

Strategic Planning Board

Agenda

Date: Wednesday, 14th December, 2016
Time: 10.30 am
Venue: Council Chamber, Municipal Buildings, Earle Street, Crewe
CW1 2BJ

Please note that members of the public are requested to check the Council's website the week the Strategic Planning Board meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and in the report.

It should be noted that Part 1 items of Cheshire East Council decision making and Overview and Scrutiny meetings are audio recorded and the recordings will be uploaded to the Council's website.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. Apologies for Absence

To receive any apologies for absence.

2. Declarations of Interest/Pre Determination

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have a pre-determination in respect of any item on the agenda.

3. Minutes of the Previous Meeting (Pages 3 - 8)

Please Contact: Sarah Baxter on 01270 686462
E-Mail: sarah.baxter@cheshireeast.gov.uk with any apologies or request for further information
Speakingatplanning@cheshireeast.gov.uk to arrange to speak at the meeting

To approve the minutes as a correct record.

4. **Public Speaking**

A total period of 5 minutes is allocated for each of the planning applications for the following:

- Ward Councillors who are not members of the Strategic Planning Board
- The relevant Town/Parish Council

A period of 3 minutes is allocated for each of the planning applications for the following individuals/groups:

- Members who are not members of the Strategic Planning Board and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **16/4601N-Reserved matters application for residential development for 1000 dwellings with associated landscaping, open space, roads, cycle ways, footways and infrastructure, Kingsley Fields Land to the North of, Waterlode, Nantwich for Mr Ian Harrison, Taylor Wimpey UK Limited, Redrow Homes & David Wilson Homes (Pages 9 - 34)**

To consider the above application.

6. **15/4888N-Outline application for the provision of up to 400 residential units, White Moss, Butterson Lane, Barthomley, Crewe for Mr Lee Dawkin, Renew Land Developments Limited (Pages 35 - 58)**

To consider the above application.

7. **16/2229C-Reserved matters application following outline application 11/4109C; for access (off Linley Lane), appearance, landscaping, layout and scale, Caradon Bathrooms Ltd, Lawton Road, Alsager for Peter Barlow, Wainhomes (North West) Ltd (Pages 59 - 74)**

To consider the above application.

8. **Greater Manchester Spatial Framework (GMSF) (Pages 75 - 84)**

To consider the above report.

9. **Cheshire East Local Plan Strategy - Main Modifications (Pages 85 - 92)**

To consider the above report.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 16th November, 2016 at The Capesthorne Room - Town
Hall, Macclesfield SK10 1EA

PRESENT

Councillor H Davenport (Chairman)
Councillor J Hammond (Vice-Chairman)

Councillors B Burkhill, T Fox, S Hogben, D Hough, J Jackson, J Macrae,
S Pochin, M Sewart, L Smetham and J Wray

OFFICERS IN ATTENDANCE

Ms P Evans (Senior Planning and Highways Lawyer), Mr N Jones (Principal
Development Officer), Mr D Malcolm (Head of Planning (Regulation)), Ms S
Orrell (Principal Planning Officer) and Miss N Wise-Ford (Principal Planning
Officer)

60 APOLOGIES FOR ABSENCE

None.

61 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interests of openness in respect of application 16/1353M, Councillor
L Smetham declared that she was a member of the Cheshire Wildlife Trust
and RSPB who had been consultees on the application.

In the interests of openness in respect of application 16/1353M, Councillor
J Macrae declared that he was a member of the Cheshire Wildlife Trust
and CPRE who had been consultees on the application.

In the interest of openness in respect of application 16/4558C, Councillor J
Hammond declared that he was a Director of ANSA Environmental
Services who had been a consultee on the application but had not made
any comments in respect of the application nor taken part in any
discussions.

In the interest of openness in respect of application 16/4558C, Councillor
S Hogben declared that he was a Director of ANSA Environmental
Services who had been a consultee on the application, however he had
not made any comments in respect of the application nor taken part in any
discussions.

In the interest of openness in respect of application 16/1353M, Councillor J
Hammond declared that he was a member of the Cheshire Wildlife Trust

and RSPB who had been consultees on the application, however he had not made any comments in respect of the application nor taken part in any discussions.

62 MINUTES OF THE PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 19 October 2016 be approved as a correct record and signed by the Chairman subject to the following amendments: in respect of application 16/1046N:-

Condition 18 to be amended to include the following sentence after the word 'levels':-

'To be provided prior to commencement of development and implemented as approved'.

Condition 24 to be amended as follows:-

'Additional landscaping details along Ashley Meadows elevation (to include extra heavy standard trees and retention of existing hedgerows wherever possible)'.

That the informative be amended as follows:-

'If not Medical Centre then site to be used for community use'.

63 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

64 16/4558C-PROPOSAL FOR THE CONSTRUCTION OF 201 DWELLINGS OFF MACCLESFIELD ROAD CONGLETON, LAND OFF, MACCLESFIELD ROAD, CONGLETON FOR CARL JONES, REDROW HOMES NORTH WEST

Consideration was given to the above application.

(Carl Jones, representing the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report and in the written update to the Board the application be approved subject to a 21 day notification period to the University of Manchester (Jodrell Bank) of the intention to grant

planning permission, subject to completion of a Section 106 Agreement securing the following:-

1. Provision of 30% on-site affordable dwellings – 65% provided as affordable rent and 35% as Intermediate tenure. The affordable units should be tenure blind and be provided upon the occupation of no more than 80% of the market units by a Registered Social Landlord
- 3 Education contribution - £ 401,312.73 (Primary)
- 4 Education contribution - £91,000 (SEN)
Both education contributions to be provided in following phases
50% at the 1st occupation of the 30th unit and 50% at the 1st occupation of the 100th unit
- 5 Highways Contribution - £469,478.20 towards works on A34/A536 corridor, of which £30000 (the full contribution of which to be made prior to the commencement of the development) is to be used as contribution to pedestrian crossing on Macclesfield Road - full with the remainder of the highways to be paid in full by the occupation of the 140th unit on site
- 6 Private management company to maintain all areas of open space, children's play space and habitat areas in perpetuity in accordance with management scheme
- 7 Commuted sum payment of £28000 in lieu of organised sport provision – prior to 1st occupation of the site

And subject to the following conditions:-

1. Commencement
2. Plans
3. Levels
4. Materials to be submitted
5. Development Phasing
6. Landscaping scheme to be submitted/Implementation
7. Construction and Environmental Management Plan, inc wheel washing – Prior submission/approval; piling, dust, phased occupation detail
8. Development to be in accordance with Great Crested Newt Mitigation Strategy prepared by REC dated May 2016 unless varied by Natural England Licence
9. Electromagnetic screening measures
10. Surface water drainage scheme – Prior submission/approval
11. Drainage strategy/design/ implementation, maintenance and management in accordance with the appropriate method of surface water drainage
12. Boundary treatments – Prior submission/approval
13. Breeding birds and roosting bat features – Prior submission/approval
14. Residential travel plan/ Residents Travel Information Pack
15. Ghost Island right turn lane access to be constructed prior to occupation of the development.

