

Application No: 22/3228N

Location: Land Off Minshull New Road And, FLOWERS LANE, LEIGHTON

Proposal: Reserved matters application for appearance, landscaping, layout and scale with respect to green infrastructure and open space across the outline application area - approved outline application 19/2178N.

Applicant: Bloor Homes and Vistry Partnerships Ltd

Expiry Date: 15-Dec-2022

SUMMARY

This application proposes the Reserved Matters for two areas of land forming the green infrastructure elements of the site, approved in outline and subject to a Section 106 legal agreement, under application reference 19/2178N. It is one of four separate applications being considered on this agenda.

These two areas of land consist of the central spine of the site linking all the sites south of Flowers Lane and the northern most of the sites adjacent to the proposed school site. Several amendments have been made since the application was first submitted, particularly to the footpath network.

Highways have raised no objections, subject to a point of detail being agreed by condition and an informative. The PROW Team have no objections and the proposed footpath/cycleway provision is considered to be good.

The majority of the Ecology and Landscaping issues identified in this report have now been resolved, and although there are some outstanding matters to do with tree impacts, it is anticipated most of these can be addressed and Members will be updated on this matter.

The Council's Flood Risk (LLFA) team have similarly been involved in detailed discussions with the applicant and detailed replies to matters raised have been submitted by the applicant. The LLFA's latest comments were awaited at the time of writing this report, but the main issues have now appear to have been addressed, and if necessary outstanding matters can be conditioned.

There are no objections on the grounds of the proposed areas of public open space, or environmental matters.

RECOMMENDATION

Approve with conditions

SITE DESCRIPTION

This application relates to 2 separate areas of land that sit outside the development areas described in the sites also on this agenda.

The first site lies along the northern boundary of the site adjacent to open countryside on the edge of Crewe. The second site – which is a series of separate sites at present, runs southwest to northeast, and follows the route of the overhead power lines. All the land is currently in agricultural use.

There are hedgerows with some trees to the site's field boundaries, and some scattered trees and remnants of hedgerows within the sites themselves, however they are limited in number and the sites are generally open in character.

A farm complex lies to the west fronting Middlewich Road, and Leighton Hospital is in close proximity, although does not adjoin the site(s).

There are no conservation areas on or adjoining the site, and there are no listed buildings on or adjacent to the site.

A public footpath, Leighton FP3 runs east west across the site, with a spur which runs south as Leighton FP6 which becomes Crewe FP20.

The sites fall in Flood Zone 1 – Least risk of flooding.

PROPOSAL

The application title reads:

“Reserved matters application for appearance, landscaping, layout and scale with respect to green infrastructure and open space across the outline application area - approved outline application 19/2178N.”

Reserved Matters approval is sought for Appearance, Landscaping, Layout & Scale.

The application is effectively the open space – which is multifunctional, to serve the residential, and to a lesser extent the commercial development, also being considered on this agenda.

Part of the site forms the northern part of LPS5, whereas the rest forms part of allocation LPS6.

The application consists of the following main elements:

- Formal and informal footpaths and cycleways
- Formal play areas
- Informal open space
- SuDs & water attenuation
- Landscaping – existing retained and proposed including gateway features
- Habitat creation
- Allotments and community orchard.

The triggers for the creation of these areas of open space are contained within the signed Section 106 Agreement that accompanied the outline approval.

An Environmental Impact Assessment (EIA) was submitted with the outline application.

RELEVANT PLANNING HISTORY

Outline planning permission was granted under:

19/2178N Outline planning approval for the development of up to 850 residential units (Use Class C3), land reserved for new primary school, a local centre (Use Class A1-A4, AA, B1a, C3 and D1) and associated infrastructure and open space. Land off Minshull New Road and FLOWERS LANE, LEIGHTON APPROVED Nov 2021

In addition, planning approval was granted for a series of Highway works in the immediate vicinity:

18/6118N A proposed series of highway infrastructure measures and associated works, in the Leighton area of Crewe, and known as the North West Crewe Package - Land Between Flowers Lane Minshull New Road The A530 Middlewich Road And North Of, PYMS LANE, CREWE APPROVED March 2019

Finally, this is one of four reserved matters applications submitted for Leighton West. All are on this agenda. The others are:

22/2476N Reserved Matters application for approval of appearance, landscaping, layout and scale following Outline approval 19/2178N for erection of 304 dwellings on Parcels A and B Land Off Minshull New Road And, FLOWERS LANE, LEIGHTON

