 - Landscaping
- DC38 - Space Light and Privacy
- DC40 - Children's Play Provision and Amenity Space
- DC41 - Infill Housing Development
- E1- Retention of Employment Land
- E4 - General Industrial Development
- E14 - Relocation of unneighbourly businesses

NE7 - Woodland Management
NE13 - Sites of Biological Importance
NE14 - Nature Conservation Sites
NE11 – Nature Conservation
NE17 - Nature Conservation in Major Developments
H1 - Phasing policy
H2 - Environmental Quality in Housing Developments
H5 - Windfall Housing
H8 - Provision of Affordable Housing
H9 - Occupation of Affordable Housing
H13 - Protecting Residential Areas
RT5 - Open Space

Other Material Considerations

National Planning Policy Framework 2012

Paragraph 215 of the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework (the closer the policies in the plan to the framework, the greater the weight to be given). It is considered that all of the local plan policies listed above are consistent with the NPPF and should be given full weight.

Paragraph 14 of the NPPF states that at the heart of the NPPF is a presumption in favour of sustainable development.

Macclesfield Borough Council SPG on S106 agreements.

Interim Planning Statement on Affordable Housing.

CONSULTATIONS (External to Planning)

Environment Agency:

No objection in principle, they note that the proposed layout shows that the eastern most plot appears very close to the culverted watercourse referred to in the drainage strategy. This is suggested to be approximately 15m deep. It would be advisable to ask the applicant to confirm how this culvert could be replaced in the event of future problems.

Environmental Health:

No objections are raised to the scheme in relation to air quality implications as the scheme is not likely to have a significant impact on air quality within the A6 Air Quality Management Area. Mitigation measures have been submitted which are designed to ensure that emissions from transport associated with this development improve over time.

No objections in principle are raised in relation to noise mitigation elements of the scheme. A scheme of acoustic insulation was submitted with the application and conditions have been imposed on the outline consent which control noise mitigation by means of constructional

measures. These include hours of demolition, construction and pile foundations. The applicant has also been advised that the LPA require that the 'good' internal noise standard is achieved as per the British Standard on 'Sound insulation and noise reduction for buildings'. This is in order to ensure that occupants of the properties are not adversely affected by road traffic and railway noise.

As the application area has a history of industrial use and there is also a known landfill on the site and updated ground gas report was submitted with the application. No objections are raised to the scheme in principle as the detailed remedial strategies are considered acceptable.

United Utilities:

No objection raised.

Cheshire East Highways:

No objections following the submission of amended plans including details of speed reduction measures and visitor parking. Conditions are recommended relating to a construction method statement, junction/highway specification and wheel washing facilities.

Highways Agency:

No objections to the scheme.

Sustrans:

Sustrans have raised no objections to the scheme and have offered the following comments:

- The layout of the site should include direct pedestrian and cycle access to Lower Greenhall Lane so residents can reach the Peak Forest canal towpath;
- They would like to see a 20mph speed limit throughout the site and on Redhouse Lane to the A6 junction;
- A site of this size should make an appropriate contribution toward traffic management measures in Disley to help local people move around on foot and by bicycle for everyday journeys to shops, schools and the station; and
- Travel planning with targets and monitoring should be set up for the site.

Natural England:

No objections, standing advice offered in relation to protected species.

Network Rail:

Submitted an objection, subject to further final comments (not yet received). They are concerned that the proposal includes footpath link to a level crossing, which would materially increase its use, which is a safety risk.

(N.B We have requested amended plans to omit this link accordingly).

Housing:

No objection as the scheme accords with the required affordable housing provision (25%) secured by the s106 agreement on the outline consent 08/2718P.

Public Rights of Way Team:

No objection, subject to the public footpaths not being obstructed.

