

Application No: 20/3107M

Location: Royal London Campus, East of Alderley Road, Wilmslow

Proposal: Full planning application for surface water drainage improvement works comprising alterations to existing culverts; the creation of new culverts; the excavation of material and formation of two flood storage basins; and temporary stockpiling of material

Applicant: C/o Agent, The Royal London Mutual Insurance Society Limited (RLMIS)

Expiry Date: 11-Dec-2020

SUMMARY

Policy LPS 54 of the CELPS allocates the entire site, referred to as 'Royal London, including land west of Alderley Road, Wilmslow' subject to this application, for a range of development including the provision of new housing, new employment development and the retention of existing campus.

The application proposals seek extensive surface water drainage improvement works to enable the independent delivery of residential planning permission (ref: 17/5838M), which was granted outline approval for the erection of up to 120 dwellings to the north of the site in line with the strategic allocation.

As these works relate to development sought on this strategic site, relating to allocated development, the principle of the works are deemed acceptable, subject to the impact of the development upon the relevant policies of the development plan.

In response to the specific considerations; The Environment Agency, the Council's Flood Risk Officer and United Utilities have raised no flood risk or drainage objections, subject to conditions. Neither have the Council's Nature Conservation, Landscape and Tree Officers or Natural England in consideration of environmental considerations. Furthermore, no notable concerns are raised in relation to highway safety, amenity or heritage, again, subject to conditions where necessary.

A further consideration is the potential impact of the development upon the other extant planning permissions that have been granted on the wider allocated site. The proposed development is not expected to result in any notable conflicts or impacts to these associated developments subject to a further, relatively minor application being submitted to ensure consistency with the linked residential scheme, along with conditions relating to the temporary stockpiles.

For the above reasons, the application is recommended for approval subject to conditions

RECOMMENDATION

APPROVE subject to conditions

DESCRIPTION OF SITE AND CONTEXT

The application site is located to the east of Alderley Road, Wilmslow and comprises of an 8.4 hectare section of the Royal London Campus.

This Campus, along with land to the west of Alderley Road forms part of a strategic site allocated for development within the Cheshire East Local Plan Strategy (LPS 54). This allocation is most notably for; the retention of the existing campus buildings themselves, new housing (around 175 dwellings) and new office development. Three extant outline planning permissions are in place for these developments.

Application 17/5838M granted outline permission for up to 120 dwellings to the north of the site. Application 19/3420M granted outline permission for office development towards to the centre/east of the site and application 17/5837M granted outline permission for up to 60 dwellings to land on the opposite side of Alderley Road.

The proposed works are primarily to the south of the approved residential site to the north and encompass the land which benefits from extant permission for office development and associated car parking.

To the south of the application site is the A34 and Whitehall Bridge Roundabout, to the west Alderley Road, to the north Royal London House and open land to the east bound by the railway line.

On the site at present are the buildings referred to as 'Alderley House' and 'Harefield House' associated hard standing, parking, roads and amenity grassland, woodlands, semi-improved grasslands, individual trees, two watercourses and two ponds.

DETAILS OF PROPOSAL

Full planning permission is sought for extensive surface water drainage improvement works including;

- The diversion and sealing up of damaged and redundant surface water culverts dating from the original construction of Royal London House and the replacement of these with new appropriately sized ones underground;
- The excavation of two flood storage basins; in the west and south of the Campus site; and
- The temporary stockpiling of the soils arising from the excavation of these basins for a maximum period of 3 years

The submission advises that the proposed works will enable the independent delivery of residential planning permission (ref: 17/5838M), which was granted outline approval for the erection of up to 120 dwellings to the north of the site.

More specifically, the existing ground levels of this residential site need to be raised to avoid flood risk. This raising of land levels was agreed as part of the permission. The approved

solution was for any displaced flood water to be transported under Alderley Road onto the approved residential site to the west (ref: 17/5837M). The applicant advises that this meant that the permissions are/were intrinsically linked, which could cause significant delay to the delivery of the housing. In addition, the applicant advises that these works would have caused considerable disruption to the highway during construction. Subsequently, separate drainage strategies have now been formulated for both sites to be delivered independently.

Due to the location and size of the proposed development, the application represents 'EIA development'. As such, the application is accompanied by an Environmental Statement, considering the environmental impacts of the proposals and proposes associated mitigation measures.

RELEVANT HISTORY

Application site – centre/south/east of site

20/1465S - EIA Scoping Opinion for proposed civil engineering works in relation to application 17/5838M - Outline permission for residential development, with all matters reserved except for means of access off Alderley Road, highway improvements to Alderley Road, together with associated infrastructure and open space – EIA Scoping Opinion – Approved 6th August 2020

Residential development to north of site

17/5838M - Outline permission for residential development, with all matters reserved except for means of access off Alderley Road, highway improvements to Alderley Road, together with associated infrastructure and open space – Approved 5th December 2018 - *Extant*

17/4832S - EIA Scoping Opinion for a residential development on land to the East of Alderley Road – EIA Scoping Opinion – Approval Required 11th December 2018

17/3903M - EIA screening opinion for new access road and temporary car park – EIA not required 17th August 2017

Office development to east of site

19/3420M - Outline planning application for up to 17,000sqm of new office development (Use Class B1) and up to 1,100 associated car parking spaces; access improvements for vehicles and creation of new pedestrian and cycle routes; and the enhancement of existing and provision of new landscaping (Renewal of 16/2314M) – Approved 19th February 2020 - *Extant*

19/1735S - EIA Scoping opinion for an office development – Finally disposed of 21st April 2020

17/4342M - Proposed landscape buffer – Approved 22nd March 2018

17/3725M – Non-material amendment relating to 16/2314M – Approved 9th August 2017

17/3747M (Reserved Matters) - This application seeks permission for the matters of appearance, landscaping, layout and scale. reserved in the outline application 16/2314M – Approved 22nd March 2018

16/2314M (Outline) - Outline planning permission is sought for a new office development (Use Class B1) and associated car parking, access improvements for vehicles and creation of new pedestrian and cycle routes to the site and enhancement of existing and provision of new landscaping – Approved 9th August 2016

Expired

Residential development to the west of Alderley Road

17/5837M - Outline permission for residential development, with all matters reserved except for means of access off Alderley Road, together with associated infrastructure and open space) – Approved 1st October 2018 - *Extant*