22/2499N Reserved matters application for appearance, landscaping, layout and scale with respect to 304 dwellings on Parcels C, D, E, F and G. An Environmental Statement was submitted at the time of the outline application. Land Off Minshull New Road And, FLOWERS LANE, LEIGHTON

22/2500N Reserved matters application for appearance, landscaping, layout and scale with respect to 200 dwellings on Parcel H. An Environmental Statement was submitted at the time of the outline application. Land Off Minshull New Road And, FLOWERS LANE, LEIGHTON

Other approvals under LPS 5, immediately to the south east include:

16/2373N Outline application for the construction of up to 400 dwellings with garaging; parking; public open space; landscaping; new vehicle and pedestrian accesses; highway works, foul and surface water drainage infrastructure and all ancillary works. - Land At, Flowers Lane, Leighton APPROVED January 2018

20/3210N Reserved matters approval sought for access, appearance, landscaping, layout and scale. following outline permission for the construction of up to 400 dwellings with garaging; parking; public open space; landscaping; new vehicle and pedestrian accesses; highway works, foul and surface water drainage infrastructure and all ancillary works. Land At, FLOWERS LANE, LEIGHTON APPROVED July 2021

This development is now on site.

Finally, there are numerous approvals at Leighton Hospital, the most relevant recent approval being a car park on the north eastern side fronting Flowers Lane.

POLICIES

Cheshire East Local Plan Strategy (LPS) – 2010-2030

PG1 – Development Strategy
PG6 – Open Countryside
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
IN1 – Infrastructure
IN2 – Developer Contributions
SC1 – Leisure and recreation
Sc2 – Indoor and outdoor recreation
SE 1 - Design
SE 2 - Efficient Use of Land
SE3 – Biodiversity and Geodiversity
SE 4 - The Landscape
SE 5 - Trees, Hedgerows and Woodland
SE 6 - Green Infrastructure
SE 13 - Flood Risk and Water Management
CO1 – Sustainable Travel and Transportation

LPS4 – Leighton West

LPS5 – Leighton

Site Allocations and Development Policies Document (SADPD) 2022

GEN 1 - Design principles
GEN 4 - Recovery of forward-funded infrastructure costs
ENV 1 - Ecological network
ENV 2 - Ecological implementation
ENV 5 – Landscaping
ENV 6 - Trees, hedgerows and woodland implementation
ENV 7 - Climate change
ENV 14 - Light pollution
ENV 16 - Surface water management and flood risk
HOU 1 - Housing mix
HOU 8 - Space, accessibility and wheelchair housing standards
HOU 13 - Residential standards
HOU 14 - Housing density
HOU 15 - Housing delivery
INF 1 - Cycleways, bridleways and footpaths
INF 3 - Highway safety and access
INF 6 - Protection of existing and proposed infrastructure
INF 9 – Utilities
REC 3 - Open space implementation
REC 5 - Community facilities

Neighbourhood Plans:

Crewe has not made any progress towards making a Neighbourhood Plan, and Minshull Vernon is at Regulation 7 Stage: Designated Neighbourhood Area, but at this stage can be given very little weight.

Other Material Considerations

The National Planning Policy Framework

CONSULTATIONS (External to Planning)

SP Energy Networks: No objections are raised, but they remind the applicant of their health & safety responsibilities around the significant electricity infrastructure which passes through the site, and the safe working practices that should be employed.

CEC Head of Strategic Infrastructure: No objections, subject to conditions and an informative.

CEC Public Rights of Way: No objections

CEC Environmental Health: No objections are made, subject to reminding the applicant of their responsibilities to discharge the conditions under the outline approval relating to amenity and air quality, and the contaminated land team recommends a further condition. Informatives are recommended.

CEC Flood Risk Manager: Extensive discussions have taken place and updated comments are awaited at the time of writing the report.

ANSA: Now that the range of facilities has been clarified across the site they raise no objections, however they recommend the detailed design of facilities is conditioned.

VIEWS OF THE TOWN/PARISH COUNCILS

Minshull Vernon and District Parish Council: No comments received

Crewe Town Council: They write:

“The committee objects to the principle of development on the site without investment in health and education infrastructure. However, the play and leisure facilities proposed will be a positive benefit. It is unclear how these will be maintained and who will be responsible for shared space maintenance and management. This should be detailed within any planning application and associated approval/decision.

