

# Strategic Planning Board

## Updates

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**Date:** Wednesday, 21st September, 2016  
**Time:** 10.30 am  
**Venue:** Council Chamber - Town Hall, Macclesfield, SK10 1EA

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The information on the following pages was received following publication of the committee agenda.

5. **16/1046N - Land off Crewe Road, Haslington, Cheshire CW1 5RT: Reserved matters application for the erection of 245 dwellings, highways, public open space, play facility and associated works following approved outline application (13/4301N) APP/R0660/A/14/2213304 for Mr C Conlon, Bovis Homes Ltd (Pages 1 - 4)**
  
6. **15/5222C - Former Manchester Metropolitan University Alsager Campus, Hassall Road, Alsager, Cheshire, ST7 2HL: Demolition of all buildings & erection of 426 dwellings with associated parking, laying out of new grass pitches, two artificial grass pitches with associated floodlighting and fencing, new changing rooms and ancillary parking and new accesses onto Hassall Road and Dunnocksfold Road for Barratt/David Wilson Homes and Manchester Metropolitan University (Pages 5 - 6)**

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Please contact Gaynor Hawthornthwaite on 01270 686467  
E-Mail: [gaynor.hawthornthwaite@cheshireeast.gov.uk](mailto:gaynor.hawthornthwaite@cheshireeast.gov.uk) with any apologies, requests for further information or to arrange to speak at the meeting

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7. **15/5676M - Barracks Mill, Black Lane, Macclesfield, Cheshire: Outline planning application with all matters reserved except for access for the demolition of existing buildings and the erection of three units with mezzanine floors for Class A1 retail use (c12,000 square metres GIA) plus external sales area; one food retail unit (Class A1) including mezzanine (c1,200 square metres GIA); two units for Class A1/A3/A5 uses (c450 square metres GIA); and works to create new access from The Silk Road, pedestrian/cycle bridge, car parking, servicing facilities and associated works for Cedar Invest Limited (Pages 7 - 8)**
8. **16/0514C - Land at Back Lane, Congleton: Outline application for demolition of some existing buildings and the development of a residential scheme composing up to 140 dwellings, open space, landscape, access and associated infrastructure for Russell Homes (UK) Limited (Pages 9 - 10)**
9. **16/3064W - Dingle Bank Quarry, Holmes Chapel Road, Lower Withington SK11 9DR: Variation of Conditions 2, 4 and 5 of permission 10/3080W for Miss Maria Cotton, Sibelco (Pages 11 - 12)**
10. **16/3062W - Dingle Bank Quarry, Holmes Chapel Road, Lower Withington SK11 9DR: Variation of Conditions 2, 4 and 5 of permission 10/3078W for Miss Maria Cotton, Sibelco (Pages 13 - 14)**

**STRATEGIC PLANNING BOARD – 22 September 2016**

**UPDATE TO AGENDA**

**APPLICATION NO:** 16/1046N

**LOCATION:** LAND OFF CREWE ROAD HASLINGTON

**ECOLOGY UPDATE**

Members will note from the main report that the Council's ecologist has been waiting for more information concerning great crested newts. The Ecologist has now had that information and can advise about the implications of this scheme for the favourable conservation status of the protected species, which is the test within the Habitat Regulations that needs to be assessed.

The proposed development would result in the loss of a significant area of terrestrial habitat. Much of the application site however is currently used for arable farming and so would be considered to be low quality terrestrial habitat for great crested newts and the loss of this type of habitat would have a low level adverse impact upon great crested newts.

There is however a loss of woodland, wet grassland and scrub habitat in close proximity the breeding ponds and in addition the construction of the attenuation ponds in this area would cause a significant amount of disturbance within a few meters of the ponds. Regarding the woodland area located in the vicinity of the ponds. It has always been the desire (as expressed in previous consultation comments) to see this area retained as part of the development particularly as it was shown as retained under the outline illustrative masterplan.

