

APPLICATION NO: 22/2350C

LOCATION: LAND TO THE WEST OF VIKING WAY, CONGLETON

PROPOSAL: Details of reserved matters (Access, Appearance, Landscaping, Layout and Scale) in respect of Phase 2 (commercial floorspace in Use Classes B2/B8/E(g)) of outline planning permission 19/5596C

CONSULTATIONS

Nature Conservation – A number of conditions were attached to the outline consent (19/5596c) at this site.

Condition 3

The red line plan submitted in support of this application refers to this development as Phase 2. It is imperative that the delivery of the River Dane corridor works are delivered by the reserved matters applications coming forward following the grant of the outline permission.

The red line of this application includes the River Dane corridor referred to in condition 3, with the red line of the application extending beyond the proposed commercial development itself. A phasing plan has been submitted in support of this application. The phasing plan (Rev G) includes the delivery of the River Dane Habitat Creation Works including the Blue Line Land (referred to on the phasing plan as the Additional Ecological Enhancement Area), during the next appropriate season following the commencement of site clearance works for Phases 2 – 5. This same phasing plan has also been included with the submitted enabling works application reference 22/2338c.

Condition 7 and 13

Reserved matters to be supported by habitat creation method statement and 30 year management plan and ecological monitoring.

Proposals have been submitted as required by this condition. The proposals include landscape details for the River Dane Corridor as discussed under condition 3.

The submitted Habitat Creation and Management Strategy (paragraph) 4.4 however advises that works in the river Dane Corridor these would not be delivered under this application, but would rather be associated with Phase 3, this is an error in the report.

The delivery of the habitat creation and management works in the River Dane Corridor and Additional Ecological Enhancement Area are proposed to be triggered at the time of site clearance of phases 2-5. This should be conditioned.

Condition 8

A water vole and otter survey as required by this condition has been submitted. No details however appear to have been submitted in respect of the location of

any required surface water outfalls. Confirmation of this point is required but can be dealt with as part of the discharge of condition application.

Condition 9: Updated badger survey

As per original report

Condition 10: A scheme for the creation of compensatory hedgerow planting to mitigate for the loss of any hedgerows lost

Hedgerows losses will occur on site as a result of the enabling works under application 22/2338c. Acceptable compensatory hedgerow planting is proposed within the River Dane Corridor.

Condition 11: Lighting

The lighting scheme as submitted is broadly acceptable as this will result in only limited light spill onto the River Dane Corridor.

There is however a Wildlife Corridor on the site boundary to the north of the existing Airbags Site identified in the Hulme Walfield and Somerford Booth Neighbourhood Plan. The level of light spill onto this feature is not clear from the submitted lighting scheme. The applicant's lighting engineer has however advised that it will not be possible to reduce light spill onto this feature due to its close proximity to the service yard. This part of the site was not identified as supporting significant levels of bat activity. It is therefore advised that lighting in this part of the site would result in a minor impact on bat foraging activity.

Condition 12: Location of proposed outfall based on the results of the detailed hydromorphological survey

This pre-commencement condition, but it is useful to understand the location of any outfalls to the River Dane.

Condition 52: Strategy for the incorporation of features to enhance the biodiversity value of the proposed development.

As per original report

Condition 53: Landscape / public realm / habitat management plan

This condition, amongst other things, requires the submission of a time-table for the delivery of habitat creation works. The submitted Habitat Creation and Management strategy refers to works within the river Dane corridor being delivered in a phased manner but no firm proposals for delivery are provided. The phasing plan submitted under condition 3 however requires habitat creation works in the River Dane Corridor and Additional Ecological Mitigation Area to commence in the next appropriate season following the commencement of site clearance works for phases 2-5.

River Dane / Radnor Bridge to Congleton Local Wildlife Site (LWS)

This LWS is located on the western boundary of this site. An acceptable buffer between the development and the LWS was shown on the parameters plan associated with the outline consent.