17/4833S - EIA scoping opinion for residential development of up to 70 units – EIA Scoping Opinion – Approval Required 11th December 2018

ADOPTED PLANNING POLICIES

The relevant aspects of the Cheshire East Council Development Plan subject to this application are; the Wilmslow Neighbourhood Plan; the Cheshire East Local Plan Strategy and the Macclesfield Borough Local Plan. The relevant policies within these include;

Wilmslow Neighbourhood Plan (October 2019) (WNP)

LPS1 – Sustainable Construction, LPS2 – Sustainable Spaces, NE1 – Countryside around the Town, NE2 – River Valley Landscapes, NE3 – Green Links, NE4 – Countryside Access, NE5 – Biodiversity Conservation, TH1 – Gateways into Wilmslow, TH3 – Heritage Assets, TA2 – Congestion and Traffic Flow, CR3 – Local Green Spaces

Cheshire East Local Plan Strategy 2017 (CELPS)

PG1 - Overall Development Strategy, Policy PG2 - Settlement Hierarchy, PG7 – Spatial Distribution of Development, SD1 - Sustainable Development in Cheshire East, SD2 - Sustainable Development Principles, IN1 – Infrastructure, IN2 Developer Contributions, EG3 – Existing and Allocated Employment Sites, SE1 - Design, SE2 - Efficient Use of Land, SE3 - Biodiversity and Geodiversity, SE4 - The Landscape, SE5 - Trees, Hedgerows and Woodland, SE6 – Green Infrastructure, SE7 – The Historic Environment, SE12 Pollution, Land Contamination and Land Instability, SE13 – Flood Risk and Water Management

LPS 54 – Royal London, including land west of Alderley Road, Wilmslow

Macclesfield Borough Local Plan (MBLP)

Saved policies include;

NE3 – Conservation and enhancement to rural landscape, NE9 – Protection of River Corridors, NE11 - Nature Conservation, NE12 – SSSI's, SBI's and Nature Reserves, NE13 – Sites of Biological Importance, NE14 – Nature Conservation Sites, NE15 – Creation or enhancement of habitats, NE17 – Major developments in the countryside, RT7 – Cycleways, Bridleways and Footpaths, WTC6 – Green Lane/Alderley Road Redevelopment Area, DC3 - Protection of the amenities of nearby residential properties, Policy DC6 - Circulation and Access, Policy - DC8 – Landscaping, Policy DC9 - Tree Protection, DC10 – Landscape and Tree Protection, DC13 and DC14 – Noise, DC17, DC19 and DC20 - Water Resources, Policy DC38 - Guidelines for space, light and privacy for housing development and Policy, DC63 – Contaminated land

Other Material planning policy considerations

The Royal London Development Framework 2017
National Planning Policy Framework (NPPF) 2019
National Planning Policy Guidance (NPPG)
EC Habitats Directive
Conservation of Habitats and Species Regulations 2017

CONSULTATIONS (External to Planning)

Head of Strategic Infrastructure (Highways Officer) – No objections

Environmental Protection (Cheshire East Council) - No objections, subject to conditions including; the implementation of temporary noise mitigation measures (4m tall acoustic screens adjacent to Royal London House and The Lodge), the submission of a Construction Management plan, the submission/approval of a contaminated land remediation strategy, prior submission/approval of a Verification Report prepared in accordance with the approved Remediation Strategy, submission/approval of soil testing and works to stop of land contamination is identified. Informatives are also proposed in relation to hours of construction and dust suppression.

Environment Agency – No objections, subject to a number of conditions including; Submission/approval of a landscape and ecological management plan and the submission/approval of a construction environmental management plan (CEMP)

Lead Local Flood Risk Authority (LLFA) – No objections subject to the following conditions; that the development be carried out in accordance with the submitted Flood Risk Assessment and the submission/approval of a detailed overall drainage strategy and associated management and maintenance plan. Informatives are also proposed.

United Utilities – *'No comment'*

Cadent Gas Ltd – Note the presence of Low or Medium pressure (below 2 bar) gas pipes and associated equipment either on or within the vicinity of the site and as such, recommend a number of informatives giving applicant instructions in the event of approval

Network Rail – No comments received at time of report

Natural England – No objections

Alderley Edge Parish Council – No objections, ‘...on the basis that this should improve the flood mitigation and controls further downstream and flood plains and provided no objection from lead flood authority’

Wilmslow Town Council – No objections but note that ‘...these works need to dovetail with other flood relief works in the area and that officers need to ensure that Whitehall Brook can cope with the increased flows.’

REPRESENTATIONS

Neighbour notification letters were sent to all adjacent occupants, a site notice was erected and the proposals advertised in a local newspaper (the Wilmslow Express).

In response letters of representation have been received from 4 interested individuals/groups, including the Wilmslow Civic Trust. The main areas of concern/objection raised include;

- Flood Risk/Drainage – The application does not appear to provide mitigation for the north of the site, despite the intention to create stockpiles, due to raising of land compared to land around (Harefield Farm properties), concerns of knock-on impact on flooding
- Landscape – Question the need to store top-soil on site, knock-on impact upon approved development on site

OFFICER APPRAISAL

Principle of development

Policy LPS 54 identified the provision of the following requirements on the application site (and surrounding land). The application site only forms part of the allocated site;

- Retention of the Royal London Campus (unless buildings become surplus to the requirements of the occupiers)
- Around 175 dwellings (around 80 on land to east, 20 to north and 75 to land west of Alderley Road)
- Provision of 5ha of employment land for up to around 24,000 metres of B1 employment space and a hotel
- Incorporation of green infrastructure and provision of Public Open Space at southern end of land to west of Alderley Road
- Retention and extension of Wilmslow High playing fields
- Provision of at least 1ha of set aside land for use as school playing fields within land to east of existing campus
- Pedestrian and cycle links and associated infrastructure

Of the above, extant outline permission is in place for;

Residential development

- No more than 120 dwellings to north of site – including land set-aside for future playing fields (17/5838M)
- No more than 60 dwellings to west of Alderley Road – Including provision of public open space at southern end (17/5837M)

Office development

- 17,000sqm of new office development (Use Class B1) (19/3420M)

This application specifically seeks permission for flood risk and drainage works to enable the progression of 17/5838M to the north of the site.

As these works relate to development, which is sought and supported on this strategic site, the principle of the works are deemed acceptable, subject to the impact of the development upon the relevant policies of the development plan.

