

Application No: 14/5114C

Location: Land at Close Lane, Alsager, ST7 2TZ

Proposal: Reserved Matters Application for 74 dwellings and associated works for outline application (13/1305N)

Applicant: Ben Sutton, Stewart Milne Homes

Expiry Date: 25-Feb-2015

SUMMARY

The NPPF requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It also advises that planning should take full account of flood risk. The acceptability of the proposal with regards to sustainability is dependant on the scheme meeting these requirements.

The principle of development including flood risk has already been established in the approval of the associated outline permission.

The design and layout of the scheme is considered to be acceptable and appropriate to the character and appearance of the area, with sufficient landscaping and open space provided as part of the proposal.

The proposal would not adversely impact upon residential amenity and would not give rise to any highway safety implications.

It is considered that subject to conditions, the development would not have a detrimental impact upon ecology, trees, public rights of way or open space.

RECOMMENDATION

APPROVE subject to conditions.

REFERRAL

The application has been referred to Southern Planning Committee given it is a largescale major development.

At the Southern Planning Committee meeting of 22nd April 2015, Members resolved to defer this application for the following reasons:

- Further information with respect to the drainage ditches
- A Committee site inspection to enable Members to assess the impact of the proposed development
- Further information with respect to the impact upon PROW 48
- Details of the management of the SBI
- Details of the separation between the SBI and POS
- Details of the impact upon the pumping station on Close Lane and its discharge

DESCRIPTION OF SITE AND CONTEXT

The application site is located to the west of Alsager, adjoining the existing settlement boundary of Alsager. The site however is located in the Haslington ward and is covered by the Crewe and Nantwich Borough Local Plan, the boundary of Alsager being Close Lane. However, it is considered that the site is most closely related to the Alsager settlement and that possible residents of the site would utilise services and facilities within the Alsager area.

The application site is an irregular shaped parcel of land comprising rough grassland. The land is subdivided into a number of small paddocks, abutted to the north by an area of woodland and to the west by the wider agricultural landscape and beyond this the M6 motorway. To the south, the site is bound by the residential development at Delamere Court, Close Lane forms the eastern boundary of the site, to the east of which is an extensive area of residential development. 'Footpath 48 Haslington' is located along much of the western boundary of the application site and links with 'Footpath 20 Haslington', which is located slightly further to the west.

The eastern side of Close Lane features mixed 1960's onwards bungalow and housing development of Alsager.

DETAILS OF PROPOSAL

The application seeks reserved matters approval for 74 no. dwellings, following approval of outline application 13/1305N, which was allowed at appeal under reference APP/R0660/A/13/2203282.

The development mix would comprise 52 no. market housing and 22 no. affordable housing comprising two storey 18 no. 2 bed, 17 no. 3 bed and 39 no. 4 bed dwellings.

30% of the dwellings are proposed to meet affordable housing criteria in accordance with policy requirements.

Access into the site would be via Close Lane.

1.8 hectares of Public Open Space would be provided which would include a play area.

An undeveloped zone comprising the Yew Tree Farm Local Wildlife Site (formerly Site of Biological Importance) forms part of the site and would adjoin the proposed Public Open Space and play area to the western part of the site.

The outline application originally proposed a total of 76 no. dwellings, comprising 53 no. market housing and 23 no. affordable housing. The scheme has subsequently been revised resulting in a reduction of 2 no. units.

A condition attached to the outline permission required that 56 no. dwellings should be occupied by a person or persons over the age of 55 years.

RELEVANT HISTORY

13/1305N – Outline planning application for a mixed residential scheme to provide affordable, open market and over 55s sheltered accommodation, open space and new access off Close Lane. Approved 29th July 2014.

13/4150N - Outline Planning Application for a Mixed Residential Scheme to Provide Affordable, Open Market and Over 55's Sheltered Accommodation, Open Space and New Access off Close Lane (76 Family Dwellings Comprising 1 - 4 Bedrooms and 56 Dwellings for the Over 55's Comprising 1 and 2 Bedrooms). Re-submission of 13/1305N. Refused 24th March 2014.

POLICIES

National Policy

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

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.

50. Wide choice of quality homes

56-68. Requiring good design

Borough of Crewe & Nantwich Local Plan 2011

The Development Plan for this area is the Borough of Crewe and Nantwich Replacement Local Plan 2011, which identifies that the site is within the Open Countryside.