This habitat would however now be likely to be at least partly lost as a result of the proposed attenuation ponds. So in conclusion, whilst it would be desirable for this area of woodland to be retained and its loss is regrettable, its potential value and loss is not sufficiently significant when considered in the overall context of the proposed habitat mitigation proposals, to amount to a likely reason for a European Protected Species license to be refused by Natural England, and is not a sustainable reason for refusal of the planning application.

Overall, the scheme would result in the loss or modification of habitat in close proximity to breeding ponds and would result in a HIGH magnitude adverse impact on great crested newts using the Natural England impact assessment guidelines. A plan has now been submitted showing the location of suitable great crested newt terrestrial habitat that would be delivered as part of the proposed development.

The Ecologist advises that on balance the proposed mitigation and compensation is acceptable to maintain the favourable conservation status of the local great crested newt population. If planning consent is granted the following conditions are required:

*The proposed development to proceed in accordance with the submitted draft great crested newt mitigation strategy unless varied by a subsequent Natural England license.*

*Reason to safeguard biodiversity in accordance with the NPPF.*

*An fence and access gate is to be provided to demarcate the area of Wildflower planting and amenity grassland located in the sites south western corner as shown on the submitted plan C121832-Phase 2 – E3.1. The access gate to be of sufficient size to allow access for management..*

*Reason to safeguard biodiversity in accordance with the NPPF.*

### Reptiles

The applicants consultant has advised that a further reptile survey has not been undertaken this year. It is advised however that the Council has sufficient information to conclude that reptiles are not reasonable likely to be present or affected by the proposed development.

### Bats

A number of trees present on site have been identified as having potential to support roosting bats. Based on the submitted layout plan it appears feasible for these trees to be retained as part of the development.

An updated assessment of the buildings on site has identified a number of potential features that could be used by roosting bats. However, further detailed surveys have not identified any evidence of roosting bats.

The Ecologist advises that roosting bats are unlikely to be directly affected by the proposed development.

### Pond

From the Ecologist's discussions with the applicants it does appear likely that the proposed development would in result in a detrimental effect on the existing drainage of this site resulting in a reduction in the volume of water entering the existing pond which is used by great crested newts.

To address this issue the applicant is proposing that the SUDS scheme for the site discharges into the existing pond. The Ecologist advises that it is normal for the Council to ensure that GCN ponds and ponds associated with SUDS are kept separate to avoid any risk of contamination. However, in this instance it is important to ensure that the existing pond receives sufficient water as part of the proposed development to maintain water levels in the pond.

There are two issues from an ecological perspective here, firstly it must be ensured that the water entering the pond is sufficiently clean to not affect

newts and secondly, it must be ensured that sufficient water enters the pond to ensure the existing water levels in the pond are maintained.

In order to ensure that the water entering the newt pond is of sufficient quality the applicant is proposing that the water from the site discharges into the newt pond at the end of the SUDS 'treatment train'. Therefore water entering the pond would already have been filtered through gravel/reedbeds prior to reaching the pond which should remove any contamination. This has been discussed with the one of the Council's Flood Risk Managers and it seems feasible that the SUDS could be designed to maintain the existing flow of water to the newt pond. To ensure the above was taken forward we would however require a detailed design for the SUDS to be submitted prior to the commencement of development.

If planning consent is granted it is recommended that a condition be attached:

*The SUDS scheme produced for the site to include proposals to ensure that water levels of the identified great crested newt ponds are maintained in accordance with the pre-development levels. The SUDS scheme to also ensure that the identified great crested newt pond is incorporated into the SUDS scheme at the end of the treatment train and that water entering the pond is sufficiently clean to maintain the suitability of the pond to support breeding great crested newts.*

*Reason: to safeguard biodiversity in accordance with the NPPF.*

The ecologist's advice is that provided the above is implemented the existing pond should be maintained.