16. Watching brief for land contamination/ scheme and results (submitted prior to any occupation)
17. Materials
18. Car charging for each dwelling/ communal charging points for flats
19. Tree and hedgerow Protection scheme – Prior submission/approval
20. Scheme for the incorporation of electromagnetic screening measures (protection of Jodrell Bank telescope)
21. Land contamination scope of works
22. Scheme of glazing and trickle ventilation to all habitable rooms of plots overlooking Macclesfield Road susceptible to road traffic noise as specified in acoustic report. Any variation to be agreed by LPA
23. drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment
24. Dust mitigation scheme to be submitted and approved. Implementation thereof.
25. Updated badger survey to be submitted prior to the commencement of development.
26. Scheme to be submitted and approved for the incorporation of gaps (10-15 cm) for hedgehogs and located at least every 5m.Implementation
27. habitat management plan submission and implementation
28. Tree (T15) to be felled in accordance with the ecological survey detailed in in the submitted letter from REC dated 8th September 2016.
29. Scheme of signage for pedestrians and cyclists within the red-edge boundary of the application site, submitted, approved and implementation
30. Phasing of development to be agreed, including phasing of amenity/play and habitat creation. Implementation in accordance with phasing
31. Fabric First Approach to energy efficiency
32. Ponds management/ on going maintenance plan to be submitted, approved and implemented
33. Detailed scheme for the NEAP (including equipment) including provision of 2 m wide path, submission and implementation in accordance with scheme to be agreed
34. landscape management plan for all areas of amenity open space
35. Method statement (tree) for provision of 3m wide path to Macclesfield Road
36. Signage and entrance features for POS/NEAP with interpretation material across site.
37. Car charging point for each dwelling/communal points for flats – submission of scheme. implementation
38. Detailed Landscape Scheme for the smaller area of POS to the east of the site, submission, implementation /phasing
39. Footpath link to the adjoining site (14/4452c) to be completed in accordance with specification/method statement to be submitted and approved prior to 1st occupation of plot 66

40. Removal of permitted development rights – extensions on all mews/semi-detached and all means of enclosure to whole site which go beyond front building line

It was also agreed that an informative be included stating the following:-

‘That despite reassurances from the Highways Officer, the Board had grave concerns about the location of the access and urged the applicant to relocate to the brow of the hill to safeguard highway safety’.

In order to give proper effect to the Board’s intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chairman (or in his absence the Vice Chairman) of the Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should the application be subject to an appeal approval is given to enter into a S106 Agreement to secure the Heads of Terms as detailed above.

(The meeting adjourned for a short break).

65 **16/1353M-DELIVERY OF WATERSPORTS AND OUTDOOR ACTIVITY CENTRE ON THE NORTH AND SOUTH LAKES OF THE FORMER MERE FARM QUARRY, INCLUDING NEW VEHICULAR ACCESS, CAR PARKING AND MULTI USE BUILDING, FORMER MERE FARM QUARRY, CHELFORD ROAD/ALDERLEY ROAD, NETHER ALDERLEY FOR CHESHIRE LAKES CIC**

Consideration was given to the above application.

(Parish Councillor David Wilson, representing Chelford Parish Council, and Tim Woodhead, representing the applicant attended the meeting and spoke in respect of the application. In addition a statement was read out on behalf of Councillor G Walton, the Ward Councillor).

RESOLVED

That the application be refused for the following reason:-

1. The proposed development will have a detrimental impact on biodiversity at the site by proposing activities on both the north and south lakes, which is likely to have a significant adverse impact upon the nature conservation value of the lakes as a result of the increase in disturbance and the potential risk posed to birds posed by the network of wires associated with the wakeboarding infrastructure. These impacts will be for the duration of the operational life of the centre. Therefore the proposals are not environmentally sustainable contrary to policy NE11 of the

Macclesfield Borough Local Plan and paragraphs 109 and 118 of the NPPF.

(During consideration of the application, Councillor M Sewart left the meeting and returned and therefore did not take part in the debate. He then left the meeting prior to the vote being taken and did not return).

The meeting commenced at 10.30 am and concluded at 2.00 pm

Councillor H Davenport (Chairman)

Application No: 16/4601N

Location: Kingsley Fields Land to the North of, Waterlode, Nantwich

Proposal: Reserved matters application for residential development for 1000 dwellings with associated landscaping, open space, roads, cycle ways, footways and infrastructure

Applicant: Mr Ian Harrison, Taylor Wimpey UK Limited, Redrow Homes & David Wilson Homes

Expiry Date: 29-Dec-2016

SUMMARY

The principle of the development has already been approved.

Matters of drainage and flooding have been considered to be acceptable, subject to conditions. Whilst there are some matters to address relating to the separation distances between some of the proposed dwellings it is considered that the development would not have a detrimental impact upon the living conditions of existing residents, ecology, highway safety and the local highway network. The consultation response from Environmental Protection is awaited, however it is anticipated that no further issues to those highlighted at the outline stage will be raised.

Following much discussion and negotiation with the applicants, the proposed scheme broadly provides an acceptable design and layout, the dwellings are adequately appropriate to the character of the area, and appropriate landscaping and sufficient open space can be provided. However further details are required relating to landscaping, impact of attenuation ponds on trees, and affordable housing scheme and public open space details.

Subject to the above points being satisfactorily addressed, and the receipt of outstanding consultee responses raising no objections, the proposal will represents a sustainable form of development, and a recommendation of approval can be made.

RECOMMENDATION

Approve subject to conditions, subject to receipt of outstanding information and consultee responses

PROPOSAL

The application seeks approval for all reserved matters for 1000 dwellings following the outline planning permission 13/2471N, which granted consent for a

“residential development of up to 1,100 dwellings, up to 1.82ha of Class B1 Business Use, a potential Primary School, community facilities and local centre (Use Classes A1, A2, A3, B1 and D1), allotments, recreational open space and associated landscaping, highways, access roads, cycleways, footways and drainage infrastructure”. The outline application was accompanied by an Environmental Statement.

SITE DESCRIPTION

The application site comprises approximately 58 hectares of open farmland, which is bound to the north by the A51, to the west by Welshman’s Lane, to the south by Malbank School playing fields, allotments, Nantwich Town Football Club Stadium and to the east by the River Weaver. The site can be divided into four different character areas, namely; Riverside, Equine Centre and Paddocks, Rough Grassland with Hedgerows and Managed Farmland. The site is located within Open Countryside outside Settlement Boundaries as identified in the Crewe & Nantwich Local Plan.