It is advised and sought by Crewe Town Council’s Planning Committee that the play and leisure facilities include for the provision of CCTV to be included within the Cheshire East centralised CCTV monitoring unit.”

OTHER REPRESENTATIONS

One representation has been received from a local interest group who write:

“The scheme appears to be well thought out and attractive and St Peter's Church, Leighton-cum-Minshull Vernon would welcome its solid proposals. Our interest lies mainly in some financial assistance from the

S106 to support the potential increase in parishioners future spiritual needs that our small church will have to provide once the development is complete.”

OFFICER APPRAISAL

Principal of Development

The site is allocated in Local Plan policies LPS 4 and LPS 5 and has the benefit of outline planning permission as set out above. The outline set out the requirements for the site, and the Section 106 contributions/requirements. The policies read:

LPS 4 Leighton West, Crewe

Development at Leighton West will result in the creation of a new sustainable neighbourhood to support Leighton Hospital and provide a key site for the development of an automotive research, development and supply hub, in partnership with Bentley Motors which is located in very close proximity to the site. The development of Leighton West over the Local Plan Strategy period will be achieved through:

1. Contributions to health infrastructure and the provision of land adjacent to Leighton Hospital, for its future expansion, to ensure that the future health care needs of the area can be met;
2. The delivery of around 850 new homes (at a variety of densities). The design, density and scale of the development should reflect the fact that the site lies in a transitional location between the higher density urban area and the rural area. The surrounding development is predominantly suburban and the development of the site should reflect this. The development of the site will be masterplan-led, including a design code, which will consider its location, constraints and opportunities;
3. The inclusion of key worker housing, for the employees of Leighton Hospital;
4. The delivery of a new mixed-use local centre that will serve Leighton Hospital and nearby residents including:
 - i. Provision of retail appropriate to meet local needs;
 - ii. Community facilities;
 - iii. Public House;
 - iv. Children's day nursery;
 - v. A new primary school; and
 - vi. Leisure facilities;
5. Around 5 ha of additional employment land located at the southern end of the site including a science/energy park which could include advanced/automotive engineering and manufacturing;
6. The incorporation of green infrastructure, including:
 - i. Green corridor;
 - ii. Allotments;
 - iii. Open space including formal sports pitches, multi-use games area, outdoor gym, equipped children's play space and facilities for teenagers;
7. A new bus interchange for the hospital and nearby residential areas;
8. On land to the north of Pym's Lane, there is potential for a science/energy park and delivery of a key site for the development of an automotive research, development and supply hub, working in partnership with Bentley Motors. This area also has the potential to include a geothermal plant and district heating hub;
9. The widening and/or realignment of Smithy Lane, to provide access to the site and improved access to Leighton Hospital for emergency vehicles and suitable footpath and cycle lanes;

10. A package of network improvements to provide improved access to Leighton Hospital and surrounding residential development including emergency vehicles and suitable footpath and cycle lanes; and
11. An improved 'emergency portal' for blue light vehicles being able to access the hospital's Accident and Emergency Department from Smithy Lane.

Site LPS 5 Leighton, Crewe

This site lies adjacent to the Strategic Site of Leighton West. The site lies in close proximity to both Leighton Hospital and Bentley Motors; its development will result in the expansion of the new sustainable neighbourhood at Leighton West. This will provide opportunities for people to live near to the key automotive hub, to be located at the southern end of the Leighton West site and in close proximity to Bentley Motors. The development of the Leighton West Strategic Site over the Local Plan Strategy period will be achieved through:

1. The delivery of around 500 homes (at a variety of densities). The design, density and scale of the development should reflect the fact that the site lies in a transitional location between the higher density urban area and the rural area. The surrounding development is predominantly suburban and the development of the site should reflect this. The development of the site will be masterplan-led, including a design code, which will consider its location, constraints and opportunities;
2. Further road improvements to upgrade access to Leighton Hospital for emergency vehicles and suitable footpath and cycle lanes;
3. Key worker housing to be provided, for the employees of Leighton Hospital;
4. Site to be designed to complement the allocated site at Leighton West; and
5. Incorporation of green infrastructure, including:
 - i. A linear green corridor through the site, including the land below and adjacent to the pylons;
 - ii. Allotments;
 - iii. Open space including formal sports pitches, multi-use games area; outdoor gym and equipped children's play space.