The proposed footpath links to Public Footpath No. 48 Disley and Greenshall Lane at the east end of the site are to be welcomed, designed to best practice specification and with destination signage. The latter path should be designed and constructed for use by cyclists in addition to pedestrians in order to increase the permeability of the site for cyclists and to enable access to the canal towpath and local road network, both of which offer strategic links to facilities and employment areas. It would also be suggested that a footpath link is created onto Public Footpath No. 48 Disley further west, at the eastern end of the circular road within the site. This would provide the most direct route from the development site to the residential areas and facilities of Disley.

Clarification is requested as to the legal status and future maintenance of the paths proposed within the public open space adjoining the canal and at the eastern end of the site.

It is requested that the security fence currently in place along the northern side of Public Footpath No. 48 Disley is removed in order to improve the aesthetics of the route for local residents as the fence will no longer be required to keep people out of the industrial site.

The Peak Forest Canal will provide a key route for residents of the proposed development, both as part of a circular leisure route and as part of an off-road active travel route to nearby communities and facilities. Therefore, contributions would be sought from the developer in order to bring the towpath up to a standard suitable for those uses and to accommodate the additional traffic resulting from the proposed development. The aspiration to improve the route has been logged under the Council's statutory Rights of Way Improvement Plan (Ref. T1), and will be required to a greater extent as a result of increased footfall from the proposal.

Travel planning advice should be made available to prospective residents, including active travel options and local leisure routes for walking and cycling. Travel plan monitoring should also be required.

Leisure/Greenspaces

No objection raised. The on-site POS is acceptable, however, raises concerns about the lack of detail in relation to the play provision. Conditions recommended to secure details of the play area.

VIEWS OF THE PARISH / TOWN COUNCIL

Whilst Disley Parish Council has no objection to the appearance, scale, layout or landscaping of the site (the reserved matters) it still has concerns about access, egress and the impact on adjacent roads of the increased vehicle movements associated with 121 new dwellings.

(N.B It should be noted that the 'access' to the site has already been approved at the outline stage).

OTHER REPRESENTATIONS

The Council have received 79 letters of representation to the application from local residents. These documents can be viewed in full on the CEC website. The following is a brief summary of their views.

Nine letters of support have been received and these comments can be summarised as follows:

- In favour of housing on the site;
- The scheme would provide affordable housing in Disley;
- The scheme has been carefully designed with a mixture of housing size and recreational areas;
- Rather this site become a vibrant new part of the village than it return to being an industrial factory;
- New residents would use local facilities and bring new businesses to the town; and
- Do not wish the site to be developed for a supermarket.

Disley Residents Group has raised objections, plus 20 general observations and 50 objections have been received from local residents to this application. These comments and objections can be summarised as follows:

Principle

- In favour of housing on the site in principle;
- The scheme would provide affordable housing in Disley;

Design and Amenity

- The impact upon the character and appearance of the area;
- Changing a mainly stone built environment to brick built;
- Stone built facades should be given to housing looking out over the canal;
- Need to link footpaths;
- Overlooking;
- Light pollution;

Highways

- Access concerns;
- Increased traffic;
- Existing traffic congestion in the area;
- Existing parking problems in the area;
- Recent road works on the A6;
- Implication of the Airport Relief Road;
- Any off site highway works should be implemented earlier in the development stage;
- Increase danger to pedestrian safety due to the development;
- Full traffic counts and survey should be undertaken ;
- Impact on Hollinwood Road (road narrowness, lack of pavement and inadequate lighting);
- Inaccuracies in the Transport Assessment;

- Need to examine alternative access routes to the development rather than a single point of access on Redhouse Lane;
- Will there be lights at the top of redhouse to enable access on to the main A6 road?

Infrastructure

- Impact upon local schools;
- Impact upon local health services;
- Impact upon provision of local services, water and sewer systems;
- Impact upon local highway infrastructure;
- Impact upon PROW network on site;

Other issues

- Dilsey is a village not a town;
- Disley is not a sustainable rural-urban town;
- Question the density calculation of the developer in relation to housing numbers;
- Question the safety of building houses nearer to the landfill than the original plan; and
- Questioning whether all the necessary surveys been carried out to ensure landfill gas is not present.