Flooding and Drainage

The application site contains land that falls within Flood Zone 1, 2 and 3 according to the flood risk mapping data provided by the Environment Agency. Flood Zone 1 means the land has a low probability of flooding. Flood Zone 2 means the land has a medium possibility of flooding and Flood Zone 3 means the land has a high probability of flooding.

The application is accompanied by a Flood Risk Assessment (FRA) and specific details of the proposed drainage and earthworks.

Policy SE13 of the CELPS refers to flood risk and water management. The policy ensures that developments integrate measures for sustainable water management to reduce flood risk.

The Environment Agency have noted that to the southern part of the site, their Flood Map for planning shows areas of Flood Zones 2 & 3 indicating a significant risk of flooding attributable to nearby Mobberley Brook (Whitehall Brook, as referred to in the planning submission documents). However, the EA advise that the Flood Zones as shown were calculated prior to the construction of the A34 Pendleton Way By-pass and the diversion of Mobberley Brook (Whitehall Brook) in a newly constructed channel to the south of the carriageway. As such, the EA advise that these present flood outlines are considered to be inaccurate. However, the EA advise that this assessed interpretation of over-estimated fluvial flood risk attributable to Mobberley Brook (near to the southern part of the site) appears to be addressed within the hydraulic modelling assessment submitted in support of the application which shows no fluvial flood risk in this area.

The EA have advised that they consider that the main flood risks affecting the site are not within their remit and so they would choose not to comment specifically on the Flood Risk Assessment or its recommendations, but instead would (respectfully) leave that task to the Lead Local Flood Authority (LLFA) in this instance.

The Council's LLFA have concluded that subject to a condition to ensure the development proceed in accordance with the submitted Flood Risk Assessment and a condition requiring the submission/approval of a detailed overall drainage strategy and associated management and maintenance plan in order to ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter and to ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed mitigation works, no objections are raised.

United Utilities have reviewed the proposals from a drainage perspective and wish to make 'no comment'.

Subject to the above, it is considered that the proposal would adhere with Policy SE13 of the CELPS.

Landscape

Policy SE4 of the CELPS refers to the Landscape. Policy SE4 states 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.

This application is for engineering works to create a flood alleviation scheme. The work includes the creation of two flood storage basins - 'FSA1' on the western side of the site and 'FSA2' to the south of the site where there's currently a large earth mound that will need to be removed. Some of the excavated soils from these two areas will be used to form two large, three metre high earth mounds on the eastern part of the site. This material would be retained in situ for up to 3 years and would then predominantly be used to form a development platform for residential development in the northern area of the Royal London site.

Chapter 8 of the Environmental Statement (ES) is the Landscape and Visual Impact assessment for the proposed development (the LVIA). A Strategic Landscape Masterplan has also been submitted with the application.

In accordance with the LVIA 'Guidelines' the landscape and visual effects are considered separately within the submitted document and are summarised below;

Landscape Effects

The assessment considered the published national, regional and local landscape character assessments and also identified five site specific character areas. Of these, the following landscape character area areas were considered to have the potential to experience effects from the proposed development:

- Regional - Lower Farms and Woods Landscape Character Type and Chonar Landscape Character Area
- Site specific – Fulshaw Park Townscape (TCA1), Royal London Campus (TCA2) and Pasture & Woods (LCA5)

In accordance with the methodology set out in appendix 8.1, the value and susceptibility of each character area was considered to determine sensitivity.

The likely magnitude of change to each character area was then determined. By then combining the sensitivity and magnitude of change, the level of significance was then determined.

To note, Moderate and Major effects are considered significant.

The assessment was carried out for the character of each area and also the site specific features within each area for both the construction phase and the operational phase of the development.

Landscape impact conclusions

The assessment concludes that the only significant effect identified would be a moderate adverse effect during the construction phase of the development for the Key Landscape Features (of LCT5) due to the removal of 130 trees and the earthworks required to implement the flood alleviation scheme.

Whilst classed as a significant effect in line with the methodology utilised for this chapter, this effect is temporary in nature and therefore was not considered to be overall significant. No other significant effects (i.e. moderate or major) have been identified either during the construction or operational phase.

Chapter 14 of the Environmental Statement considers the potential cumulative effects arising from this development and four other developments in the immediate area. Cumulative landscape and visual effects were considered as part of this process. This chapter concludes *'Cumulative sites which have the potential to interact with the proposed development and generate cumulative effects have been identified through CEC's planning portal. Therefore a cumulative assessment has been undertaken, the results of which have identified that there are no significant cumulative adverse effects during the construction or completion phase.'*

The Council's Landscape Officer has advised that she agrees with the findings of the LVIA. The proposed development would result in the removal of 130 trees. The Strategic Landscape Masterplan proposes new native planting to mitigate for these losses. The proposals comprise 0.33Ha of wet woodland, 0.13Ha of mixed scrub and 20 individual trees. The Council's Landscape Officer considered that the mitigation is considered acceptable subject to landscape conditions requiring a detailed landscape scheme to be submitted for approval and appropriate long-term management.

Earthworks & levels

Most of the excavated earth from the creation of the flood basins will be stockpiled on site. Indeed, two stockpiles would be created to the north-east of the application site, referred to as 'Stockpile 1' and 'Stockpile 2'. Stockpile 1 would comprise of 26,000m³ of excavated material and would have a height of 3 metres. Stockpile 2 would lie adjacent and would comprise of 14,000m³ of material. This too would be 3 metres in height.

The applicant has advised that these stockpiles would be in place for a maximum of 3 years. Prior to the expiry of the 3 years, it is intended that this earth shall largely be re-used on the residential site to the north of the campus (ref: 17/5838M). The applicant, in later correspondence received by the LPA, has advised that a contingency amount (c. 17%) is built into the proposals to ensure sufficient earth will be available for the residential development. The applicant further advises that if the contingency is not required and there is excess material retained as a result, it will first be considered whether it can be re-used elsewhere on site to facilitate other future developments on site and otherwise the material will be removed to meet the 3 year temporary requirement.