RELEVANT HISTORY

13/2471N - Outline application for residential development of up to 1,100 dwellings, up to 1.82ha of Class B1 Business Use, a potential Primary School, community facilities and local centre (Use Classes A1, A2, A3, B1 and D1), allotments, recreational open space and associated landscaping, highways, access roads, cycleways, footways and drainage infrastructure – Approved 20.01.2016

NATIONAL & LOCAL POLICY

National Policy

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

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.

50. Wide choice of quality homes

56-68. Requiring good design

69-78. Promoting healthy communities

Development Plan

Crewe & Nantwich Replacement Local Plan 2011

NE2 (Open Countryside)

NE5 (Nature Conservation and Habitats)

NE9 (Protected Species)

NE11 (River and Canal Corridors)

NE12 (Agricultural Land Quality)

NE17 (Pollution Control)

NE20 (Flood Prevention)

BE1 (Amenity)

BE2 (Design Standards)

BE3 (Access and Parking)

BE4 (Drainage, Utilities and Resources)

BE5 (Infrastructure)

BE6 (Development on Potentially Contaminated Land)
BE7 (Conservation Areas)
BE17 (Historic Battlefields)
E6 (Employment Development within Open Countryside)
RES3 (Housing Densities)
RES5 (Housing in the Open Countryside)
RES7 (Affordable Housing within the Settlement Boundaries of Nantwich and the Villages)
TRAN1 (Public Transport)
TRAN3 (Pedestrians)
TRAN4 (Access for the Disabled)
TRAN5 (Provision for Cyclists)
TRAN6 (Cycle Routes)
TRAN9 (Car Parking Standards)
RT3 (Provision of recreational Open Space and Children's Playspace in New Housing Developments)
RT9 (Footpaths and Bridleways)
RT12 (Nantwich Riverside)
RT17 (Increasing Opportunities for Sport)

Neighbourhood Plan

The Acton, Edleston and Henhull Neighbourhood Plan has reached the Regulation 7 Stage, which has designated the neighbourhood area as applied for by Acton, Edleston and Henhull Parish Council. The whole of the application site falls within this neighbourhood area.

Other Material Planning Considerations:

National Planning Practice Guidance (NPPG)
Nantwich Riverside Masterplan Strategic Framework 2007
Interim Planning Statement: Affordable Housing
Strategic Housing Market Assessment (SHMA)
Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994
Draft Cheshire East Design Guide (2016)

Cheshire East Local Plan Strategy – Proposed Changes Version (CELP)

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

MP1 Presumption in favour of sustainable development
PG1 Overall Development Strategy
PG2 Settlement hierarchy
PG6 Spatial Distribution of Development
SD1 Sustainable Development in Cheshire East
SD2 Sustainable Development Principles
IN1 Infrastructure
IN2 Developer contributions
SC4 Residential Mix
SC5 Affordable Homes
SE1 Design
SE2 Efficient use of land

SE3 Biodiversity and geodiversity
SE4 The Landscape
SE5 Trees, Hedgerows and Woodland
SE6 Green Infrastructure
SE9 Energy Efficient Development
SE12 Pollution, Land contamination and land instability
SE13 Flood risk and water management
CO1 Sustainable Travel and Transport
CO4 Travel plans and transport assessments

Site CS 21: Kingsley Fields, Nantwich

The emerging local plan states that the development of Kingsley Fields over the Local Plan Strategy period will be achieved through:

1. The delivery of up to 1,100 new homes (with varying actual densities around the site);
2. A new mixed-use local centre for local needs including:
 - i. Convenience retail unit of not more than 400 square metres;
- ii. A further 3 retail units of not more than 100 square metres each and not more than 300 square metres in total;
- iii. B1 Office uses;
- iv. Public House; and
- v. Community hall;
3. The provision of a site for a new Primary School within the development or a financial contribution towards providing educational facilities;
4. The delivery of a new highway link to Waterlode and the re-alignment of the A51 through the site;
5. The delivery of up to 2 hectares of B1 uses (Business);
6. Incorporation of Green Infrastructure, including:
 - i. An extension of the riverside park between Reaseheath College and the town centre, including both the floodplain and the valley shoulder, with substantial native woodland tree planting on the higher land, above the floodplain; the area adjacent to the river should be treated as a wetland landscape buffer zone, with public access, including formal footpaths and cycle ways;
- ii. Allotments;
- iii. Open space provision, including sports pitches; Multi-Use Games Area; children's equipped play space; outdoor gym and facilities for teenagers;

CONSULTATIONS

Historic England – No objections.

Environment Agency – No objections subject to conditions relating to unidentified contamination and the development being carried out in accordance with the submitted Flood Risk Assessment.

Canal & River Trust – No comments to make.

Natural England – No further comments to those made at the outline stage.

Archaeology Planning Advisory Service (Cheshire Shared Services) – No further comments to those made at outline stage.

Flood Risk Manager – No objections subject to conditions relating to Flood Zones, surface water management and the development being carried out in accordance with the submitted Flood Risk Assessment.

United Utilities – No comments received

Environmental Health – Comments not received at time of report preparation

Public Rights of Way – Holding objection until matters raised are addressed

Head of Strategic Infrastructure – No objection subject to conditions

Housing Strategy & Needs Manager – Object due to lack of older persons accommodation and pepper potting.

ANSA – Set out open space requirements for proposal

Nantwich Civic Society – Object on the following grounds:

- Local Plan policies have “a sense of place” at their core - but is insufficiently developed here.
- end result does not produce a strong, or even enough of, a Sense of Place and Community to be an interesting or stimulating environment
- little in the way of a change in densities or pattern of layout and
- materials to signify any centre or focus of this new “potential village”
- Where the local character is reflected in house design or materials is hard to discern
- The Gateways - north and south - are too weak
- Reaseheath Cross, although given some spotlighting in the proposal documents is similarly very weak feature with little logic to it.
- Spine road is too narrow
- Too few trees are proposed
- Riverside space should be given some new features, planting and especially pathways to facilitate better pedestrian access to the town
- need to ensure good short connectivity to and from the town centre by cross-river paths and existing bridges

- Question the provision of enough parking spaces because experiences of on street or on-verge parking elsewhere in similar residential areas
- LPA should consult the Beam Heath Trust to seek to maximise and shorten the footpath connections
- Timing of building the spine road is too late
- MUGA should be closer to football ground
- Many of the comments raised by Places Matter at the Design Review have been ignored or under developed.

VIEWS OF THE PARISH / TOWN COUNCILS

Worlestone & District Parish Council – Object on the following grounds:

- Fully supports the objections made by Nantwich Town Council and Acton PC
- Concerns re. the lack of primary school facilities until the 600 trigger level, due to interim impact upon other schools and associated highways impact.
- Lack of any definitive time frame for the A51 relief road.
- Intention for Reaseheath College to develop Site 6 off the A51 needs careful consideration and WDPC cannot understand why, if it is not to be developed until the relief road is constructed, why this cannot be accessed from the relief road.
- WDPC will be pursuing traffic calming measures for the B5074 and weight limits and restrictions for Wettenhall Road and associated side lanes.
- Definitive timescales for the closure of Welshmans Lane and designs for the junction with the A51 are also critical.