The relevant Saved Policies are:

NE.2 (Open countryside)

NE.5 (Nature Conservation and Habitats)

NE.9 (Protected Species)

NE.20 (Flood Prevention)

NE.21 (Land Fill Sites)

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Access and Parking)

BE.4 (Drainage, Utilities and Resources)

RES.5 (Housing in the Open Countryside)

RT.6 (Recreational Uses on the Open Countryside)

TRAN.3 (Pedestrians)

TRAN.5 (Cycling)

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

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy

Policy MP1 – Presumption in Favour of Sustainable Development

Policy PG 2 – Settlement Hierarchy

Policy PG 5 - Open Countryside

Policy SD 1 - Sustainable Development in Cheshire East

Policy SD 2 - Sustainable Development Principles

Policy IN 2 – Developer Contributions

Policy SC4 – Residential Mix

Policy SC5 – Affordable Homes

Policy SE 1 – Design

Policy SE2 – Efficient Use of Land

Policy SE3 – Biodiversity and Geodiversity

Policy SE4 – The Landscape

Policy SE5 – Trees, Hedgerows and Woodland

Policy CO4 – Travel Plans and Travel Assessments

CONSIDERATIONS (External to Planning)

Environmental Health: No objection subject to conditions regarding demolition and construction phase of development, construction hours, electric vehicle infrastructure and the submission of an Environmental Management Plan, Noise Mitigation Scheme, Travel Plan, Dust Suppression Scheme and Phase II Contaminated Land Survey.

CEC Flood Risk Manager: No objections in principle, subject to conditions requiring the submission of flood resilience and surface water drainage schemes, an assessment into the potential for disposing surface water by means of a SUD's scheme and the submission of a scheme for the management of overland flow from surcharging of the site's surface water drainage system.

United Utilities: No objection subject to the imposition of a drainage condition.

Countryside Access: Public Footpath No. 48 in Haslington runs both within and to the west of the proposed development site.

The proposed "off-site pedestrian link" stated in the Unilateral Undertaking would provide a 2m wide path to run through the north west boundary to the site to provide a pedestrian link between Haslington Footpath No. 48 outside of the site and a road or path within the site. This would offer a connection for proposed residents to the Public Rights of Way network for leisure walking.

Inclusion of the Public Footpath within the Public Open Space of the site would appear a sensible proposal should the development proceed. The route could be left as a grass-surface path to be maintained within the Open Space management arrangements. The suggestion of a line of trees

on the boundary of the site adjacent to the public right of way is viewed with caution, as tree limbs and roots may impede on the public footpath and will require more management.

The legal status, maintenance and specification of the proposed pedestrian routes will need agreeing with the Council as the Highway Authority. If the routes are not adopted as Public Rights of Way with the provision of a commuted maintenance sum, the routes would need to be maintained for use under the arrangements for the management of the open space of the site.

It is noted that the Design and Access Statement does not include any reference to accessibility for cyclists. Given the distance between the proposed site and the town centre and railway station, this mode of transport can be anticipated to be used by residents. Properties should have adequate and best practice cycle storage facilities and all highway designs should incorporate accessibility for cyclists.

The developer should be tasked to provide new residents with information about local walking and cycling routes for both leisure and travel purposes, with key routes signposted.

Environment Agency: No comments to make.

Highway Authority: No objection subject to conditions.

PROW Unit: The south western section of the development has the potential to affect Public Footpath Haslington No. 48, as recorded on the Definitive Map of Public Rights of Way held at this office (working copy extract attached).

The PROW Unit expects that the Planning department will ensure that any planning conditions concerning the right of way are fully complied with. In addition, advisory notes should be added to the planning consent reminding the developer of their responsibilities.

If the development will permanently affect the right of way, then the developer must apply for a diversion of the route under the TCPA 90 as part of the planning application.

If the development will temporarily affect the right of way then the developer must apply for a temporary closure of the route (preferably providing a suitable alternative route). The PROW Unit will take such action as may be necessary, including direct enforcement action and prosecution, to ensure that members of the public are not inconvenienced in their use of the way both during and after development work has taken place.

View of the Parish/Town Council: None received at the time of writing.