This site, which proposes the green infrastructure with its various facilities, takes up the northern part of LPS5 – the southern half being subject to an application for housing in Parcel H, together with another approved housing scheme now on site. In addition, it takes up the central area of LPS4 with the remaining areas being subject to reserved matters housing applications also on this agenda, or in the case of the local centre or hospital expansion being subject to future proposals.

Clearly this application only makes up a part of these sites, but nevertheless an important part, in principle satisfying the green infrastructure elements of the policies.

Highway Implications

This site forms part of the local plan allocation LPS4 and already has outline approval where access was determined including the wider highways impact and any mitigation required. This current proposal is the reserved matters for the section of land consisting mainly of landscaping area that runs through the middle of the site and playing fields along the northern area.

There will be pedestrian connections through this site connecting the different parcels of development. There will be no carriageway through the site but there will be a cycle route.

A turning head at the end of Flowers Ln, where it will be closed off to vehicles, is required and this can also be conditioned. The shared pedestrian/cycle path that runs alongside Flowers Ln should be adopted and built to adoptable standards.

Subject to these conditions and an informative, no objection is raised.

Public Rights of Way/Cycle routes:

The PROW Team write that the footpaths, Leighton 3 & 6 appear to be accommodated within the landscape plans although it would have been helpful to have the definitive routes shown on the plans.

As discussed in the other applications, the applicants have submitted a Landscape Masterplan which combines all the sites and show the distribution of (amongst other things) the footpaths/cycleways. Following input from the Council's Landscape Architect these routes have been increased to make better linkages between the parcels and to provide circular routes for exercise etc.

More strategic footpath and cycle routes are created to re-enforce those provided as part of the North West Crewe Package highway works to allow users to travel away from highway frontages and give other route options, which is welcomed.

The overall provision is considered to acceptable and should encourage residents to walk and cycle, in line with policy objectives.

Landscape

The Council's Landscape Architect suggested the following changes to the green infrastructure areas in the original landscape plans for these areas:

- Introduce more/greater circular routes within the whole linear park:
- Introduce smaller ones around the SUDs basins
- With the larger circular routes which follow at a slight distance the housing estate edges introduce an element of safety/security e.g. for lone walker/runners, a long route.
- Straighten the central route where possible to create a strong designed route which follows the pylon routes.
- Create a few hard landscaped spaces along the central route which act as destinations, resting points, points of interest e.g.: seating area with an artwork overlooking an orchard etc. Emphasise crossing footpaths.
- Future proof footpath network especially along the pylon route by creating subtle 'ghost' connections to potential future park extensions, land release, etc.
- Increase perpendicular cross park connectivity between housing and other areas, maybe using more curved footpath routes.
- Strengthen the relationship between park and the 'local' centre
- Iron out unnecessary kinks in paths where possible
- The scheme could benefit from some strong structured low/medium sized tree planting, i.e. an avenue of apple trees, more hedgerows to some define routes, obviously larger trees should be avoided under the pylons.

The recently submitted Landscape Masterplan addresses the majority of these concerns, introducing more informal footpaths and improving linkages, tother with creating focal points. The individual

landscaping plans need to be updated to reflect these changes, but it is considered this can be conditioned now that the basic principles have been established.

Trees

An amended Arboricultural Impact Assessment (AIA) and an updated Arboricultural Method Statement (AMS) has been submitted further to the provision of the earlier forestry comments. Clarification has been provided regards several of the issues raised as requiring more detail and explanation.

It is understood that tree and hedgerow losses which have occurred since the preliminary survey was carried out at Outline have arisen because of Highway Infrastructure projects and the supporting plans are now annotated to confirm where this is believed to be the case. The TPO trees (Group G7) of the survey are shown for removal as this route into the site is reported to be an agreed bus link into the site from the neighbouring development area and already agreed.

The updated AIA and AMS has now been broken down by phase of development and makes provision to show all trees including those presently shown for removal shown by tree quality category colour with RPAs, so that impacts can be better understood. Some explanatory notes have been provided regards the pre agreed loss of TPO'd trees and those trees already removed for the highway's infrastructure projects.

The AIA indicates that of the trees surveyed across the whole site that 4 individual and 1 group of high quality A Category tree, 15 individual and 6 moderate quality B Category trees, 22 individual and 2 groups of low-quality C Category trees and 1 individual and 1 group of poor quality U Category tree as well as a combined total of 711 linear metres from 9 hedgerows which are proposed for removal to accommodate the proposals associated with the whole development area. An updated AMS (Version 3) has also been provided.