Nantwich Town Council – Raise the following concerns:

- Disappointed at the lack of consultation from the developers prior to this application.
- Very little information on the timing of proposals, the development of employment land in the north and the provision of improvements to the riverside network.
- Spine road too narrow.
- Little information on when the completion of the road through to the A51 is required.
- Layout takes no account of the possibility of closing Welshman's Lane at the junction with the A51. Access to Welshman's Lane should come through the allocated site from the roundabout on the re-aligned A51.

- Layout is unimaginative and lacks features which will make it different to other speculative development.
- Layout does not appear to deal with variations in density and house type that were promised at the outline stage.
- No focal point for community uses.
- Does not accord with the emerging policy on design in the CELP which seeks to ensure that new development takes influences from the locality and contributes to a sense of place.
- The plan does not show any detail about the provision of the riverside open space on the western bank of the River Weaver and how this will be linked to the existing network of riverside footpaths.
- School should be located within the site, however children from first phases will have to be schooled off site.
- MUGA should be closer to the football club. This will be more likely to ensure maximum community use (out of school hours) and will minimise light pollution from the floodlights to nearby residents.

Acton, Edleston & Henhull Parish Council – Object on the following grounds:

- Spine road has the character of a residential distributor rather than that of a strategic link seeking to redistribute traffic away from the congested Waterlode / Welsh Row junction.
- No appropriate link to Welshmans Lane to allow its eventual closure with A51.
- Design of the residential areas can, at best, only be described as mundane, lacking variety and sense of place.

REPRESENTATIONS

Neighbour notification letters were sent to all adjoining occupants, site notices erected and a press advert was placed in the Crewe & Nantwich Guardian.

8 letters of representation have been received objecting to the proposal on the following grounds:

- Loss of view
- More cars, more pollution
- Nantwich completely over developed

- Surprised that building is being allowed on Green Belt around Nantwich
- Spine road through the development should be designed as a through route to take traffic into and out of Nantwich town centre directly to the A51. This is not what is proposed.
- Spine road should be completed as early as possible.
- School should be provided as soon as possible.
- MUGA should be next to football club, away from houses.
- Adverse impact upon Hospital Street air quality (AQMA declared in 2006).
- Full implementation of the Hospital Street 2011 Cheshire East Local Air Quality Final Action Plan, and other measures to mitigate the potential polluting effects of any further Nantwich town traffic are fundamental requirements prior to the consideration of new plans for residential and commercial development.
- Without action the situation will inevitably worsen in time, the outcome from the creation of a southern gateway to the proposed Kingsley Fields development will be potentially overwhelming for Nantwich.
- A possible solution to help alleviate Nantwich's traffic problems would be to insist that all the house builders fund a proper southern bypass as a development condition.
- Central government has said that it will not allow plans to proceed unless legal air quality limits are met. With the precedent established it is reasonable to expect that CEC will apply the same planning principle in Nantwich.
- A51 diversion needs to be in place before the houses are built and not after.
- Logical to consider a plan to close Welshman's Lane at the A51 and give cycle access from the estate.
- Construction traffic needs to all come onto site from the A51 and there needs to be an undertaking that the town will not suffer the blight of parked delivery vehicles as residents of Queens Drive are still being forced to endure.
- As a basic principle, no town should be blighted by construction and every effort should be made to ensure while it is being built, this development is as invisible to current residents and visitors as possible.
- Urgent need for a new school to be open as soon as Kingsley Fields' residents arrive.
- The designs of the houses aren't in any way Nantwich specific and could be located anywhere. Do not reflect the historic character of the town.
- Impact on local infrastructure.

- Before allowing the Kingsley Fields 2 development to proceed the Cheshire East Council must finally ensure that the Kingsley Fields 1 development has been completed satisfactorily – restoration of Grade II listed walls and provision of adequate car parking.
- A51 diversion is unnecessary and a waste of resources.
- Increased risk of flooding.
- Impact on wildlife
- Impact on highway network
- Nantwich will change from the small market town we all like
- Lack of parking in the town already

One letter makes the following general observations:

- Cycleways and footways should be built to current best practice - cycle dismount signs should not be used at junctions and design should ensure the continuity of the routes.
- Please sign the cycleways/footways to the standard installed on the Crewe/Nantwich Greenways. In particular we would like to see National Cycle Network route 551 completed through the site to Wettenhall Road at the earliest opportunity.
- We would like to see a direct surfaced cycleway/footway from the new development to the Malbank School underpass on Waterlode.
- Please ensure that the developers build the new spine road, and do not walk away from the site once 400 houses are complete.

APPRAISAL

ENVIRONMENTAL SUSTAINABILITY

Character & Appearance

Condition 30 of the outline planning permission required the submission of a document setting out the Design Principles for the entire development approved under the outline consent. Each and every reserved matters application shall then be in accordance with the approved Design Principles. The Design Principles include the principles for determining the design, form, heights and general arrangement of external architectural features of buildings including the roofs, chimneys, porches and fenestration; the hierarchy for roads and public spaces; the colour, texture and quality of external materials and facings for the walls and roofing of buildings and structures; the design of the public realm; the design and layout of street furniture and the level of illumination; and the principles for the laying out of the green infrastructure.

The submitted Design Principle Document (DPD) identifies a number of site features that create a strong base for the proposed development. These features, which are to be retained and enhanced in the development include:

- River Weaver corridor landscape
- Watercourses
- Hedgerows and trees
- Local connections

- Historic context (Battle of Nantwich)

As a scheme of 1,000 houses of paramount importance that the proposed development creates a good place to live which is contextually responsive and sustainably located. The Cheshire East Borough Design Guide (Draft 6) states that the Building for Life 12 (BfL12) approach and process will be applied to all residential schemes above 10 units in order to achieve such developments.

The following appraisal is structured under the headings of the BfL12 assessment.

Integrating into the neighbourhood

Connections

The scheme's main vehicular access points are located to the north (A51 Relief Road) and to the south via Waterlode (B5341), with a connecting boulevard between them. Additional streets and lanes run from the boulevard out to the east and west.

A key structuring element of the site is the proposed spine road, which runs through the centre of the site, and will link the diverted A51 in the north with Waterlode to the south. This road will form the main route through the site for vehicles, including buses. However, despite being this main link road for vehicles an important concept is that it does not act as a barrier between the eastern and western parts of the site. The road will have a tree lined character, with sufficient verge space for boulevard tree planting, as well as safe and convenient crossing points for pedestrians.

Nantwich town centre is located to the south east, just across the River Weaver corridor and proposed pedestrian bridge link, or can be reached via public transport from the site itself.