APPLICANT'S SUPPORTING INFORMATION

- Planning statement
- Design and access statement
- Air quality report
- Noise impact assessment
- Ground investigation report
- Bat survey
- Ecological method statement
- Invasive species management plan
- Arboricultural impact assessment
- Landscape strategy
- Habitat and landscape management plan

OFFICER APPRAISAL

Principle of Development

The principle of the development has already been accepted by the granting of outline planning approval in June 2011 (ref; 08/2718P) which included the provision of up to 160 residential units. A further application for a variation of condition 30 of 08/2718P was granted (ref: 12/0165M) which, in effect granted a new outline planning permission. This reserved matters application therefore relates to the later application.

For the sake of clarity, condition 30 requires the construction of the approved accesses to the highway prior to the construction of any part of the development. The variation amended the timing to be prior to the construction of any phase of the development thus allowing the residential phase to be delivered without the requirement to construct the access for the employment phase.

The granting of the previous planning permission established the acceptability 'in principle' of residential development on this site and the loss of the existing employment site. Given that this is an application for the approval of reserved matters and that any consent is only operative by virtue of the outline planning permission this application does not present an opportunity to re-examine the acceptability in principle of residential redevelopment if this site.

This reserved matters application seeks to bring 121 residential units forward. The only material change since the outline application was considered is the introduction of the National Planning Policy Framework (NPPF).

NPPF Paragraph 215 of the National Planning Policy Framework (NPPF) indicates that relevant policies in existing Local Plans will be given weight according to their degree of consistency with the NPPF (the closer the policies are to the Framework, the greater the weight that may be given).

The National Planning Policy Framework strongly encourages Local Planning Authorities to be pro-active and positive in terms delivering sustainable forms of development. At paragraph 187 it advises that, "*Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area*"

The benefits of redeveloping the site are recognised as:

- Clearing a contaminated site;
- Removing an unsuitable industrial businesses from a residential area;
- Providing a choice of quality homes, including affordable homes.

In respect of the provision of housing, paragraph 49 states that '*housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites*'.

Members will be aware that the SHLAA was approved in February 2013 demonstrating a 7.15 year housing land supply. This site is identified in the SHLAA as being deliverable, available, achievable and suitable. It is a brownfield site within a predominantly residential area. Clearly redevelopment of this site for housing will help contribute towards achieving the 5-year housing land supply, and therefore must be considered positively.

Sustainability

The site is located within the settlement of Disley on the northern edge of the village. The village centre is approximately half a kilometre from the access and connectivity to the site is good. The village includes a range of shops and local services. Additionally there are also bus stops on the A6 close to the junction with Redhouse Lane, there is a pub and church in close proximity.

Taking this into account the site is considered to be in a sustainable location and therefore accords with the NPPF's aims of fostering sustainable development.

Design Considerations

The Design and Access Statement includes an assessment of the area's character, and describes how it has informed the design and layout of the scheme. Some thought does appear to have been put into selection of house types and materials, however they appear to be standard, 'off the peg' designs, although architectural detailing and materials has been varied. The materials proposed are mainly red brick or similar although some 'feature' properties in stone facing materials are proposed. These are to be located mainly at the site entrance, on the corners and along the canal frontage. There are variations in the height and the type of housing, with a mix of detached, semi-detached, townhouses and terrace properties throughout the site. All these factors would add interest and variety in the development, however, no streetscene details have been provided so it is difficult to see how these would work together in context.

Given the site is self contained and there is a mix of house types and character in the area, the design of the dwellings would not be significantly uncharacteristic or out of keeping with the area. As such it is considered the proposals accord with the design policies in the local plan and the NPPF.

The proposed density is approximately 23.2 dwellings per hectare. This is significantly less than the 46 units per hectare approved at the outline stage. The reduced density is mainly due to the reduction in the number of apartments being proposed as well as a reduction in the development area to allow for the retention of existing landscaping, and not to alter the levels adjacent to the canal. The density is considered acceptable and in compliance with the aims of the NPPF which seeks to ensure a wide choice of homes.