The submitted Assessment of Important Hedgerows considers the whole of the site and has not been broken down to impacts on the submitted applications. Twelve hedgerows (H1-H12) have been identified as important in accordance with criteria 5a of the Hedgerow Regulations.

5. The hedgerow:

a) is recorded in a document held at a Record Office as an integral part of a field system pre-dating the Inclosure Acts

Hedgerow 1 is also importance in accordance criteria 1.

1. Any hedgerow that marks the boundary or part of the boundary, of at least one historic parish or township; and for this purpose, "historic" means existing before 1850.

The assessment confirms that sections of hedgerow H2, H5, H6, H7 AND H8B0 are to be removed as part of proposed development for Northwest Crewe Package and includes the removal of sections for Highway works. Additional removal of H3 is required for a bus route and access. The overall development will arise in the partial loss of hedgerows which form a 19th Century field system but most of the hedgerows are shown for retention where possible and the report has concluded that the overall harm is; 'less than substantial'. Mitigation is proposed of 2,300m of new hedgerows. As hedgerows have been found to be 'Important' under the above referenced criteria of the Regulations, the loss of the hedgerows to accommodate the development is a material consideration in the determination of the application although it appears that sufficient compensatory planting is being offered across the whole development area.

Having appraised the amended detail and proposals identified it is unclear why so many high quality and moderate quality trees are being removed within some areas and these have been referenced more specifically in association with applications relating to the parcels for development.

Initial observations suggest that the landscape proposals as indicated for the Flowers Lane Transition POS which is to the north of the Parcel H has not been considered in any detail. Trees around and within the perimeter of the area are shown in the supporting AIA and AMS, but provision has not been made to afford any protection to the trees during any approved implementation period. Elements of the landscape proposals, such as the detention basins south of trees along the northern boundary are annotated as 'to be confirmed' in terms of final design and size which presents concerns regards unquantified impacts to trees.

It is noted that discrepancies exist between the CGI (Combined Green Infrastructure) Planting Plans and the tree retention and removals plans associated with the AMS with trees shown to be retained on the CGI plans which are down for removal in the arboricultural report for example; CGI Planting Plan – Sheet 8 (G101-08 Rev P12) shows trees T27, T37 and group G4 as being retained whereas the AMS suggests they will be removed and this seems to be repeated on several of the 29 planting plans.

The AMS as submitted does include a tree protection plan, make provision for a methodology for working in relation to retained trees, and identifies areas where special measures would be implemented in respect of minor root pruning and construction of engineer designed surfaces although as identified in some areas tree protection is missing in relation to the site edged red of this application and potential impacts are yet to be confirmed. Final comments will be provided once the pond detail to the north of Parcel H has been submitted. It is recommended that the final design and size of the ponds should ensure that no further losses will arise to any moderate quality trees within the area. Tree Protection, levels information and a working methodology to minimise the effects of any works in the area should also be provided.

For completeness in the assessment and determination of this planning application, as hedge loss is involved it is considered the hedgerows should be assessed against all criteria in the Hedgerow Regulations 1997 in order to ascertain if they qualify as 'Important'. The Regulations require assessment on various criteria including ecological and historic value. Should any hedgerow shown for removal be found to be 'Important' under any of the criteria in the Regulations, this would be a material consideration in the determination of the application. Hedgerows are also a habitat subject of a Biodiversity Action Plan.

The applicant has been looking at the impacts on trees identified above as part of the revised plans, as whilst the Council's Tree Officer has not formally objected to the application on the basis of tree impacts, at least some of these impacts would seem to be avoidable. At the time of writing this report the applicant was discussing amendments with the Council's Tree Officer which would allow for the retention/better protection of more trees, and Members will be updated on this matter in an Update Report.

Ecology

A number of conditions were attached to the outline consent at this site.

Condition 9 Ecological Monitoring Strategy:

Monitoring proposals are required by this condition are included in the submitted Habitat Management Plan TEP Version 3.0 dated 10.4.24.

Condition 11 Detailed design of attenuation ponds:

A drainage statement has been submitted (Lees Roxborough Rev A). No detailed designs of attenuation ponds have been submitted with this reserved matters application as required by this condition. The Council's Ecologist requests these be submitted. It is advised that the attenuation ponds must be designed to hold an area of permanent open water.