Various pedestrian and cycle links connect the site to the surrounding area including the River Weaver corridor (to the east), Reaseheath (to the north) and Welshman's Lane (to the west). In addition, there are cycleways along some of the more major proposed routes through the site which connect to these dedicated footpath/cycleways.

The original constraints and opportunity plans indicated a strong east west green link through the site following a hedgerow boundary, which was lost at the western end in the original proposals, however this has now been reinstated.

Facilities and services

The site is close to Nantwich Town Centre with the railway station also within walking distance. The site also has areas allocated for employment and retail uses and is adjacent to extensive sports facilities, the River Weaver, Reaseheath College and formal and informal recreation facilities will be provided on-site. A potential school on site also formed part of the outline permission, and a site has been set aside for the school should it be required.

Public transport

The main boulevard will be used as a bus route and so the site will be well served by extended / new bus routes which will also assist in linking the northern, western and southern areas of the town. The nearest railway station is in the town centre, less than a mile away.

Meeting local housing requirements

The housing mix comprises a broad mix of 1 and 2 bed apartments, 2, 3, 4 and 5 bed homes, 20% of which are affordable. The house types range from apartments, mews, through semi-detached to detached properties, offering choice in terms of house types, sizes.

It is unfortunate that some of the affordable, higher density homes are located in large groups off to the edges of the development, in areas where lower density would be expected. In particular, in the most northern parcel adjoining the A51, close to the Conservation Area and Reaseheath Village and to the south eastern edge of Henhull Hall Farm.

However, the developers have addressed the density of the built form around Reaseheath Cross in the heart of the development by fronting the public realm in this area with apartments and mews properties which enclose the spaces better than the detached homes previously proposed.

Urban Design

Character

Use of the existing site features to influence the development of character areas is important to create a unique proposal. The proposed residential scheme does include a number of character areas, which have been distinguished by their natural and physical features / influences.

These areas include:

- Rural Estate North
 - Provide broken views to Battlefield site.
 - Influenced by open landscape setting to the west/ battlefields.
 - Surroundings open and rural with the odd farmstead and scattered buildings.
 - Looser urban grain with formal pedestrian / cycle access to Welshmans Lane.
 - Provide ecological / wildlife corridors to western boundary and around existing watercourse.
 - Density to be increased adjacent to A51.
- Rural Estate South
 - Provide footpath link to allotments / Welshmans Lane and connect to existing PROW.
 - Provide buffer to playing fields to the south.
 - Continuous building frontage to boulevard routes.
 - Influenced by the open landscape to the west with a looser grain to this edge, but also the more formal influences of the allotments and playing pitches to the south. Urban edge influences also apparent here.
 - Tighter urban grain acceptable here.
- Urban Village
 - Tighter urban grain. Urban core focussed around central formal park.
 - Continuous frontages.
 - Open views / pedestrian links to Green Spine and footpath / cyclepath network.
 - Positively address Boulevard routes with continuous frontage line.
 - Provide distinct entrance at northern gateway/ arrival.

- Riverside North
 - Provide views to Reaseheath / open space, and beyond to river corridor open area.
 - Riverside setting, but influenced by the more formal setting of the equestrian centre/ paddocks and open space.
 - Softer, informal frontages to open space with acoustic buffer to A51/ link road.
 - Continuous building frontage to boulevard routes, with increase in density towards Reaseheath Cross.
- Riverside South
 - Provide distinct entrance at southern gateway / arrival point.
 - Create/ provide views to river corridor.
 - Riverside setting, influence by more naturalistic / informal riverside area.
 - Softer, informal frontages to open space.
 - Continuous building frontage to boulevard routes.
- Reaseheath Cross
 - Increase in density of form with active ground floor frontages.
 - Provide MUGA and dual-use playing fields, primary school with entrance from public open space / green corridor and local centre with active frontage addressing boulevard route.
 - Opportunity for mixed-use including residential up to three storeys in height, with continuous frontage to Reaseheath Cross central public space utilising innovative parking arrangements to maintain building line. Opportunities for external seating areas associated with complementary uses.
 - Commercial units to be flexible and adaptive to accommodate the needs of different uses / sizes of unit. Servicing to retail / school to be considered and well integrated.

The applicants are three national housebuilders that do have “standard” products, which is apparent with the house types proposed. Clearly these standard house types are tried and tested, and are adequately in keeping, but it is a little disappointing that there is not more bespoke design and more variation in elevational treatments within each character area to add to the identity created by landscape treatments.

Working with the site and its context

Key views were identified at the outline stage and now appear to have partially been retained in the current proposals. The development does also in the main respond to its location in terms of being outward looking, except in a few locations.

A number of hedgerows and trees that were to be retained at the outline stage have now been lost in the current proposals. These may have been difficult to accommodate, but would have added uniqueness to the layout and landscape / townscape setting / character if they had been retained and worked creatively into the proposals. In addition some shared drives ‘Lanes’ are very close to the foot of some of the hedgerow features and therefore care will need to be taken not to damage them during construction.

The open spaces will be naturalistic in form and this is evident in the proposals in terms of the various retained landscape zones, as well as proposed new spaces.

Creating well defined streets and spaces

The Street Hierarchy as set-out in the DPD has not been fully translated into the proposed layouts. Streets appear to be hierarchical in terms of widths, but not in terms of materials, landscape, how the built form can pinch down the street, enclose / help to create spaces (squares / mews), form header buildings and create landmarks. There are also a variety of corner turning house types so corner turning is adequately addressed.

Buildings need to front spaces, enclose them, respond to the shape and be part of the space they overlook. This was an issue at both gateways to the development, the two spaces on the central east west green link and around the key public realm adjoining the retail zone at Reaseheath Cross. This has been addressed further, but still the higher density areas have been pushed out to edge locations, whereas they should really be concentrated in the heart of the site near to the local centre.

Easy to find your way around

The street hierarchy in terms of landscape approach looks to create quite a strong hierarchy which would be legible. This needs to be translated into the layout and the built form needs to reflect the landscape treatments and intimacy/use/vibrancy of the various movement routes within that hierarchy. The materials for the various surfacing options within the street hierarchy needs a uniform approach across the site.

Street & Home

Streets for all

As stated above the landscape strategy sets out a strong hierarchy with the local access roads / lanes indicated as shared spaces / using street trees to calm traffic / changes in horizontal alignment etc.

Car parking

Overall the scheme has a mix of in-curtilage frontage and behind the building line parking solutions.

Public and private spaces

The layout illustrates the definition of boundaries between public realm and gardens. The public realm, in the main, looks to be well viewed from the surrounding homes. There are a variety of open spaces in the green infrastructure network which provides informal and formal recreation and play opportunities linking into the Riverside corridor and wider landscape.

The issue and treatment of urban space i.e. the public realm at Reaseheath Cross has improved since the original submission to create the dense form of development this area requires.