If reserved matters consent is granted, it is recommended that a condition be attached that requires the submission of a method statement for the safeguarding of the LWS, including the fencing off of a no-go area during the construction phase.

Bats

A number of trees were identified at the outline stage as offering potential to support roosting bats. None of these trees would be affected under this reserved matters application.

Conditions

In addition to the conditions in the officers report the following condition is recommended:

- Implementation of habitat creation and habitat management within the site and the River Dane corridor and additional ecological enhancement area in accordance with the submitted phasing plan and habitat creation and management strategies.

Urban Design – At the time of writing this report the Council’s Urban Design Officer was still awaiting some architectural ‘tweaks’ to this phase 2 application.

The Officer confirms the amendments to the landscaping and SuDs have been improved and the overall layout of the site is now supported. He does however highlight that the applicant is removing part of the hedge on the western boundary and re-planting to accommodate the levels changes.

Landscape – Following the submission of revised/additional information, the Landscape officer has confirmed they do not object to this application subject to the following conditions:

- Landscaping Conditions (Implementation)
- Landscaping Conditions (Implementation)
- Submission of Landscape Management Plan
- Submission of Materials Management Plan/Soil Management Strategy

Trees - The latest submitted Arboricultural Advice clarifies most of the issues raised with this application. The applicants position in respect of levels changes impacting the northern end of Hedge H8 is now confirmed as being removed and the extent of hedgerow to be removed is anticipated to be 50metres. With regard to the regrading works around Veteran tree T74, the report states that a reinforced embankment which has been significantly altered further to earlier comments will be constructed at the edge of the Veteran tree buffer zone. This drawing was requested and has now been updated and can be referenced as Proposed Earthworks – Site Wide drawing and does now broadly correspond with the tree detail although there remains some uncertainty regards the retention of approximately 26-28 metres of the southern end of hedge H8 due to grading proposed to accommodate a SUDS pond in this area of the site. With regards to whether the removals indicated have been adequately mitigated for the tree Officer defers to Ecology and Landscape to confirm they are satisfied with the mitigation proposed

The Arboricultural information is found to be broadly acceptable to minimise detrimental impacts to retained trees and hedgerows. During the enabling works application (22/2338C) details should be submitted with this application for the avoidance of doubt to ensure the tree protection measures will be applicable for the duration of every approved construction phase for this area of the site.

A condition is recommended relating to tree protection and special construction measures.

Flood Risk – Following their original comments as set out in the officer's report, the LLFA reiterate their comments as set out above in relation to application 22/2338C but offer no objections to the application, subject to a condition regarding an overall detailed strategy / design limiting the surface water runoff generated by the proposed development and highlighting the need to discharge condition 16 on the outline.

KEY ISSUES

Ecology – The Council's Ecologist has confirmed that the outstanding issues have now been largely addressed (subject to conditions). With regards to conditions, Condition 6 & 7 in the Officer's report would remain but an additional condition regarding the Implementation of habitat creation and habitat management within the site and the River Dane corridor is recommended.

Urban Design – Whilst Members will need to be updated on the minor elevational changes suggested, it is considered that in terms of urban design all the significant matters have been addressed. The hedge issue is picked up in other comments.

Landscape – Issues raised in the original submission have now been addressed, subject to the 4 conditions outlined. As there are no recommended conditions regarding landscape in the officer's report, 4 additional conditions are now recommended.

Trees – The Tree Officer has confirmed that the majority of concerns expressed, mainly concerning levels changes, have now been addressed. Whilst it is understood that a section of hedgerow is to be removed – and replaced as part of the proposals, the applicant has been asked to confirm there will be no impact on the southern section of hedgerow. An additional tree condition as set out above is recommended and would replace the 4 conditions set out in the report (Conditions 2-5).

Flood Risk – There are no objections from the Flood Risk Team and they have confirmed the wording of Condition 11 set out in the officer's report.

CONCLUSION:

There are no proposed changes to the recommendation, but the additional/amendments to the conditions set out above are suggested should the application be approved. Members will be updated with a full list of recommended conditions at committee picking up all the points above.