In response, in order to assist in the mitigation of this element of the application proposals, a number of conditions are proposed. These include; Prior submission/approval of details of existing and proposed levels and contours in the soil stockpile areas; that the stockpiled soils must be retained in situ for a maximum of three years from completion of the development; that any surplus soil material that is not required to raise levels in the northern residential area must be removed from site by the end of the three year period unless the LPA consents to its use elsewhere within the Campus. Such consent will require full details to be submitted and approved prior to relocation of - proposed locations, use/purpose, existing and proposed levels and contours and, where relevant, hard and soft landscape details and; Once stockpiles are removed the land must be restored to previously existing levels, graded to smooth running contours and seeded with an agreed grass seed mix; Submission/approval of a soil resource and materials management plan and only soils identified through the materials management plan as being suitable for re-use as engineered fill should be used in connection with the residential development.

Subject to these conditions, the application is deemed to adhere with Policies SE4 of the CELPS with regards to landscape considerations.

Trees

The application is supported by an Arboricultural Impact Assessment (AIA) that identifies those trees proposed for retention and those identified for removal to accommodate the proposed engineering/improvement works. The removals are in addition to those identified in the previously approved outline approval for office development (19/3420M).

Selected individual trees, groups and areas of trees within the site are afforded protection by the Macclesfield Borough Council (Wilmslow – Harefield/Fulshaw Hall) Tree Preservation Order 1975.

Over time, many protected trees are no longer present on the site as they have been authorised for removal or have died. The Order also includes five 'Area' designations which only protect those trees that were present when the Order was made in 1975. Consequently trees planted or have grown since the Order was made are not protected by the Order. As a consequence of the above, the Order is currently under consideration for review.

Tree removals have been categorised for quality and arboricultural, landscape and cultural value in accordance with BS5837:2012 (Table 1 Tree Quality Assessment).

Para 3.8 and 3.9 of the AIA includes a summary and detailed breakdown of proposed removals in key work areas; flood storage basins (FSA1 and FSA2), construction access and new culvert and pumping main (Tables 4-7).

The summary identifies a total of 130 trees proposed for removal (Table 4), of which 21 have been categorised as Moderate (B) category. A total of 92 low (C) category trees have been identified for removal and a further 17 trees are deemed unsuitable for retention due to their poor condition. There are no High (A) category trees identified for removal to accommodate the proposed development.

As stated above, there are 21 trees shown for removal which have been assessed as moderate (B) category specimens. Two trees a Sycamore and a Beech (Trees 223 and 225) are protected by the TPO (Area A5) and require removal to accommodate the new culvert and pumping main. The remaining B category trees (19 No.) are not protected by the TPO and require removal for the Flood Storage Basin.

Of the 92 Low (C) category trees proposed for removal, a total of 20 trees are protected by the TPO; these are 8 trees (within TPO Area A4), 11 trees (within TPO Area A5) and 1 tree within Group G15 of the TPO.

All High (A) and Moderate (B) category trees should be regarded as principle landscape assets which means there will be a presumption for their retention unless there are exceptional circumstances where there are clear overriding reasons for allowing the development and there are no suitable alternatives. Where adverse impacts are unavoidable, such impacts must satisfactorily demonstrate significant environmental gain by appropriate mitigation, compensation or offsetting (Policy SE5 of CELPS).

Paras 3.10-3.19 of the AIA sets out the principles applied for mitigation and to meet the requirements for flood alleviation and avoid impact on trees. With regard to Flood Basin (FSA2), this seeks to avoid trees of higher value to the north of the stream, removing those younger lower category trees to the south and on the existing mound.

The Council's Tree Officer advises that the loss of these trees (98 trees of which 82 are low category specimens) will have a slight adverse impact within the immediate area, but largely neutral impact from a wider landscape perspective. The construction access has been configured to allow the retention of a High (A) category Over Mature Horse Chestnut (T271).

One protected Silver Birch (part of G15 of the TPO) will require removal to accommodate Flood Storage Basin (FSA1). The tree is a low (C) category specimen and a remnant of that group. The design of the basin has been modelled to allow the retention of other trees within the immediate vicinity. The Council's Tree Officer accepts that the loss of this tree and the mitigation avoidance minimises tree losses and present no significant adverse impact on the wider amenity of the area.

Twelve trees will require removal for the proposed culvert and Pumping Main of which 5 are protected by the TPO. Two trees (previously referred to above) are Moderate (B) category specimens, with a further three unprotected trees categorised as moderate and the remaining seven trees deemed to be low category.

Mitigation and avoidance measures have been considered with regard to the route of the culvert with two main options considered, with an alignment west closer to Alderley Road, (rather than east further into the woodland), the favoured option as it results in fewer tree removals and more scope for planting to create a woodland edge as part of the Alderley Road widening scheme. The Council's Tree Officer advises that the proposed removals will present a *slight adverse* impact within the immediate area, however replacement planting and an improved woodland edge will provide a net long term benefit for improved habitat creation and visual amenity of the woodland.

Access facilitation pruning which will involve crown lifting and pruning back of branches along the culvert route is proposed to allow sufficient working space. The Council's Tree Officer agrees that this matter can be dealt with satisfactorily by condition requiring the submission of an Arboricultural Method Statement (AMS).

The Construction of the culvert will require the encroachment into the Root Protection Area (RPA) of 8 retained trees. The Assessment proposes that trenching works will be carried out using an air spade to minimise damage and disturbance to roots. The Council's Tree Officer advises that this proposal is considered to be broadly acceptable and details of the methodology can be addressed by an agreed method statement.

Some precautionary excavation within the RPA of a further three trees will also be required to facilitate the construction of the slope for FSA2, however, the Tree Officer agrees that the extent of root activity is unlikely to be significant in these locations.

In summary, a total of 130 trees are proposed to be removed, of which 114 are associated with the construction of FSA2. The majority of trees to be removed have been identified as low (C) category specimens, with only a small number identified as moderate (B) Category. No High (A) trees are proposed to be removed.

The application is supported by a Strategic Landscape Masterplan which proposes the planting of new trees across the site and an area of wet woodland around the proposed flood basin (FSA2).

The Council's Tree Officer is satisfied that the mitigation measures outlined in the Assessment and outline planting proposals provide sufficient compensation for the loss of trees and therefore accords with the requirements of Policy SE5 of the CELPS, subject to conditions.

Nature Conservation

Policy SE3 of the CELPS refers to Biodiversity and Geodiversity - to protect and enhance these considerations.

The application is supported by ecology surveys.

Bats

The Council's Nature Conservation Officer advises that roosting bats are not reasonably likely to be directly affected by the removal of trees at this site.

The submission identifies a minor adverse impact upon foraging bats as a result of the loss of foraging habitat. However, this is unlikely to be significant and compensatory habitat is proposed as part of the scheme.