Condition 12 Updated hedgerow impact assessment, mitigation and compensation strategy:

The submitted biodiversity assessment (January 2024) however advises that 2.6km of hedgerow would be lost across the entire outline site under the various reserved matters applications, with 2.17km of new hedgerow planting being provided. The originally submitted BNG metric concluded that the reserved matters applications would result in a net loss of 10.41% in respect of hedgerow biodiversity.

It was advised that the development proposals must ensure that the extent of hedgerow retained as part of the development is maximised and that any unavoidable losses of hedgerow are adequately compensated for by appropriate native species hedgerow planting. A greater length of replacement planting to that lost will be required to fully address the loss of biodiversity from hedgerow removal. Ornamental hedgerow planning is not acceptable as compensation for the loss of native species hedgerow.

Following the submission of further information to clarify the impacts of this development as opposed to losses for the road scheme – which appears to have caused the confusion, the Council's Ecologist comments:

"The proposed reserved matters application combined will result in the loss of 0.38km of hedgerow, including lengths of hedgerow considered to be 'Important' under the Hedgerow Regulation. The BNG metric has been undertaken on the basis of 2.17km of new hedgerow planting being provided on site. This is based on PGLA Landscape Masterplan Rev 11.

The proposed hedgerow planting would result in a net gain of hedgerows of 30.57%. Therefore, if the loss of the existing hedgerows is considered unavoidable sufficient planting would be provided to compensate for that lost. This would however be dependent upon the reserved matters application being brought forward in accordance with the landscape master plan."

This masterplan would, should planning permission be granted, form one of the approved plans.

Condition 25 Updated badger and barn owl survey and mitigation strategy:

Acceptable updated barn owl and badger survey and mitigation strategy has been submitted as required by this condition.

Condition 26 Details of any proposed lighting. The lighting strategy should reflect the Bat Conservation Trust Guidance Note:

The covering letter from the Agent refers to a lighting strategy being included in the submitted 'Ecological Monitoring Strategy' however an 'Ecological Monitoring Strategy' does not appear to have been submitted in support of this application. The applicant proposes that a detailed design for the lighting (in accordance with the strategy) be submitted under condition 22 prior to installation of the lighting.

Condition 27 25 year habitat management plan:

An acceptable Management plan has been submitted (Habitat Management Plan TEP Version 3.0 dated 10.4.24).

Condition 28 The first reserved matters application shall be supported by a strategy for the incorporation of features to enhance the biodiversity value of the proposed development:

A Biodiversity Impact Assessment (TEP June 2022) which covers the full extent of the outline planning consent subject to the various current reserved matters applications was previously submitted in support of this reserved matters application. A revised BNG metric dated 22/1/24 has also now been submitted. The metric includes measurements for the areas of various habitats to be provided on site. The area of species rich grassland provide don site is less than that required by condition 28 as is the extent of hedgerow planting. The area of cornfield annuals and wet grassland is however greater than required by condition 28.

The assessment concludes that the proposed development (based on all of the reserved matters applications) would deliver a net gain for area based habitats of 12%, but a net loss of -10.41% of hedgerow biodiversity.

Proposals for the provision of bird and bat boxes and gaps in garden fences have been submitted as required by this condition. It must however be ensured that bat/bird boxes are proposed to be attached to 30% of consented dwellings in accordance with the Cheshire East Design Guide.

Detailed method statements for the creation of species rich grassland and cornfield annual meadow habitats are outstanding. These must be submitted prior to the discharge of this condition.

Bat survey

Two additional trees have been identified as requiring removal under this series of reserved matters application (T82 and T122). This application is supported by a letter from the applicant's ecological consultant advising that a bat survey/assessment of these trees is required. A further inspection of these trees has been undertaken and the trees have been found to be unsuitable for roosting bats. No further action in respect of roosting bats is therefore required.

Additional conditions

If reserved matters consent is granted a condition would be required to safeguard nesting birds.

Whilst ideally all matters would have been resolved now, outstanding matters relating to the discharge of conditions highlighted above, will be picked up in their subsequent discharge.

Urban Design

As this application only relates to the areas of green infrastructure the Council's Urban Design Officer has not commented on this application specifically – leaving it to the Council's Landscape Architect. Comments have been made on individual applications where there is an interface with development parcels.