The layout differs from the indicative masterplan submitted with the Outline application. This is mainly due to a reduction in the number of units and retention of planting along the northern boundary. The central area of the site (containing units 103 to 121) appears tight and the layout of the dwellings fails to maximise opportunities afforded within the site due to changes in levels and views towards the canal. Additionally, there is limited natural surveillance of the open space and children's play area. However, it is recognised that the long, thin, linear nature of the site constrains the layout somewhat. Overall, it is considered the layout is acceptable.

Provision of Public Open Space & Play Equipment

The application includes the provision of an area of public open space to the eastern side of the site and a canal side walk which the Parks Management Officer has indicated is largely acceptable, although, some elements will need to be dealt with by a condition including seating, bins, signage, and interpretation. This can be specified in the landscaping condition to ensure these details are secured and satisfactory.

The scheme also generates a requirement for children's play provision due to the number of dwellings (121), of which 115 are classed as family dwellings thus triggering the requirement. The play requirement of 2,280 square metres for both formal and informal play has not been met in the scheme as it stands. It has been agreed that the play requirement should be met on-site. The applicant has been asked to provide a detailed design and make amendments to the layout. In order to expedite this matter, guidance on the design and scale of the play area

was provided, nevertheless, the detailed design from the applicant has not been forthcoming to date.

This matter can be dealt with by a condition requiring a detailed scheme for the play area to be submitted and approved. However, given there are concerns regarding the applicant's lack of assurances on this matter, it is suggested that the condition specifies that at least 5 pieces of equipment should be provided in accordance with advice from the Parks Management Officer.

Members need to satisfy themselves that sufficient children's play provision can be achieved on-site to meet the needs of the development. Members must also be satisfied that existing facilities in the community are not compromised by insufficient provision on site and the resulting increased pressure that would place on existing facilities.

To ensure the new residents access to facilities on occupation and prevent conflict between users and residential properties through late provision and reduce the potential impact on existing facilities in Disley, the Parks Management Officer has recommended that the POS and play areas should be provided prior to first occupation of the development. The applicant has stated that they disagree with the timing of this and it should be upon occupation of 50% of the units. Regardless, the phasing and timing of the POS and play provision can be secured by an appropriately worded condition.

The section 106 legal agreement on the outline application contains the option for Cheshire East Council to take transfer of the open space following completion of a satisfactory 12 month maintenance period. It goes on to state that at no point will the Council be required to accept the transfer to it of any part or parts of the open space land. The Parks Management Officer has clearly stated that the Council do not wish to consider transfer of the open space proposed within the site, this is consistent with the general approach now taken where the Council no longer take transfer of the majority of open spaces. The developer will therefore be required to put the necessary management arrangements in place to ensure maintenance and availability in perpetuity.

A Habitat and Landscape Management Plan has been submitted in support of the application. However, its contents are not currently reflective of the above, and falls short of the detail. Nevertheless, the submission and approval of an open space maintenance scheme is a requirement of the section 106 agreement, and is a matter to be discharged separately to the reserved matters application. The open space maintenance scheme should ideally be a separate document and the Habitat Management Plan is a requirement of the conditions of the outline approval. Accordingly, it is advised that an informative should be attached to make clear that this document is not approved for those purposes as part of this decision.

Affordable Housing

The outline application secured a requirement for provision of affordable housing by way of a section 106 agreement. The requirement was for 25% of the total dwellings to be 'affordable' provided as leasehold re-sale covenant properties made available at 70% of the initial open market value and subsequent sales at 70% of open market value at that time. The section 106 also required that the mix and type of affordable housing is agreed between the developer and the Housing Manager.

The site is located in Disley which is one of the sub-areas of Macclesfield for the purposes of the Strategic Housing Market Assessment 2010.