The Council's Nature Conservation Officer advises that the Biodiversity Metric calculation concludes that the proposed development will deliver a minor net gain for biodiversity. As such, it can be concluded that sufficient compensatory habitat will be provided in the long term to compensate the impacts of the development upon bats.

To avoid any adverse impacts on bats resulting from any lighting associated with the development as a form of mitigation, the Council's Nature Conservation Officer recommends that if planning permission is granted, a condition should be attached requiring any additional lighting to be agreed with the LPA.

Reptiles and Great Crested Newts

No evidence of reptile species was recorded during surveys undertaken in 2018 and no evidence of great crested was recorded during the latest surveys. The Council's Nature Conservation Officer therefore advises that these species are not reasonably likely to be present or affected by the proposed development.

Water vole and Otter

No evidence of these species was recorded during the submitted update survey. Only a single visit was undertaken for water voles, however as no evidence of this species was recorded during surveys undertaken previously, the Council's Nature Conservation Officer advises that these species are not reasonably likely to be present or affected by the proposed development.

Common Toad

The proposed development is likely to have a localised adverse impact upon this priority species as a result of the loss of terrestrial habitat. Again, the Biodiversity Metric results indicate that sufficient compensatory habitat has been proposed as part of the development.

Other protected species

'Other protected species' are known to be active throughout this site. A potential minor sett was recorded on site during the latest surveys. This sett would be lost as a result of the proposed development. Outline mitigation measures including the closure of the sett under the terms of a Natural England license have been submitted.

The Council's Nature Conservation Officer advises that in the event that planning consent is granted, this approach is acceptable. As the status of 'Other protected species' can change within a short timescale, it is recommended that if planning consent is granted a condition should be attached which requires an updated 'Other protected species' survey to be submitted prior to commencement of development.

Priority Woodland

An area of woodland present on site appears on the national inventory of Priority Woodland habitat. Habitats of this type are a material consideration for planning. The submitted information states that 0.56ha of woodland would be lost.

In accordance with the mitigation hierarchy, the Council's Nature Conservation Officer advises that the scheme should be re-designed to allow the retention of this woodland to avoid the loss of biodiversity associated with its loss. If however the loss of the woodland is considered to be unavoidable, then a suitable level of compensation will be required. In order to compensate for this impact, the application proposes the enhancement of the remaining woodland and additional woodland planting.

It has been advised that the levels of the site and the required route for the floodwater largely 'sets' the broad location for the drainage infrastructure. However, a number of iterations of the scheme were modelled and discussed with the applicant's team to find the optimum solution. These options were also discussed/re-iterated to the Council's Tree Officer who agreed that in terms of loss of woodland, this was the least impactful. This explanation is accepted and it is therefore deemed that the loss of the woodland is indeed unavoidable.

The Council's Nature Conservation Officer advises that as determined by the biodiversity metric, the level of compensation proposed is adequate to address the loss of the existing woodland.

Semi-improved neutral grassland

An area of grassland would be lost to the proposed development. This is identified on the submitted Phase One habitat plan as Semi-improved Grassland.

The Council's Nature Conservation Officer advises that this habitat supports sufficient indicator species to meet the criteria for selection as a Local Wildlife Site. Habitats of this type reserve protection through Policy SE3 of the CELPS.

The Council's Nature Conservation Officer advises that in the event that planning consent is granted, sufficient compensatory habitat has been provided to address its loss.

Biodiversity Metric and Biodiversity Net gain

Policy SE3 of the CELPS requires all developments to positively contribute to the conservation of biodiversity. This application will result in the loss of habitat, but compensation measures are proposed.

A Biodiversity Metric calculation has been undertaken to determine the residual losses and gains of biodiversity. Whilst, there is slight disagreement between the Council's Nature Conservation Officer and the applicant's ecological consultant on the inputs into the metric, they are in agreement that the proposed development would deliver a minor net gain for biodiversity.

However, in order to increase the biodiversity benefits resulting from the scheme, the Council's Nature Conservation Officer advises that existing culverted water courses should be opened up.

This was put to the applicant, who responded to advise that; *'With the introduction of Flood Storage Area 1 (FSA1), the proposed mitigation works have an overall reduction in length of culverted watercourse when comparing the proposed culvert length vs existing culverted length. Further de-culverting was also considered for the section of piped watercourse running parallel to Alderley Road between FSA1 and the outfall at Whitehall Brook, whilst early flood modelling indicated this was potentially feasible, the increased swathe of affected land and re-profiling works required for an open watercourse (when also considering the future widening works for Alderley Road) would have an increased impact on the existing ecology and woodland compared to the proposed piped section. The detailed flood modelling and proposed civils works design were therefore developed with the piped section of watercourse.'*

An ecological Construction and Environmental Management Plan (CEMP) which includes details of how retained habitats would be safeguarded during the construction phase, including proposals to mitigate the impacts of the installation of the proposed outfall would also be required. This may be dealt with by means of a planning condition.

Breeding Birds

A number of bird species were recorded as being likely to breeding on site. A small number of species which are considered to be a priority for nature conservation were present on site but where not confirmed to be breeding. The submission identifies a minor adverse impact upon nesting birds as a result of the loss of habitat associated with the proposed development. The submitted scheme includes proposals for the creation of compensatory habitat. As with bats, the Council's Nature Conservation Officer advises that the results of the Biodiversity metric confirm that sufficient compensatory habitat is being provided.

If planning consent is granted, a condition to protect nesting birds is recommended.

Habitat Management

If planning consent is granted, the Council's Nature Conservation Officer advises that a condition would be required to secure the submission of a detailed habitat creation method statement and a habitat management plan for a period of 30 years.

Environment Agency (EA)

The EA have commented on biodiversity. They comment that the proposed riparian works planned as part of this development could have an unacceptable effect on the ecological value of the Mobberley Brook (Whitehall Brook) waterbody and key ecological network at this site.

While the ecological enhancements, in the form of new wetlands, species rich grasslands, and woodland that have been proposed, the EA advise that a management plan also needs to be in place. This will ensure the landscape provides a maximum benefit to people and

the environment.

In light of the above, the EA advise that the proposed development will only be acceptable if a planning condition requiring a landscape management scheme is included to ensure the compensatory habitat proposed as part of the development are delivered correctly and a Construction Environmental Management Plan to minimise risks to the Environment. Indeed, without these mitigating conditions, the EA have advised that they would object to the development because it cannot be guaranteed that the development will not result in significant harm to Mobberley Brook (Whitehall Brook).