Environmental Impacts

Environmental Protection have confirmed they have no objections to the application with regards to general amenity (including noise) and air quality subject to satisfactory discharge of the relevant conditions on the outline and informatives. The contaminated land team comment that they have no objection to the application subject to the following comments with regard to contaminated land:

- RoC Consulting Phase 1 Desktop Study was submitted in support of the outline application.
- The report identifies a number of potential pollutant linkages that require further investigation. The report recommends that a Phase II investigation is conducted at the site.
- A rigorous monitoring-based ground gas risk assessment will be required to assess the potential impact of ground-gas migration from the landfills adjacent south.

As such, and in accordance with the NPPF, the Contaminated Team recommends that that conditions, reasons and notes be attached should planning permission be granted.

Flood Risk/Drainage

Extensive discussions have taken place with the applicant's drainage engineers, with matters of relating to drainage calculations, finished floor levels, management arrangements and details of a pumping station being discussed. The applicant has submitted detailed replies to all matters raised, but at the time of writing this report the Flood Risk Manager's updated comments are awaited. It is considered that if there are any outstanding matters raised, they could be conditioned. It is important to note that of course this application proposes very little built development – only footpaths etc but is still part of the drainage plan containing numerous SuD's features so needs to be considered alongside the residential parcels.

Public Open space

The public open space provision was set out at the outline stage and captured by the Section 106 Agreement. Overall, the site includes the following facilities:

- Multi Use Games Area (MUGA)
- Teen Shelter & Play
- Neighbourhood Equipped Area of Play (NEAP)
- An orchard
- Allotments
- Local Equipped Areas of Play (LEAP)
- Local Areas of Play (LAP) - 6 No.
- Areas of outdoor gym equipment
- Areas of incidental open space

Many of these facilities are included with the common areas of green infrastructure, subject to this application, which runs through the centre of the site, and along the northern boundary where the MUGA, Teen facilities and NEAP are located. This is considered to be a good approach as they offer good accessibility to many of the facilities, with only a limited number of play areas being sited in the housing areas where it was more appropriate.

Due to the way the information was presented, ANSA where initially unclear what provision was being made, however following the submission of a Landscape Masterplan which sets it out more clearly they have confirmed they have no objections to the provision as submitted. There are however detailed design issues with the individual areas of provision, so ANSA have asked for the detailed design of each of the items listed above (incidental open space excluded) to be subject of a condition.

Other matters

St Peter's Church have raised the issue of a Section 106 contribution towards their church. Whilst this is understood, unfortunately as a Reserved Matters application a Section 106 contribution cannot be requested, as it can only be required at the full or in this case outline stage of the application.

The Town Council raise the issue of management & maintenance of the green infrastructure, which is an important point, but this was addressed at the outline stage by provisions in the Section 106 Agreement to ensure these aspects are agreed in advance.

With regards to CCTV, it is not something that would normally be a requirement of any development of this nature unless there is a specific identified need, which is not considered applicable here.

CONCLUSIONS

This application proposes the Reserved Matters for two areas of land forming the green infrastructure elements of the site, approved in outline and subject to a Section 106 legal agreement, under application reference 19/2178N. It is one of four separate applications being considered on this agenda.

These two areas of land consist of the central spine of the site linking all the sites south of Flowers Lane and the northern most of the sites adjacent to the proposed school site. Several amendments have been made since the application was first submitted, particularly to the footpath network.

Highways have raised no objections, subject to a point of detail being agreed by condition and an informative. The PROW Team have no objections and the proposed footpath/cycleway provision is considered to be good.

The majority of the Ecology and Landscaping issues identified in this report have now been resolved, and although there are some outstanding matters to do with tree impacts, it is anticipated most of these can be addressed and Members will be updated on this matter.

The Council's Flood Risk (LLFA) team have similarly been involved in detailed discussions with the applicant and detailed replies to matters raised have been submitted by the applicant. The LLFA's latest comments were awaited at the time of writing this report, but the main issues have now appear to have been addressed, and if necessary outstanding matters can be conditioned.

There are no objections on the grounds of the proposed areas of public open space, or environmental matters.