### Ecological Enhancement Strategy

In accordance with the outline permission an Ecological Enhancement Strategy has been submitted with the application. To ensure the recommendations of strategy are implemented it is recommended that a condition along the lines of the following be attached in the event that planning permission were to be granted:

*The proposed development to proceed in accordance with the recommendations of the submitted Biodiversity Enhancement Strategy prepared by Middlemarch Environment dated February 2016. For avoidance of doubt the seeded areas shown on the submitted landscape plans are to be seeded and managed in accordance with paragraphs 4.1.2 and 4.1.3 of the Biodiversity Enhancement Strategy.*

*Reason: to safeguard Biodiversity in accordance with the NPPF.*

Subject to the suggested ecological additional conditions above those already recommended in the main report, the Council's ecologist is satisfied that favourable conservation status of the Great Crested Newt is maintained by these proposals. On this basis, English Nature will issue a Licence.

## **REPORT CORRECTIONS**

Condition 18 as recommended on page 23 of the Committee report duplicates condition 6. It is therefore recommended that condition 18 is deleted.

### **RECOMMENDATION**

**Approve subject to the conditions on pp 22-23, as corrected, and subject to the following additional conditions:**

- 1 The proposed development to proceed in accordance with the recommendations of the submitted Biodiversity Enhancement Strategy prepared by Middlemarch Environment dated February 2016. For avoidance of doubt the seeded areas shown on the submitted landscape plans are to be seeded and managed in accordance with paragraphs 4.1.2 and 4.1.3 of the Biodiversity Enhancement Strategy.
- 2 SUDS scheme produced for the site to include proposals to ensure that water levels of the identified great crested newt ponds are maintained in accordance with the pre-development levels. To be provided prior to commencement of development and implemented as approved
- 3 The proposed development to proceed in accordance with the submitted draft great crested newt mitigation strategy unless varied by a subsequent Natural England license.
4. Prior to commencement of development a scheme for a fence and access gate is to be provided to demarcate the area of Wildflower planting and amenity grassland located in the sites south western corner as shown on the submitted plan C121832-Phase 2 – E3.1. shall be submitted. The access gate to be of sufficient size to allow access for management.

**STRATEGIC PLANNING BOARD – 21 September 2016**

**UPDATE TO AGENDA**

**APPLICATION NO:** 15/5222C

**LOCATION:** Former Manchester Metropolitan University Alsager  
Campus, Hassall Road, Alsager

**APPLICANTS SUBMISSION**

Following the receipt of the independent costing of the required improvement works to Alsager Leisure Centre to mitigate for the impact of the development, the applicant has confirmed that MMU are prepared to commit to a contribution of £486,771.10 to facilitate these works.

This amount appropriately reflects the independent costing and equipment costs.

The applicant does however consider that the works required through the Sports Needs Assessment can be delivered for less than this amount, and they note that this contribution will further worsen the viability position for the overall development.

**CONSULTATIONS**

Sport England – Withdraw previously lodged objection subject to:

1. S106 agreement securing £486,771 towards the cost of the indoor sports facility improvements at Alsager Leisure Centre and £14,888 to enable capacity improvements at Crewe Vagrants RUFC
2. Written confirmation from the Council that they accept the transfer of land from the current owner
3. Conditions relating to technical details of pitches, phasing and drainage.

**REPRESENTATIONS**

Three further letters of representation have been received. Two letters object to the proposal on the following grounds:

- Too many houses proposed
- The westernmost field has the status of 'Protected Open Space'
- Impact on highway safety
- Infrastructure improvement requirements are being ignored

The third letter reluctantly supports the proposal. It notes that too many houses are proposed and the services in Alsager will be unable to cope.

**KEY ISSUES**

At the time of the last Committee Sport England had submitted a holding objection to the application as the following matters were outstanding:

- Written confirmation from Everybody Sport and Recreation (ESAR) that it will take on the management of the outdoor facilities;
- Written confirmation from the Council that it will take the transfer of the sports pitches from the current owner, and;
- An agreed cost / contribution for the internal works at Alsager Leisure Centre.