External storage and amenity space

This has not been addressed in the DPD or layout. Indeed the applicant's BfL12 response in Appendix 1 of the DPD and it refers to pages in the main document relating to public open

spaces. The BfL12 question focuses on the storage and amenity space of individual dwellings and has nothing to do with public open space.

The DPD does not appear to address this issue at all and whilst the planning layouts illustrate gardens of a reasonable size, with access provided to all rear gardens, the issue of external storage is not easily identifiable. Whether storage is separate to dwellings in the form of sheds, incorporated into oversized garages or accommodated in some other form needs to be clarified.

Landscape

Soft Landscape Proposals

The soft landscaping proposals have been revised during the course of the application, and as a result have greatly improved. More trees are now proposed along the spine road boulevard and throughout the public open space (POS) areas. Ornamental shrub and bulb planting have been added to enhance the POS areas and create seasonal interest.

The planting proposals on each of the housebuilder's layouts are generally acceptable but there are a few issues to be addressed:

- The Redrow plans do not include planting plans for proposed shrub beds and some tree locations adjacent to the main spine road conflict with the boulevard trees.
- There may be scope on the David Wilson Homes proposals for some tree planting in rear gardens to form a greener corridor between paved squares/nodes.
- Taylor Wimpey submitted twenty five revised planting proposals drawings 29 November. These plans are still being considered in detail, but the proposals do appear to be generally acceptable. Further details will be provided as an update if required. However, it is noted that the proposals for the northern parcel are not based on the latest layout and will need to be updated.

The planting proposals drawings should be revised where necessary to ensure they are based on the current layout and to include any outstanding information i.e. fully detailed planting plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, sizes, numbers and densities, protection from grazing stock and rabbits etc. Such detail could be secured by condition.

Landscape details for the allotment area are also awaited.

Hard Landscape Proposals

A number of issues also need to be addressed relating to hard landscaping. A range of block types and colours, coloured chippings within tarmac and gravel surfacing have been specified. However, the use of surfacing materials across the development appears quite random in certain areas and should be rationalised. Materials and colours should emphasise the hierarchy of spaces to make the development more legible.

The design for the Reaseheath Cross area of the site has moved forward, but more detailed proposals for this busy shared space are required to create a safe, attractive and distinctive area. The surfacing types, colours, patterns, tree grilles and edgings should be carefully considered. Street furniture including seats, bollards and signage should be specified. Soft

landscape details should be considered in conjunction with the detailed hardworks design for this area.

Full details of surfacing types, colours, patterns, tree grilles and edgings for all focal points/nodes within the developer layouts and also for all POS vehicular crossings should be submitted. There should be more consistency in block types/colours for POS crossings.

Details for a riverside footpath route should be submitted in accordance with the details that were proposed at the outline stage. There is also scope to incorporate battlefield themed public art within and along the footpath/cycleway routes (such as bespoke inset tiles, way markers etc.)

The watercourse culvert road crossing detail for the north west stream corridor is disappointing; a bridge would have been the preferred option, and consistent with the CEC flood risk approach of opening up culverts. Levels information for this area has only just been submitted with only two cross sections being provided, which are not at an appropriate scale.

The plans for Balancing Pond 2, show that Taylor Wimpey (south) plots 30 and 31 are located precariously close in relation to the balancing pond. All the balancing ponds will have an engineered appearance with uniform slopes etc. Marginal planting would help to soften the appearance of the ponds.

Ecology

The nature conservation officer has provided the following comments on the application:

Natural England Comments

In 2013 Natural England advised the Council that a further bat survey and a further otter survey be undertaken to inform the outline application.

A further bat survey was completed and submitted prior to the determination of the application. This report was accepted by the Council.

In respect of otters, Natural England suggested a full survey be undertaken to assess the presence of otters. The River Weaver in Nantwich is however well known to support otters. The Environmental Statement submitted in support of the application, acknowledged that otters occur on the River Weaver, but concluded that potential impacts on otters as a result of the proposed development were negligible. This was reflected in the nature conservation officer's comments on the outline. A detailed otter survey would therefore be unlikely to yield any further worthwhile information.

Ecological Mitigation Strategy

As required by condition 27 of the outline consent, an updated ecological mitigation strategy has been submitted in support of the reserved matters application. This strategy includes proposals for the creation and enhancement of various habitats including water bodies, grassland, tree planting etc. The strategy is considered to be acceptable. Whilst it is noted that the strategy includes proposals for habitat creation outside the red line of the current application, this area of land was edged blue as part of the outline and therefore the mitigation strategy can be implemented.

Badgers

As required by condition 26 of the outline consent, an updated badger survey and mitigation strategy have been submitted in support of this application. Patterns of badger activity have changed over the last three years, but the site is still thought to support two separate social groups of badgers.

As anticipated at the outline stage the proposed development will result in the loss of a number of badger setts including the two main setts on site together with an area of foraging habitat. In order to avoid badgers being disturbed during works the setts on site would be closed under the terms of a Natural England license and two artificial setts created to compensate for the loss of the main setts. Green infrastructure around the site has been designed in an attempt to limit the effects of habitat fragmentation for badgers. A condition is recommended to secure the implementation of the submitted badger mitigation strategy.

Water voles

Water vole has been recorded as being present in the 'northern' brook on the application site. This protected species is also a local and national Biodiversity Action Plan priority species.

The current proposals will result in the culverting of a number of sections of the ditch with a corresponding loss and fragmentation of water vole habitat. The proposals have however, been revised since the outline application was consented and the length of individual sections of culvert are now reduced. The nature conservation officer advises that the impacts of the scheme on water voles, whilst still being significant, are less than originally anticipated.

Mitigation proposals have been submitted with the application that reflect current best practice which include the enhancement of the existing ditch on site and the creation of an additional flood pond habitat and a number of other ponds to act as receptors for any animals displaced by the works. Measures to safeguard individual animals during the construction process have also been provided. The proposed mitigation is considered to be acceptable, and a condition is recommended to secure the implementation of the submitted mitigation strategy.

Reptiles

Grass snakes are likely to be present on the application site on at least a transitory basis. The submitted ecological mitigation strategy include proposals to minimise the risk of this species being killed or injured during the construction phase and the proposed habitat creation that would also potentially benefit this species.

Long term monitoring and management

The proposed development, if consented, is expected to take 10 years to build out. Ecological mitigation works will be required at various points during the delivery of the scheme for this extended time period. Conditions will be required to ensure the agreed ecological mitigation strategy is implemented. The nature conservation officer also advises that the success of the agreed ecological mitigation scheme would also be dependent upon its effective monitoring and management being responsive to the results of the monitoring. It is therefore recommended that a condition be attached requiring the applicant to appoint an ecological clerk of works who is required to report to the LPA on an annual basis.

The management of scheme has also now been extended to cover a 10 year period post completion, rather than the five years originally proposed.