RECOMMENDATION

Approve subject to the following conditions;

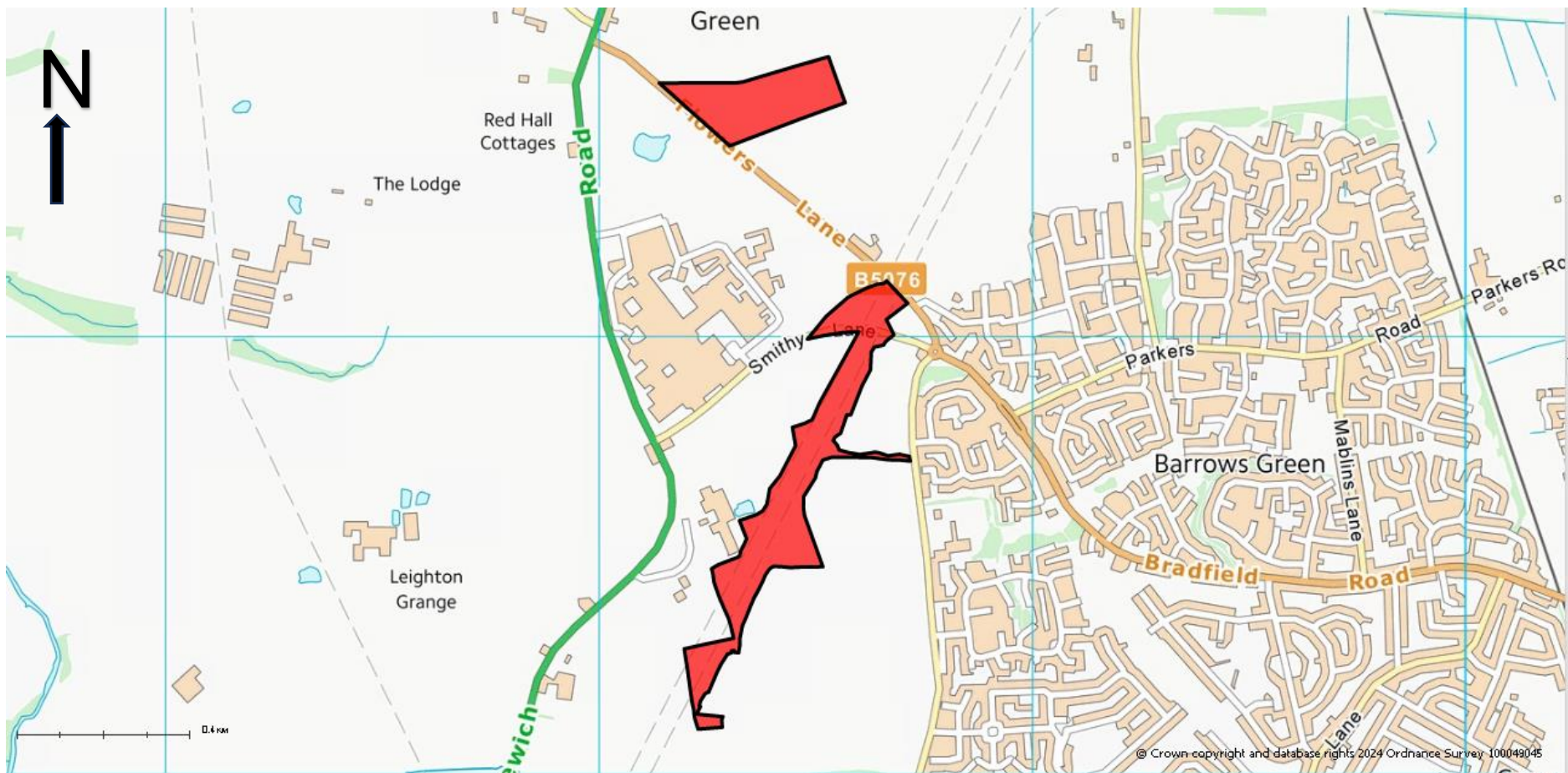
1. Approved plans
2. Bird nesting
3. Submission of a Phase II ground investigation and risk assessment
4. Submission of a Verification Report
5. Soils testing
6. Unexpected contamination

7. Detailed design of the individual elements of play areas/Teen facilities/MUGA/outdoor gym, allotments and orchard to be agreed.
8. Detailed landscaping to be submitted and approved
9. A plan detailing a turning head at the end of the closed section of Flowers Ln should be submitted and approved.

Informatives;

- SP Energy informatives
- Public Rights of Way
- Environment Protection Informatives
- Highways: the shared pedestrian/cycle path that runs alongside Flowers Ln should form part of the adopted highway

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.



OFFICIAL