The SHMA 2010 identified a requirement for 13 new affordable homes per year, made up of a need for 6 x 1 bed, 5 x 3 beds, 2 x 4/5 beds. In addition to this there are currently 92 applicants on the housing register with Cheshire Homechoice (which is the choice based lettings system used to allocate rented affordable housing in Cheshire East), these applicants require 41 x 1 bed, 35 x 2 bed and 7 x 3 bed. There has been no delivery of the affordable housing need in Disley between 2009/10 – 2013/14 to date.

The affordable housing being offered is 30 dwellings, broken down in to 10 x 2 bed houses, 8 x 3 bed houses, 6 x 1 bed apartments and 6 x 2 bed apartments. This Planning Statement submitted in support of the application confirms 30 affordable dwellings are to be provided.

The Housing section has stated that the proposed affordable housing of 1 & 2 bed apartments, and 2 and 3 bed houses is a good mix and additionally they are pepper-potted well throughout the site.

Residential Amenity

Policy DC38 of the Local Plan sets out the spacing standards expected between residential development to ensure sufficient levels of privacy and amenity are achieved. In brief, it advises that a distance of 21 metres should be maintained between a habitable room facing a habitable room front to front and 25 metres back to back. It also advises that 14 metres should be between a habitable room and non-habitable room.

The site is bounded by the canal to the north and the railway to the south. To the east is Lower Greenshall Lane with open fields beyond that. The only significant consideration in terms of existing residential properties in the area is therefore the relationship with those properties on Redhouse Lane. Units 1, 2 and 3 are located at the entrance to the site however the front of these properties would be in excess of 30 metres from the houses on Redhouse Lane. This is in excess of the required spacing distances.

The proposal is therefore considered acceptable in terms of its relationship with existing residential development.

Turning to the standards of amenity within the site, the standards set out in Policy DC38 would be mostly be achieved however there are some exceptions. The rear elevation of units 1 and 2 would be directly opposite the side wall of the apartment block (a blank elevation). The distance is approximately 14 metres, however, as the apartment block is 3 storeys high policy DC38 advises that a distance of 16.5 metres should be achieved. Units 23 and 24 also fail to meet the 25 metres 'back to back' standard with units 18, 19, 20 and 21. The distances vary between 24 and 19 metres due to the angle of units 18, 19, 20 and 21 in relation to 23 and 24. The rear of unit 101 directly faces the side wall of unit 99, achieving a separation distance of only 11 metres. Similarly, the rear of unit 103 facing the side of unit 104 only achieves a separation distance of 12 metres. Units 108 to 114 face each other back to back, with a separation distance of 21 metres. Likewise units 115 to 120 face each other back to back with a separation distance of 21 metres. The rear of unit 81 would be between 10 and metres from the side wall of unit 121. The rear of units 58 to 64 also fall short of the guidelines being between 20 and 22 metres.

The distances in policy DC38 are guidelines only and the shortfall in the above circumstances is not significant. Additionally, due to the layout and relationship between the properties there would mostly be open views and therefore the situation would not be overly oppressive. It is not considered a refusal on amenity grounds could be sustained.

The properties would appear to have an acceptable level of private amenity space, commensurate to the size of the dwellings. A limited amount of communal amenity space is proposed for the apartment blocks. However this type of accommodation is less likely to provide family homes. Additionally an area of public open space is provided on the site. Accordingly, it is not considered a refusal could be sustained on these grounds.

Landscape & forestry

The site is mostly laid to hardstanding with very little existing landscaping. The proposals include the retention of existing vegetation to the northern and southern boundaries of the site which will allow natural screening and assimilation of the development into the landscape. This is welcomed.

The landscaping has been subject to discussions and revised details have subsequently been submitted. The applicant has made most of the changes requested and the Landscape Officer considers the scheme to be generally acceptable although there are a number of outstanding issues with the detail of the landscaping but these can be secured by condition. The main issue is the proposed link to the public right of way to the south of the site. Network Rail have objected on the grounds that this could increase volume of traffic using the public footpath which is also a level crossing, which is a safety concern. At the time of writing a request has been made to the applicant to amend the plans omitting the link. Additionally, further formal comments are awaited from Network Rail. These will be reported as an updated.