Natural England

Environmental Impact Assessment (EIA) regulation 19(3) requires Natural England to be consulted on all EIA development. Natural England have responded and have raised no objections.

Ecology Conclusions

Subject to the above suggested conditions, it is considered that the proposal adheres with Policy SE3 of the CELPS and the relevant ecology policies of the MBLP.

Highways

Policy DC6 of the MBLP refers to highways matters. Relevant to the application proposals, it states that development should be served by access with adequate visibility splays and provision should be made of manoeuvring of vehicles and sufficient parking should be provided.

The only highways considerations for such a development are the potential impacts of construction / construction traffic on the highway network.

The proposal shows that all construction vehicles will use the southern access from Alderley Road and then use the internal roads to access the works. It has been indicated that there would be 66 two-way HGV trips to the site per day, spread across the period 9am to 4pm, with 20 staff trips to the site. The works are intended to be completed in 130 days.

The routes to and from the site are all 'A' roads and the Council's Head of Strategic Infrastructure has advised that they are capable of accommodating the level of HGV traffic proposed, as the works are only temporary in nature.

As such, no highway objections are raised in relation to this application and the proposals are considered to adhere with Policy DC6 of the MBLP.

Amenity

Policy DC3 of the MBLP states that development should not significantly injure the amenities of adjoining or nearby residential properties or sensitive uses due to (amongst other considerations); loss of privacy, sunlight and daylight, an overbearing impact and

environmental considerations. Policy SE1 of the CELPS states that development should ensure an appropriate level of privacy for new and existing residential properties.

Clearly, the nature of the development proposed would not create any privacy concerns. It is noted that land levels are proposed to be increased to the north of the site and as such, loss of light and an overbearing effect are considerations of this proposal.

All of the proposed works would be either contained within the developed areas of the Royal London site or within fields between this site and the railway to the east. No elements of the works proposed would abut neighbouring residential plots. Although a minor raise in land levels is proposed, given their location within the site and minor scale, it is not deemed that they will lead to any concerns with regards to loss of light or an overbearing impact.

Control of pollution

Noise and vibration

In support of the application, the applicant has submitted an Environmental Statement (ES), in which Chapter 13 covers Noise and Vibration.

The impact of the noise from the proposal has been assessed in accordance with: BS5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites – Part 1: Noise which is an agreed methodology for the assessment of the noise source.

The report recommends noise mitigation measures designed to achieve BS8233: 2014 and WHO guidelines; to ensure that occupants of nearby properties are not adversely affected by noise.

In accordance with the Environmental Statement, the following conditions are deemed necessary by the Council's Environmental Protection Officer in the event of approval in order to mitigate noise impacts; Provision of temporary localised acoustic screens of 4 metres in height adjacent to the works associated with the culvert at Royal London House and The Lodge and the submission/approval of a detailed Construction Management Plan encompassing the best practice measures listed in section 13.60 of Chapter 13.

In order to assist in the control over the hours of work, the Council's Environmental Protection Officer recommends an informative. This is not recommended as a condition as such matters are controlled under different legislation.

Air quality

In support of the application, the applicant has submitted a qualitative screening assessment. The report states that a detailed assessment into the impacts of NO₂ and PM₁₀ during the operational phase is not required in accordance with EPUK and IAQM criteria based on the predicted development flows, and concludes, therefore, that the development impacts on local air quality will be not significant. The report also concludes that the potential dust impacts during construction will also be not significant subject to appropriate dust mitigation measures.

As such, the Council's Environmental Protection Officer raises no air quality objections.

To assist in the mitigation against the impacts of dust, details should be included in the required Construction Management Plan, highlighted above as a condition requirement in relation to noise.

Contaminated Land

The application area includes two known landfill sites licensed for inert wastes. The planning file for one of the sites (5/41807P) shows photographs of demolition waste during the landfilling operations. As such, the material present may not be inert as indicated by the landfill licence. However, it should be noted that a condition on the approval for landfilling was as follows '*No coarse material, rubbish or debris shall be within 3ft of the proposed final surface level.*'

The Council's Contaminated Land Officer has considered a number of reports submitted with the application and older reports submitted with other nearby applications. The reports identified contamination within the landfill areas comprising hydrocarbon and PAHs within relic/reworked material, asbestos within demolition material and decaying organic matter. Such material is unsuitable to be retained on site and would need to be removed. Furthermore, elevated concentrations of hazardous gas were recorded which would pose a risk to construction workers.

Mitigation measures would also be required during site works to prevent the flow of contaminated surface water into the watercourse. It is assumed that the appropriate waste management approvals will be sought from the Environment Agency regarding the reuse of landfill material and the stockpiling of materials on site for 3 years.

As such, in the event of approval, a number of conditions are recommended in order to assist in mitigation; the submission/approval of a contaminated land remediation strategy, prior submission/approval of a Verification Report prepared in accordance with the approved Remediation Strategy, submission/approval of soil testing and works to stop of land contamination is identified.

Subject to these conditions the proposal will comply with Policy SE1 of the CELPS and policies DC3 and DC63 of the MBLP.

Heritage

There are two Grade II listed buildings to the north of the application site, Fulshaw Hall and the adjacent, detached Staff Restaurant. As such, the impact upon the setting of these heritage assets is a consideration. Policy SE7 of the CELPS states that '*All new development should seek to avoid harm to heritage assets and make a positive contribution to the character of Cheshire East's historic and built environment, including the setting of assets and where appropriate, the wider historic environment.*'

The Council's Heritage Officer has reviewed the proposed works in this context, including the earthworks, and does not consider the proposals to harm the setting of these assets

Other matters

Relationship between application proposals and development proposed on rest of Royal London Campus

There are currently extant outline planning permissions in place on the wider Royal London site for; up to 120 dwellings to the north of the site (17/5838M), Office development towards the centre and east of the site (19/3420M) and residential development to the west of Alderley Road for up to 60 dwellings (17/5837M). The impact of the application proposals upon these permissions and the future delivery of these permissions is a material planning consideration. These matters are considered, in turn, below.