The management of newly created and retained wildlife habitats on the land adjacent to the river, would limit certain land uses particularly intensive agriculture and certain types of grazing. The applicants have confirmed that the Northerly field will be used for horse grazing as part of the College's Equine Unit. In the central field, from the new footbridge south to the edge of the application site, a regime of summer mowing and autumn/winter grazing is intended to be followed. For the southern field a similar regime is envisaged for that land as for the central field. The nature conservation officer has confirmed that the proposed uses are acceptable.

For the reasons outlined above, the proposal is considered to have an acceptable impact upon nature conservation interests in accordance with policies NE.5 and NE.9 of the Local Plan.

Trees

The supporting Arboricultural Impact Assessment identifies a total of 93 individual trees, 48 Groups of trees and 26 Hedgerows within and immediately adjacent to the application site

Proposed Tree Losses

Proposed tree losses include a total of 17 trees and 0.48ha of groups in order to facilitate the development. Of these 2 High (A) category trees and 7 Moderate (B) category trees and 0.1 ha moderate (B) groups would be removed. A further 5 individual Moderate (B) trees and 0.08ha of A and B category groups, which are features that have been identified outside the application boundary are to be removed. The Assessment also identifies that an area reserved for a new school along the southern boundary would result in the loss of a further 3 Category A trees and 1 Category B tree.

The forestry officer does raise some concern over the loss of some of the higher value trees which are good examples of their species and confer significant importance within the landscape. In particular, the Grey poplar identified as T72 in the Taylor Wimpey northern parcel has been incorrectly identified and is actually a native Black Poplar. This tree has been recorded by Cheshire Wildlife Trust as part of the Black Poplar Project for the Cheshire Region (record number 58/79/120 – tagged 0120) in 1996. The tree is female which makes it more significant for conservation as according to the Black Poplar Project only two different female clones of the species have been found in Cheshire. The species is Britain's rarest native tree with an estimated 8000 remaining in the UK, and only 300 in Cheshire. Black Poplar is a Local Priority Species in Cheshire and must be retained within the development.

A revised site layout has been submitted that does retain the Category A Black Poplar within the Taylor Wimpey layout. Whilst the other trees identified for removal will still be lost, it is considered that additional planting proposed as part of the scheme will go some way towards mitigating for the loss of these trees.

Attenuation ponds

The forestry officer disagreed with the applicants' evaluation of the impact of attenuation ponds in relation to retained trees. One of the ponds was located well within RPAs. In addition the changing of levels and hydrology in these areas is not just restricted to the perceived RPA and, dependent upon the nature of the underlying soil characteristics will have potential to have a significant impact upon soil aeration and root growth. A revised plan has

been received to show the ponds outside of all RPAs. Further information has also been requested to address the forestry officer's comments regarding soil aeration and root growth.

Root Protection Areas/Social Proximity

The position of internal access roads where required to be to adoptable standard will impact upon the rooting environment and long term safe well being of a number of retained trees. This matter has been raised with the applicant, and further information is awaited regarding the construction methods.

Veteran trees

The Assessment identifies one Veteran tree, Crack Willow (T14), which is to be retained within public open space, but will require remedial pruning works to reduce the canopy, which is acceptable.

Highways

Layout

The layout consists of a spine road that runs north/south through the site, connecting via a roundabout to the A51 to the north of the site and to Waterlode to the south through a priority junction.

This spine road is the main vehicle, pedestrian and cyclist through route. Residential street accesses are to be located at various points long this spine road, as is the local centre and a limited number of private driveways. The residential streets will provide access to all properties in the wider site area.

Residential Streets

The submitted layout reflects national guidelines as set out in Manual for Streets (MfS) and has been designed to CECs adoptable standards. The development also accords with CEC vehicle parking standards, and cycle parking standards for apartments.

Spine Road

The spine road has been the subject of several of the consultation responses and letters of representation. The spine road was originally laid out as a 6.1 metre wide carriageway, with footway / cycleway and grass verges to create a boulevard appearance. However taking account of the comments received in representation, the purpose of the road and the urban design standards the Council is seeking to achieve, a spine road width of 6.75 metres has been negotiated, with footways and grassed tree planted verges to enable the boulevard feel to be retained as has always been intended. This amendment means a reduction in width of the pavement on the northern section such that a shared pedestrian / cycle route will not be possible along the whole length of the road, but other cycle route options through the site in the northern half are available so cycle access is maintained across the site. In the southern half of the site where a 3 metre wide pavement can be achieved the shared footway cycleway will be provided alongside highway.

The spine road with a width of 6.75m reflects CEC standards for a road of this type. This width of carriageway will be compatible with development and background traffic flows anticipated for this route.

Private driveway access off the spine road for a limited number of properties will also be available. This provides some active frontage along this route in line with guidance set out in MfS, and sufficient on-site turning area and parking is provided.

Details of bus stop locations have not been provided which will need to be detailed on amended plans.

Materials

The Strategic Infrastructure Manager has stated that the hard landscaping plans as submitted are not acceptable as there is a large amount of block paving illustrated on the main spine road. According to the Cheshire East Design Guide the appropriate materials for a road of this type and in this location would be predominately Bitmac with gulley detail and informal pedestrian crossing points incorporating the use of Tegular Setts.

Accordingly amended plans are required to be submitted detailing the revised materials on the spine road which will also incorporate the provision of bus stop facilities as requested above.

Public Rights of Way

The proposed development would affect Public Footpaths Nos. 3 & 4 in the Parish of Henhull, and Nos. 3 & 4 in the Parish of Worleston, as recorded on the Definitive Map and Statement, the legal record of Public Rights of Way.

Public Rights of Way Officers have raised an objection to this application until the applicant can satisfy the issues listed below:

- Clarification on any proposed footpath diversions
- Worleston Footpath No. 4 is to be obstructed by the diverted A51. Whilst consent has already been granted for the road diversion, the footpath should be diverted and accommodated within the red line boundary of this reserved matters application, along the southern side of the A51, to retain its connection with the A51 roundabout at Beam Bridge.
- Henhull Footpath No. 4 is proposed to be crossed by the southern Boulevard. Details of the crossing point for pedestrians are required.
- The Design Principles Document (p71) describes the path within the 'Equestrian Area' as a 2m wide grass route for the use of pedestrians only. As this route would be used by horses from the equestrian centre, the proposed surface and width would be inadequate for such shared usage. A segregated width and surface treatment would be anticipated, particularly at the underpass. Further details of the underpass, including lighting, gradient, drainage and maintenance liabilities would be required.
- Further details are required on the legal status, alignment, maintenance and specification of the bridge to be provided over the River Weaver at the eastern end of the 'Green Corridor east-west'.
- The Design Principles Document (p71) describes the path within the 'Green Corridor east-west' as a 3m wide crushed gravel route for the use of pedestrians only. The intention of this route was to provide connectivity to the east bank of the River Weaver, Nantwich town and to the National Cycle Network, of which the Connect2 Crewe to

Nantwich Greenway is a part. Therefore, the design and specification of this route, and other shared use footway/cycleways on the site, needs to accommodate both pedestrians and cyclists and have a sealed surface suitable for year-round use.