Subject to Network Rail being satisfied, it is recommended a condition is attached to require landscaping details to be submitted and approved. Additionally a condition requiring full details of street furniture, public art and interpretation; vehicular/pedestrian barriers adjacent to the canal; surfacing materials; and railway boundary is recommended.

An Arboricultural Impact Assessment has been submitted in support of the application as required by condition 32 of the Outline consent. The development footprint occupies the land associated with the existing factory and hardstanding. The vegetation adjacent to the canal is considered high importance in terms of screening the development site. There are no direct implications for the trees which can be protected in accordance with the British Standard.

The group of trees to the southern boundary are on land owned by Network Rail and their pruning/felling is ongoing as part of the ongoing management administered by the statutory undertaker.

Ecology

Condition 15 of the Outline permission requires that an updated water vole and bat survey is carried out and any mitigation measures required submitted for approval at the reserved matters stage. The applicant has provided an up to date Bat Survey with the application. No evidence of roosting bats was recorded during the survey. The Council's Nature

Conservation Officer is satisfied roosting bats do not present a constraint to the proposed development.

No water vole surveys have been undertaken. However, the scheme has been amended from the indicative masterplan submitted at the outline stage, which ensures no development will take place in close proximity to the canal. No adverse impacts on water voles are therefore anticipated and the Nature Conservation Officer has advised a survey is not required.

Condition 16 requires the submission of a 10 year management plan for the Habitat Creation Area, including the eradication of non-native species. An Invasive Species Management Plan has been provided with the application which is considered satisfactory. The Habitat Management Plan is submitted in a combined report with the Open Space Maintenance Scheme, which is a separate requirement of the section 106 agreement. It would be prudent to address these two matters in separate documents as they require a separate approval. In any event, the Nature Conservation Officer has requested the document be amended, to ensure management maintains the canal side open and free of overshadowing vegetation. An amended Habitat Management Plan can be secured by an appropriately worded condition.

Details of the Habitat Creation Area have been submitted with respect to condition 17 of the outline planning permission. They have been viewed by the Nature Conservation Officer who considers the details acceptable. The detail has been slightly altered from the Outline stage which showed two ponds. This has been amended to one larger pond.

Condition 18 of the Outline Planning Permission required the submission of a method statement for the protection of the Peak Forest Canal Site of Biological Importance (SBI) at the reserved matters stage. Following comments from the Nature Conservation Officer, this document has been amended and now includes a plan showing the location of the proposed temporary fencing. Overall the method statement is considered satisfactory subject to a condition being attached to ensure the development is carried out in accordance with these details.

Highways

A significant number of objections have been received in relation to the impact of the development on the local highway network. The principle of the development and its highways implications were considered in full at the outline stage. Members should also be aware that access was determined in full at the outline stage and therefore does not form part of the consideration of this reserved matters application and this matter cannot be revisited.

The section 106 legal agreement contains requirements for the developer to enter into a Bond with the Council to pay £15,000 prior to the commencement of development to enable the Council to carry out a parking study. £285,000 is then payable to the Council on demand at or after the point of 90% occupation of the site to enable the Council to carry out the specified highways work that includes signalisation at the junction of the A6 and Redhouse Lane amongst other works.

The developer is also required to carry out a traffic study prior to the commencement of development and submit the results to the Highway department within one month of its completion and to carry out a further study upon 90% occupation of the development. The developer is required to provide traffic calming measures in the vicinity of the site as required and identified by the Highways department and based on the results of the traffic study.

Accordingly, whilst the concerns of residents are noted, they were addressed at the outline stage and cannot now be revisited in considering this reserved matters application.