Impact upon residential scheme to north of site for 120 dwellings (17/5838M)

This application is the driver for the current proposals. As advised, the reason the works sought by this application are required because the site on which this residential development has been permitted, currently floods. Research undertaken by flood risk/drainage engineers have identified that this is largely as a result of the insufficient capacity of a culvert in the northern part of the site that conveys water from an open channel coming from the north-east of the site, towards the south-west, beneath the residential site, and into the ornamental pond close to Royal London House.

As part of approval 17/5838M a number of conditions were imposed which have relevance to this current application. These include;

- Condition 3 (approved plans)
- Condition 4 (any Reserved Matters application be accompanied by a detailed design and associated management and maintenance plan of the flood compensation and surface water drainage areas)
- Condition 28 (retained woodland)

The approved plans condition included a parameters plan (ref: AHR-00-ZZ-DR-A-90-PL502 Rev 2). This is important to note as it included a note to state that much of the site, where residential dwellings are to be sited, should have a '*minimum plot development level of 72.02 AOD*'. It is understood that the reason for including this very specific figure was because the land needed to be raised to this level to assist in preventing it from flooding.

Within the submitted information, it has been advised that the stockpiled soils, created from the creation of the flood basins will only be in situ for a 'maximum of 3 years', before being re-used in creating the necessary build up of levels for the residential development to the north of the site. It is further advised within correspondence to the Council that this will avoid the need for the importation of material onto the site in the future and minimising the traffic movements required to remove material from the site. The applicant has subsequently advised that a contingency amount (c. 17%) is built into the stockpile to ensure that there is sufficient earth to be used. It has been advised that if the contingency is not required and there is excess material retained as a result, it will first be considered whether it can be reused elsewhere on site to facilitate other future developments (such as around the existing buildings mentioned above), and otherwise, the will be material removed to meet the 3 year

temporary requirement. Conditions are proposed to mitigate and control this as explained within the Landscape section of this report.

As such, Condition 2 would not be directly impacted by the application proposals, but the application proposals would provide the earth to build up the land height to the required, approved levels.

Condition 4 required the future reserved matters application to be accompanied by a detailed design and associated management and maintenance plan of the flood compensation and surface water drainage areas. This needs to be in accordance with the flood documentation submitted with the application (17/5838M). This is likely to conflict with the current proposals.

The applicant has advised that their drainage consultants understand that the principles for surface water drainage and proposed sustainable drainage methods as set out in the approved Flood Risk Assessment & Surface Water Drainage Statement (SK/AR/3704-001/NOVEMBER 2017) submitted with the residential scheme remain unchanged and therefore the document will not need amending. However, the drainage area as shown on the parameters plan will need amending.

Condition 28 (retained trees/woodland) also referred to the approved parameters plan. This is because this approved plan also shows trees to be retained which fall within the application site of the current application. This will need updating in the event that the current application is approved.

The applicant has advised that it is their intention to submit a Non-Material Minor Amendment (NMA) application to 17/5838M, if the current application is approved, to make these above changes to the residential scheme so the permissions align.

However, overall, there should be no notable detrimental impact of the application proposals upon the residential scheme to the north (17/5838M).

Impact upon Office development to centre and east of site (19/3420M)

The greatest potential impact of the proposals appears to relate to the impact upon the approved and extant office development (ref: 19/3420M). This is because most of the excavated earth from the creation of the flood basins will be stockpiled on this site for a maximum of 3 years.

Condition 1 of 19/3420M states that any reserved matters application needs to be submitted within 3 years of the date of the decision - 19th February 2023. There is then no subsequent timeframe as to when the Reserved Matters need to be implemented by. As such, there should be ample time for the stockpiles to be used within their '3 years maximum' window, without impacting the delivery of this office development.

In consideration of what other conditions on 19/3420M which maybe impacted by the application proposals, consideration needs to be given to; Condition 2 (approved plans condition) and 29 (development in accordance with Flood Risk Assessment).

The approved Parameters Plan (within condition 2) only shows existing trees to be removed (rather than those to be retained), so it does not need to be amended if other trees are approved to be removed under a separate permission.

With regards to drainage condition 29, it has been clarified that this will not need to be amended because the drainage strategy for the office permission is independent of and can be delivered without affect to/from the proposed mitigation works.

Subject to the proposed conditions regarding the stockpiles earlier in this assessment, there should be no detrimental impact of the application proposals upon the office scheme on the application site (19/3420M).

Impact upon residential scheme to west of Alderley Road for 60 dwellings (17/5837M)

A non-material amendment permission (ref: 20/1435M) was recently granted on this site which amended conditions on this permission, removing reference to the previously submitted FRA and Surface Water Drainage Strategy and allow for a more readily deliverable solution to be submitted and implemented within the 'red edge' of the land to the west of Alderley Road and Alderley Road itself. As such, the application proposals should have no direct impact of this permission.

Response to outstanding objections

In response to the drainage concerns raised by residents;

The applicant has confirmed that the application proposals seek to alleviate flooding and drainage issues on the entire Royal London Campus.

The application follows 2 years of investigation and mitigation consideration by professional drainage engineers.

A notable neighbouring concern raised relates to the potential impact of off-site flooding as a result of the proposed works, more specifically to the north of the site around Harefield Farm and its associated, closer residential barn conversions. The mitigation measures put in place on the application site are designed to alleviate the existing difficulties on the site and the modelling indicates that depth of flooding at Harefield Farm will be reduced.

To be satisfied that the development should not make off-site flooding worse as a result of the proposed development, the LLFA recommended a condition requiring the submission/approval of a detailed overall drainage strategy and associated management and maintenance plan.

Conclusions

Policy LPS 54 of the CELPS allocates the entire site, referred to as '*Royal London, including land west of Alderley Road, Wilmslow*' subject to this application, for a range of development including the provision of new housing, new employment development and the retention of existing campus.

The application proposals seek extensive surface water drainage improvement works to enable the independent delivery of residential planning permission (ref: 17/5838M), which was granted outline approval for the erection of up to 120 dwellings to the north of the site in line with the strategic allocation.

As these works relate to development sought on this strategic site, relating to allocated development, the principle of the works are deemed acceptable, subject to the impact of the development upon the relevant policies of the development plan.

In response to the specific considerations; The Environment Agency, the Council's Flood Risk Officer and United Utilities have raised no flood risk or drainage objections, subject to conditions. Neither have the Council's Nature Conservation, Landscape and Tree Officers or Natural England in consideration of environmental considerations. Furthermore, no notable concerns are raised in relation to highway safety, amenity or heritage, again, subject to conditions where necessary.