Confirmation has been received from ESAR that it will take on the management of the Outdoor facilities following the transfer of the land to Council, and the necessary contribution has been agreed to enable the indoor works to take place. The letter from the Council regarding the transfer of the land is outstanding, but Sport England are willing to remove their objection subject to the receipt of the Council's written confirmation prior to a decision being issued.

The additional conditions recommended by Sport England are currently included within the Heads of Terms for the s106 agreement, in very broad terms. Discussions are ongoing with the applicant about the most appropriate mechanism for delivering these details (i.e. via conditions or the s106).

The comments received in representation raise issues that have been addressed in previous reports.

### **CONCLUSIONS**

As in the original report a recommendation of approval is made, subject to conditions and s106 agreement.



**Strategic Planning Board – 21<sup>st</sup> September 2016**

**UPDATE TO AGENDA**

**APPLICATION No:** 15/5676M

**PROPOSAL:** Outline planning application with all matters reserved except for access for the demolition of existing buildings and the erection of three units with mezzanine floors for Class A1 retail use (c12,000 square metres GIA) plus external sales area; one food retail unit (Class A1) including mezzanine (c1,200 square metres GIA); two units for Class A1/A3/A5 uses (c450 square metres GIA); and works to create new access from The Silk Road, pedestrian/cycle bridge, car parking, servicing facilities and associated works

**LOCATION:** BARRACKS MILL, BLACK LANE, MACCLESFIELD

**OFFICER REPORT**

**Representations:**

Further representations have been made by Savills, who are the agent acting on behalf of the Grosvenor shopping Centre (Eskmuir Securities Ltd). Eskmuir considered that they needed to see the submitted viability appraisal in full as parts of it were redacted. With permission of the applicant, the viability appraisal and the financial information has been supplied to Eskmuir's agent Savills. Savills note that there is some detail redacted in one of the appendices and on that basis do not consider that they have all of the information available to them. However, the information that is redacted contains commercially sensitive information relating to external businesses and therefore cannot be divulged. Nonetheless, the redacted detail is not considered to impact on the review of the document.

Eskmuir's agent has requested that the application be deferred so that sufficient time can be made to comment on the submitted information. However, it is considered that sufficient time and detail has been given for Eskmuir to consider the submitted information. They have also requested that all information and correspondence be made publicly available. It is important to note that much of the information relating to viability is commercially sensitive and therefore not all of it can be made publicly available.

**RECOMMENDATION**

If Members are minded to approve this application in line with the recommendation, the application will need to be referred to the Secretary of State (SoS) in accordance with paragraphs 3-8 of the Town and Country Planning (Consultation) (England) Direction 2009. This is because the proposal comprises of 'out-of-centre' retail development exceeding 5,000

square metres floorspace. This is to give the SoS the opportunity to consider using the power to 'call in' the application under section 77 of the Town and Country Planning Act 1990.

**APPLICATION NO:** 16/0514C

**LOCATION:** Land off back Lane Congleton

### **REPORT CORRECTIONS**

#### Bats

A bat roost is known to be present in a tree at target note 14 on the submitted Habitat Plan (also known as tree 144 in the Jacobs report associated with the Link Road application). The submitted report states that this tree and the roost associated with it would be lost as a result of the widening and upgrading of Back Lane.

The Back Lane upgrade works are included in the Congleton Link Road application, but also seem to be included in the red line of this application.

The applicant has however have confirmed that it is unlikely that this tree would be removed as part of the current application.

Minor bat roosts are also known to be present at Paddock Hall Farm. These buildings are shown as being retained under the illustrative master plan but the applicant has confirmed that an existing barn is likely to be removed. Based upon the results of the addendum bat survey it appears that the barn proposed for removal under the current proposals does not support a bat roost.

The main report (P113) erroneously refers to a requirement for a bat loft.