Other Representations:

16 individual representations have been received making the following points:

Policy Issues

- Housing density
- There is sufficient brownfield land in Alsager to accommodate new houses that need to be built without any greenfield or open space being used
- Pressure on Alsagers infrastructure, services and facilities
- Control and maintenance of POS

Lack of Need

- This proposed development is excessive in its use of green land and would produce excessive traffic nuisance on Close Lane

Sustainability

- The area is also too far from the nearest facilities such as shops, pubs and post office, meaning residents would be reliant on cars

Ecology

- Detrimental impact on woodland and wildlife
- Removal of trees

Highway Safety

- Close Lane is inadequate for additional traffic
- Increase in traffic – particularly at junction to Crewe Road
- Increase in danger to pedestrians
- Effect of construction traffic on Close Lane

Flood Risk

- Increased risk of flooding
- Inadequate drainage with the scheme

APPLICANT'S SUPPORTING INFORMATION:

- Flood Risk Assessment
- Contamination Report
- Habitat Survey
- Utility Connections Report
- Landscape and Visual Impact Assessment
- Arboricultural Impact Assessment
- Air Quality Assessment Addendum
- Travel Plan
- Alsager Housing Market Assessment
- Air Quality Assessment
- Agricultural Land Classification
- Design and Access Statement
- Transport Assessment
- Sustainability Assessment
- Noise Assessment
- Phase 1 Habitat Re-Survey
- Great Crested Newt and Reptile Survey

These are available to view on the case file.

OFFICER APPRAISAL

Main Issues

The main issues in the consideration of this application are the design and layout of the scheme, residential amenity, access and car parking, trees, ecology and affordable housing.

Principle of Development

The principle of development has already been established following approval of outline application 13/1305N. The outline application granted approval for a maximum of 76 no. dwellings on the site with all matters reserved. This reserved matters application seeks approval of details of access, appearance, landscaping, layout and scale for 74 no. dwellings. It is these matters which must now be considered. This application does not offer the opportunity to revisit matters concerning the principle of the developing the site for residential purposes.

Character and Appearance

Layout

Dwellings along the eastern boundary of the site would be set back from Close Lane with parking proposed at the front of the properties, respecting the existing pattern of development in the locality and built frontage on the opposite side of the road.

Existing hedgerows and trees along the eastern boundary would be retained, helping to act as a green buffer and softening the impact of the development on the existing street scene.

The staggered layout of the properties along Close Lane would also help to limit the overall massing of these dwellings along the street scene.

Properties sited in the south western portion of the site would front the POS promoting natural surveillance of this area.

The proposed Public Open Space (POS) and play area would be sited in the south western portion of the site, providing an additional buffer to the adjacent field.

Parking provision would be achieved via private driveways located to the front and side of the properties as well as via integral and detached garages, helping to avoid the development from appearing heavily car dominated.

Officers have secured amendments to those properties occupying corner plots to include windows in side elevations, thus providing active frontages and natural surveillance of the street scene.

The proposed “off-site pedestrian link” stated in the Unilateral Undertaking would provide a pathway to run through the north west boundary of the site to provide a pedestrian link between Haslington Footpath No. 48 outside of the site and a road or path within the site. This would increase connectivity for proposed residents to the Public Rights of Way network for leisure walking.

Scale

The scale of development is not considered to appear cramped in relation to the size of the site with sufficient on-site parking provision, private amenity space and public open space provided as part of the scheme.

Two storey detached, semi-detached and terraced properties with garages are considered to be appropriate in the context of the existing two storey dwellings of varying sizes in the locality.

Appearance

The properties along Close Lane and Delamere Court have brickwork and render finishes and in this respect, the proposed appearance and materials used should be sympathetic to the existing properties. Materials can be secured by condition.

Features such as gabled roofs, dormers, porches and integral garages are considered to be appropriate in the context of existing surrounding properties.

The use of hard landscaping features such as block paving leading to private driveways and pathways leading to properties would help to clearly distinguish between the private and public spaces within the site as well as adding visual interest to the scheme.

Landscaping

The retention of existing trees along the north eastern and southern boundaries of the site would provide a buffer between the adjacent fields and the development at Delamere Court.

Existing hedgerows and trees along the eastern boundary would also be retained, softening the impact of the development along the Close Lane frontage and screening the footpath from the adjacent highway.

Proposed diamond knee rail fencing would be sited around the perimeter of the balancing ponds, creating defensible boundaries and promoting public safety.

Varying surface materials would help to distinguish between private and public space as well as creating visual interest throughout the scheme.

Tree planting and soft landscaping areas would be used throughout the scheme, particularly along front boundaries of properties which would help to soften frontages and break up hard landscaping areas.

Overall, the scheme would sit comfortably within the site and the proposed design and layout is considered to be appropriate to the character and appearance of the locality, according with Policy BE.2 of the Borough of Crewe and Nantwich Local Plan 2011.

Residential Amenity

Principal windows on corner plots would create active frontages whilst providing natural surveillance over the access roads.

Adequate amenity space would be provided with each plot, accommodating all of the basic amenities required, as set out in the Extensions and Householder SPD.