A further consideration is the potential impact of the development upon the other extant planning permissions that have been granted on the wider allocated site. The proposed development is not expected to result in any notable conflicts or impacts to these associated developments subject to a further, relatively minor application being submitted to ensure consistency with the linked residential scheme, along with conditions relating to the temporary stockpiles.

For the above reasons, the application is recommended for approval subject to conditions

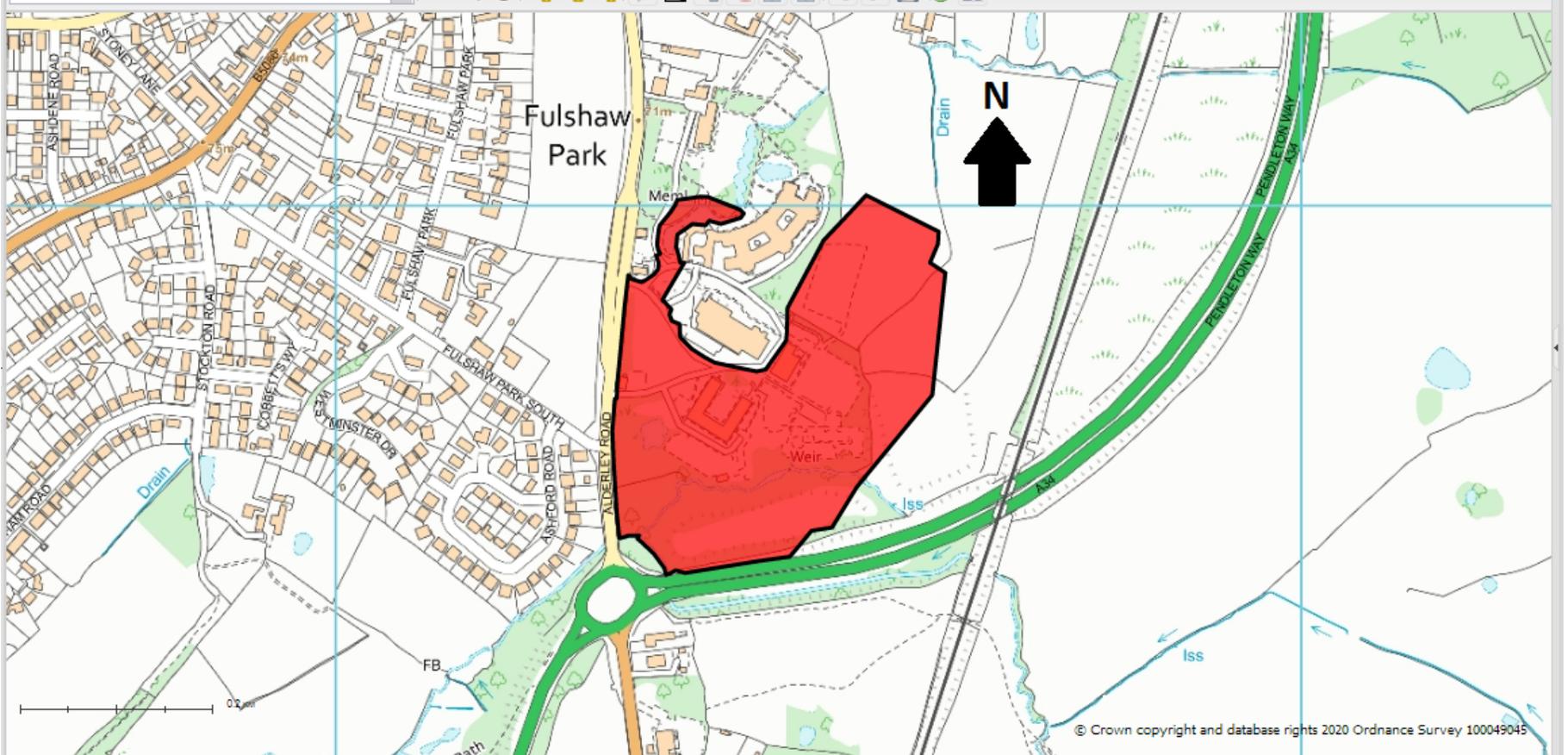
RECOMMENDATIONS

APPROVE subject to the following conditions;

- 1. Time (3 years)**
- 2. Plans**
- 3. Materials as per application**
- 4. Implementation of FRA**
- 5. Submission/approval of a detailed overall drainage strategy and associated management and maintenance plan**
- 6. Submission/approval of a landscape scheme**
- 7. Landscape - implementation**
- 8. Submission/approval of Landscape & Habitat Creation and Management Plan for a minimum period of 30 years**
- 9. Prior submission/approval of details of existing levels and contours in the soil stockpile areas**
- 10. Stockpiled soils must be retained in situ for a maximum of three years from completion of the development**
- 11. Any surplus soil material that is not required to raise levels in the northern residential area must be removed from site by the end of the three year period unless the LPA consents to its use elsewhere within the Campus. Such consent will require full details to be submitted and approved prior to relocation of - proposed locations, use/purpose, existing and proposed levels and contours and, where relevant, hard and soft landscape details**

- 12. Once stockpiles are removed the land must be restored to previously existing levels, graded to smooth running contours and seeded with an agreed grass seed mix**
- 13. Submission/approval of a Soil Resource and Materials Management Plan**
- 14. Only soils identified through the Materials Management Plan as being suitable for re-use as engineered fill should be used in connection with the residential development and elsewhere on site as approved**
- 15. Submission/approval of a scheme for the protection of the retained trees, to include a tree protection plan (TPP) and an arboricultural method statement (AMS)**
- 16. Submission/approval of an updated 'other protected species' survey and mitigation strategy**
- 17. Submission/approval of external lighting scheme**
- 18. Safeguarding of nesting birds**
- 19. Submission/approval of CEMP to include; 1. Measures to safeguard retained habitats including measures to mitigate the impacts of the proposed outfall 2. Noise mitigation 3. dust suppression/mitigation**
- 20. Implementation of temporary noise mitigation measures (4m tall acoustic screens adjacent to Royal London House and The Lodge)**
- 21. Submission/approval of a contaminated land remediation strategy**
- 22. Submission/approval of a Verification Report prepared in accordance with the approved Remediation Strategy**
- 23. Submission/approval of soil testing**
- 24. Works to stop of land contamination is identified**

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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