Following concerns raised by Highways regarding the layout of the internal road network amended plans have been submitted with a revised layout. The scheme now includes raised tables at the internal junctions to reduce traffic speeds and areas for on street visitor parking have been identified. Highways have advised that the revised scheme addresses the concerns raised.

A condition requiring the submission and approval of a construction management plan is also recommended as there are a number of roads in the vicinity unsuitable for construction traffic (Waterside Road, Hollinwood Road) and there is a headroom restriction on Redhouse Lane. This condition is considered reasonable. Conditions requiring submission and approval of wheel wash facilities and the construction of junctions/highway are also recommended.

Land Contamination

The site has a long history of industrial uses and the land is known to be affected by contamination. Additionally, the site includes a known landfill generating quantities of ground gas. The application is supported by ground gas report. The Land Contamination Officer is generally satisfied with the information submitted in relation to ground gas and its mitigation proposals. However, final comments are awaited and will be reported in an update report.

Air Quality

The site lies close to an Air Quality Management Area (AQMA) and additionally, due to its scale, the development has potential to cause and adverse impact on air quality as a result of transport emissions.

An Air Quality Impact Assessment has been submitted with the application and, following comments from the Environmental Health Officer, an Addendum to this report has been submitted. The assessment concludes that the development is not likely to have a significant impact on air quality or the AQMA. Environmental Health are satisfied with the findings. However, they have requested conditions to mitigate any cumulative impacts on air quality. A condition requiring a scheme to minimise dust arising from the demolition/construction is also recommended.

CONCLUSION & RECOMMENDATION

The proposal involves the redevelopment of a brownfield site within a predominantly residential area for residential use. The principle has already been established at the outline stage. The scheme has a number of additional positive planning benefits including remediation of the site, removing industrial uses from a residential area and providing much needed affordable homes within a sustainable location.

The design and layout of the scheme is considered acceptable, with some consideration of local character and site characteristics informing the design process. The development would assimilate into the landscape with existing vegetation around the perimeter of the site retained.

The proposal includes on-site provision of public open space, including an attractive canal side walk. The scheme also includes the provision of a children's play area which, subject to conditions is deemed acceptable.

The residential amenity of future occupiers would be acceptable.

The traffic generation and impacts were dealt with at outline stage. The internal road layouts have been subject to amendments to satisfy the Strategic Highways Manager and are considered satisfactory.

The proposals comply with the relevant development plan policies and the NPPF and therefore is recommended for approval subject to conditions.

Application for Reserved Matters

RECOMMENDATION: Approve subject to following conditions

1. A05RM - Time limit following approval of reserved matters
2. A02RM - To comply with outline permission
3. A01AP - Development in accord with revised plans
4. A02LS - Notwithstanding the submitted details -Submission of landscaping scheme
5. A10LS - Additional landscaping details required including street furniture, public art and interpretation; vehicular/pedestrian barriers; surfacing material; and secure railway boundary fencing
6. A04LS - Landscaping (implementation)
7. A13HA - Construction of junction/highways
8. A22GR - Protection from noise during construction (hours of construction)
9. A23GR - Pile driving details to be submitted and approved by LPA
10. Prior to commencement of development, a detailed play area scheme shall be submitted to and approved by LPA
11. Notwithstanding the submitted details - prior to commencement an updated Habitat Management Plan to include management of canal side vegetation to be submitted and approved by LPA
12. Development carried out in accordance with method statement for the protection of the SBI
13. Details of wheel washing facilities to be submitted and approved
14. Construction Management plan to be submitted and approved prior to commencement of construction on site.
- 15.
16. Submission and approval of scheme to minimise dust emissions prior to commencement

17. Prior to first occupation submission and approval of individual travel plan
18. Development to be carried out in accordance with Arboricultural Impact Assessment
19. Development in accordance with Invasive Species Management Plan
20. Materials in accordance with submitted schedule
21. Prior to commencement - submission and approval details of phasing and timing of provision of POS and play area

Roach-hay Disley

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