Plot side and rear boundaries would be separated by 1.8m timber fencing, providing adequate screening between each plot and creating defensible boundaries.

Conditions to secure noise mitigation as set out within the submitted Noise Report would be attached to any grant of permission.

In the absence of any objection from the Council's Environmental Protection Unit, the proposed development would accord with Policy BE.1 of the Borough of Crewe and Nantwich Local Plan 2011.

Access and Car Parking

The access details and traffic impact issues have been discussed within the outline application. However, the submitted road layout is a standard format with a 5.5m carriageway with a footway on each side of the road. There are formal turning heads provided for refuse vehicles at the end of each cul-de-sac. The road width proposed is suitable to serve the 74 dwellings and there are no objections on the design element of the road layout.

There is a mix of 2 bed, 3 bed and 4 bed units on the site. Car parking provision would be 200% for the 2 and 3 bed units, the 4 bed units would have 3 or more car parking spaces. This level of car parking would conform with current CEC standards and is acceptable.

Overall, the proposed scheme meets current highway standards and the Highway Authority raise no objections subject to conditions regarding the provision of a Construction Management Plan, provision of wheel wash and the proposed footway link to be constructed prior to occupation.

Environmental Health request conditions regarding the submission of individual Travel Plans and electric vehicle charging points for each property.

Inclusion of the public footpath within the public open space of the site is considered to be appropriate.

The proposed "off-site pedestrian link" stated in the Unilateral Undertaking would provide a 2m wide path to run through the north west boundary to the site to provide a pedestrian link between Haslington Footpath No. 48 outside of the site and a road or path within the site. This would increase connectivity for proposed residents to the Public Rights of Way network for leisure walking.

The proposal would accord with Policies BE.3 and TRAN.9 of the Borough of Crewe and Nantwich Local Plan 2011.

Public Rights of Way

The Definitive Public Rights of Way Map shows the location of Public Footpath Haslington No. 48. The path runs within the western portion of the POS and drops down to run outside the

western boundary of the application site. The PROW would be unaffected by the proposed housing development.

Affordable Housing

Strategic Housing raise no objections to the proposed level of affordable housing, based on the Affordable Housing Statement submitted on 01st April 2015.

Trees

An updated Arboricultural Impact Assessment (AIA) was submitted on 01st April 2015.

This has addressed the majority of the concerns raised by the Arboricultural Officer which includes protection measures for the TPO between plots 7 and 8 and a no dig construction method statement in the area fronting Close Lane. Compliance conditions in accordance with the recommendations set out in the AIA would be attached to the decision notice.

In accordance with the revised AIA and the Arboricultural Officer's comments, Plot 47 has been amended, so that the garage and driveway front Close Lane. This has resulted in an incursion into the RPA of the Category B Tree directly east of the property. The Arboricultural Officer requests that a condition is attached to secure a Construction Method Statement for the implementation of the driveway and garage foundations.

Ecology

It is proposed that the Local Wildlife Site is incorporated into the open space provision for the development. This approach is acceptable provided that the proposed usage of the open space is low key and restricted to informal foot paths or similar. Following the deferral of the application at the last Southern Planning Committee Meeting proposals for the enhancement and ongoing management of the SBI has been submitted (this is available to view on the website). The Plan sets out management techniques for trees, existing and proposed hedgerows, SUD's, bank sides and field margins, rough grass and wild flower, amenity grassland and bat and bird boxes.

In summary the Management Plan proposes the following:

- *Trees* - The only trees requiring management would be the old Alder trees in the central section of the site. Work would only be carried out if serious safety issues were identified.
- *Hedgerows - Existing* – Maintained in two phases within a year.
- *Hedgerows Proposed* – To be left for three years to establish. Maintained in two phases within a year.
- *SUD's, Bank Sides and Field Margins* - Section of the SUDs and two balancing ponds would be planted with rush, marginal bank side and aquatic vegetation. Field buffers would be left to mature for three years before the removal of scrub.
- *Rough Grass and Wild Flower* - Existing grass field area and its plant species require little or no management except scrub if it spreads beyond its current size. No maintenance cutting through the spring or summer months.
- *Amenity Grassland* - Half a metre mown between margins either side of the pathways of amenity land. Areas of breeding bird habitat would be avoided during nesting and flowering period.

- *Bat and Bird Boxes* - Installation of bat and bird boxes before the bird breeding season.

The applicant has submitted a Site Layout Plan indicating the locations of the SBI and POS and the boundary treatment separating both, which would comprise diamond knee rail fencing. The Plan indicates that the POS would be maintained on a monthly basis by a Management Company whilst the SBI would be left for the first three years of the development, with the exception of scrub control.