The loss of hedgerows around the retained buildings will however result in the localised loss of foraging opportunities for bats and the use of excessive lighting during the construction phase could also have a localised impact upon foraging and commuting bats associated with these roosts. In order to avoid these impacts it is recommended that if planning consent is granted a condition should be attached requiring the submission of a bat mitigation strategy to be submitted as part of any reserved matters application. This strategy should include proposals to avoid any excessive lighting in the vicinity of the retained farm buildings during the bat activity season and the provision of native species landscaping around the retained buildings to compensate for the loss of foraging habitat.

### **RECOMMENDATION**

*No change to recommendation*

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**APPLICATION NO: 16/3064W**

**LOCATION: Dingle Bank Quarry, Holmes Chapel Road, Lower Withington, SK11 9DR**

**PROPOSAL: Variation of Conditions 2,4 & 5 of permission 10/3080W**

**Public rights of way**

Following further discussions with the public rights of way unit the impacts on the public rights of way are considered as follows.

Temporary diversions of the footpath crossing the site have been established as the mineral working has progressed and permissive footpaths have also been provided around Lapwing Lake as this area has been restored. The mineral working currently affects Public Footpaths Lower Withington FP23 and Siddington FP 29 which are subject to a Temporary Diversion Order and which are due to be restored to their original alignment by December 2018, reflecting the current permitted mineral restoration timescales. These two footpaths lie outside the boundary of this application (as they are located within the boundary of application 16/3062W which is being considered separately) and as such the request of the public rights of way unit for a further temporary diversion order to be secured by condition is not relevant to this application.

There are conditions in the current consent requiring Lower Withington Footpath 17 to be kept open and securely fenced during the mineral workings, and any damage to Lower Withington Bridleway 8 caused by passing plant to be rectified to the satisfaction of the MPA. These requirements would be replicated on any consent; as such it is considered that there are adequate provisions in place to ensure public rights of way are protected during the course of the development.

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**APPLICATION NO: 16/3062W**

**LOCATION: Dingle Bank Quarry, Holmes Chapel Road, Lower Withington, SK11 9DR**

**PROPOSAL: Variation of Conditions 2,4 & 5 of permission 10/3078W**

**Amendment to description of proposal and recommendation**

A correction to the description of the proposal on page 144 and associated section of the recommendation on page 160 is detailed below (with the corrected wording shown underlined/strikethrough)

**PROPOSAL**

The application proposes the variation of conditions 2, 4 and 5 of permission 10/3078W to seek an extension of time to complete mineral extraction and restoration of the site. Condition 4 states:

*‘The winning and working of sand authorised by this permission shall cease by no later than 31st December 2016. The Mineral Planning Authority shall be notified in writing within 7 days of the cessation of the mineral working’*

The applicant is seeking to extend the date of cessation of mineral extraction to 30th June 2018, providing a further one year and six months for mineral extraction.

Condition 5 states:

*‘The site shall be restored as far as required by condition 40 by no later than 24 months of the cessation of mineral extraction as defined by condition 4’*

The applicant is seeking to revise this condition to allow for the completion of the restoration of the quarry ~~and the plant areas~~ no later than 31st December 2018.

The corresponding condition in the recommendation on page 160 will read:

**Extension of time for mineral extraction to 30th June 2018 with restoration completed by no later than 31st December 2018**

**Public rights of way**

Following further discussions with the public rights of way unit the impacts on the public rights of way are considered as follows.

Temporary diversions of the footpath crossing the site have been established as the mineral working has progressed. The mineral working currently affects Public Footpaths Lower Withington FP23 and Siddington FP 29 which are subject to a Temporary Diversion Order and which are due to be restored to their original alignment by December 2018, reflecting the current permitted mineral restoration timescales. The public rights of way unit identified that a further Temporary Diversion Order would be required as a result of this proposal; however the proposed

time extension would not affect this temporary diversion order as the restoration is proposed to be completed by December 2018 under this proposal. Therefore there would be no impacts on the arrangements for the reinstatement of these footpaths.