It is recommended that the proposed plans are amended to show the SBI element of the POS, how this area would be treated, and also to demonstrate how this area would be separated from the more formal areas of POS. This will be secured by condition.

In addition, a condition would be attached requiring the submission and implementation of a management plan for the Local Wildlife Site (and the reptile mitigation buffer described below). The management of the site should be in perpetuity.

Given the presence of grass snakes on site, it is requested that the proposed plans are amended to demonstrate how the required reptile mitigation (secured under condition 17 of 13/1305N) would be incorporated into the proposed development. This can be secured by condition.

Condition 6 attached to the outline consent requires buffer zones to be provided to safeguard the onsite water courses. It is requested that the submitted layout plan is annotated to demonstrate how the requirements of this condition would be complied with. This can be secured by condition.

Flood Risk and Drainage

The applicant confirms that foul drainage would be discharged into the public sewer network in accordance with the submitted Preliminary Drainage Design Plan (referenced Dwg No. 02-03).

In response to the additional information required, the applicant has submitted a plan (reference Dwg No W0999/DD/101) showing the existing on-site drainage ditch positions which are roughly located through the central portion of the site and along the south western boundary between the proposed POS and Phase 2 of the development. The applicant confirms that drainage ditches are in the legal ownership of the landowner. Stewart Milne Group has a contract to purchase all of the land to facilitate the development of the site. The Management Company would be set up to maintain open space area, drainage ditches and POS and this is secured as part of the legal agreement as part of the outline application.

During the deferral period, the CEC Flood Risk provided comments in regards to the application. They did not raise objections in principle, subject to conditions requiring the submission of flood resilience and surface water drainage schemes, an assessment into the potential for disposing surface water by means of a SUD's scheme and the submission of a scheme for the management of overland flow from surcharging of the site's surface water drainage system.

In terms of the existing pumping station on Close Lane. A consultation response has been received from United Utilities who have raised no objection to the development subject to the

imposition of a planning condition (it should be noted that this condition is attached to the outline consent so there is no need to attach the condition to the reserved matters application).

As such the development is considered to be acceptable in terms of the drainage/flood risk implications.

Planning Balance

The principle of development has already been established.

The design and layout of the scheme is considered to be acceptable. The dwellings are considered to be appropriate to the character and appearance of the area whilst sufficient landscaping and open space would be provided as part of the proposal.

The proposal would not adversely impact upon existing or proposed levels of residential amenity and would not give rise to any highway implications.

It is also considered that subject to conditions, the development would not have a detrimental impact upon ecology, trees, public rights of way or open space.

The proposal would comply with relevant policies of the Development Plan and is recommended for approval subject to the conditions set out below.

RECOMMENDATIONS

APPROVE subject to the following conditions:

- 1. Plans**
- 2. Materials**
- 3. Landscaping scheme submission**
- 4. Landscaping scheme implementation**
- 5. Submission of boundary treatments**
- 6. Submission of Construction Method Statement for the driveway and garage foundations**
- 7. Compliance condition in accordance with recommendations set out in AIA**
- 8. Submission of Construction Management Plan**
- 9. Provision of wheel wash**
- 10. Provision of Footway Link prior to occupation**
- 11. Submission of Management Plan for the SBI to include details regarding:-**
 - Site Layout Plan showing SBI element of the POS**
 - Details of how the SBI and POS would be treated**
 - Details of how the SBI would be kept separate from the more formal areas of POS**
- 12. Submission of Management Plan for the Local Wildlife Site and reptile mitigation buffer to include details regarding:-**
 - The way in which the required reptile mitigation would be incorporated into the proposal**
- 13. Submission of an annotated Site Layout Plan demonstrating how the requirements of condition 6 (safeguarding onsite water courses) of the outline permission 13/1305N have been complied with**

- 14. Piling Operations**
- 15. Submission of Environmental Management Plan**
- 16. Construction Hours**
- 17. Noise mitigation – glazing**
- 18. Noise mitigation – Acoustic fencing**
- 19. Submission of individual Travel Plans**
- 20. Provision of single electric vehicle charging point**
- 21. Submission of Dust Suppression Statement**
- 22. Submission of Contaminated Land Report**
- 23. Details of existing and proposed land levels**
- 24. Flood Resilience Scheme**
- 25. Surface Water Drainage Scheme**
- 26. Sustainable Drainage Scheme**
- 27. Scheme for the Management of Overland Flow**

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