- The Design Principles Document (p68) describes cycle paths as being incorporated into footways which have a width of 2-3m. Colleagues in Highways will specify the required widths for shared use footway/cycleways, which would normally not be less than 2.5m.
- The legal status, maintenance and specification of the proposed paths in the public open space of the site needs to be established.

In addition the provision of a riverside walk was shown on the outline plans, and a requirement for such does form part of existing (policy RT.12 of Crewe & Nantwich local plan) and emerging (strategic site CS 21 of CELP) local plan policies.

Until the above matters are resolved, the proposal does not satisfy conditions 23 and 30 of the outline permission in relation to the Public Rights of Way, footpaths and shared use footpath/cycleways on the site.

Amenity

The Crewe & Nantwich SPD relating to *“Development on Backland and Gardens”* states that generally there should be a distance of 21m between principal elevations, 13.5 m between a principal elevation with windows to habitable rooms and blank elevation and in the case of flats there should be 30m between principal elevations with windows to first floor habitable rooms.

The Council's draft Design Guide adopts a less rigid approach to spacing standards, noting that they can lead to uniformity and limit the potential to create strong streetscenes and varied movement hierarchies and thus not create the interesting places Cheshire East aspire to delivering through the Design Guide. The Guide states that separation distances should be seen as a guide rather than a hard and fast rule.

There are a very small number of existing residential properties that share a boundary with any of the proposed dwellings. These are Henhull Hall to the west of the site and Fourways and Holly Farm at the northern point of the site. Numbers 1 and 2 Welshmans Lane are in close proximity of the site, but lie on the opposite side of Welshmans Lane. The relationships of the proposed dwellings with existing properties all meet the distances outlined in the SPD above.

There are some separation distances within the site that fall below the standards identified in the SPD, however, they are overall considered to achieve the right balance of density and spacing for future residents.

Air Quality

Comments from Environmental Protection are awaited, however at the outline stage it was concluded that the costs of countering any adverse effects in the Hospital Street Air Quality Management Area (AQMA) could be offset with a financial contribution towards implementing the Nantwich Air Quality Action Plan. This was secured as part of the outline permission. However, this was alongside the implementation of the proposed travel plan and suitable

electric vehicle charging infrastructure. A travel plan was also a requirement of the outline permission, and an appropriate condition is recommended requiring the provision of electric vehicle infrastructure.

Noise

The outline consent required noise mitigation details to be submitted as part of the reserved matters for each phase. Noise mitigation details have been submitted in the form of façade attenuation requirements such that sound levels meet the relevant guideline values for internal ambient noise levels. Comments from Environmental Protection are awaited on whether the mitigation is acceptable.

Contaminated land

Whilst comments from the Environmental Protection (contaminated land) are awaited, it is noted that condition 13 of the outline consent required an updated contaminated land Phase I report to assess the actual/potential contamination risks in respect of that phase of the development at the site to be submitted and approved prior to the commencement of any phase of the development. This condition still applies; therefore no further requirements are anticipated from Environmental Protection.

The Environment Agency (EA) has requested a condition relating to the discovery of contamination not previously identified, and requiring works to cease in that event until appropriate remediation is agreed. Without this condition, the proposed development poses an unacceptable risk to the environment and the EA would object to the application.

Flood Risk

Part of the application site (close to River Weaver) lies within flood zones 2 and 3. The Lead Local Flood Authority (LLFA) and the Environment Agency both state that they have no objections in principle subject to the development being carried out in accordance with the submitted Flood Risk Assessment.

In terms of the overall layout the LLFA note that the locations of some of the proposed balancing ponds appear to be within and / or very close to the modelled boundary of flood extents. They recommend that a suitable factor of safety should be applied to ensure that the storage provided in these SUDs is not compromised during periods of flooding, and an appropriate condition is recommended.

As noted in the FRA there are also a number of ordinary watercourses on site. The LLFA advises that Council policy is that new development improves drainage by opening up culverts wherever possible. In locations such as the proposed highway(s) that would require new culverts to be installed, the design details of such structures will need to be agreed in writing as a formal land drainage consent.

SOCIAL SUSTAINABILITY

Affordable Housing

The s106 agreement attached to the outline permission secured 20% affordable housing, with a tenure split of 35% / 65% between social / affordable rented and intermediate housing.

This is a proposed development of 1000 dwellings, therefore there is a requirement for 200 dwellings to be provided as affordable dwellings. 70 units should be provided as social / affordable rent and 130 units as intermediate tenure

The SHMA 2013 evidenced that there was a need for 78 new affordable dwellings per annum until 2017/18. Broken down this is 40 x 1 bed, 15 x 3 bed, 35 x 4+ bed and 16 x 1 bed older person dwellings. There was an evidenced oversupply of 2 bed dwellings.

There are currently 427 households on the Cheshire Homechoice waiting list who have selected Nantwich as their first choice area for rehousing. They require 147 x 1 bed, 189 x 2 bed, 78 x 3 bed and 13 x 4 bed dwellings.

The Housing Strategy & Needs Manager notes that in order to meet local housing need, this development, particularly given it's size, should provide some older persons dwellings. The need for older persons accommodation is confirmed in the Council's Vulnerable and Older People's Housing Strategy. In this regard 25% of the affordable rented properties were required to meet Lifetime Homes standards. The Lifetime Homes standard is a set of 16 design criteria that provide a model for building accessible and adaptable homes. Further details have been requested from the applicant to clarify which plots will meet this standard.

The Affordable Housing IPS requires that the affordable units should be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration. The Housing Strategy & Needs Manager has raised some concern over the level of pepper potting proposed by Redrow on their section of the site, which effectively proposes two large clusters of 31 and 33 affordable dwellings.

Whilst these comments are noted, it is considered that as there are three separate housebuilders with their own parcels of land a degree of pepper potting is inherent in the layout.

It should also be noted that the s106 agreement also requires an Affordable Housing Scheme to be submitted to the Council no later than the reserved matters application. The Affordable Housing Scheme is defined in the s106 as:

"a written scheme stating the size, tenure, distribution and location of Affordable Housing Units on the Site or on any particular Phase or part of a Phase and identifying any Lifetime Homes Units ensuring that the Affordable Housing Units are pepper-potted throughout the Site and not segregated from the Open Market Dwellings and it shall include details of how the proposed design of the Affordable Housing Units will be materially indistinguishable (in terms of outward design and appearance) from the Open Market Dwellings of similar size within the Development".

This document has not been submitted but has been requested from the applicant. Given the scale of the application this document is particularly important to ensure that the affordable provision complies with the outline planning permission and the Council's IPS on Affordable Housing. It is also anticipated that it will address some of the concerns of the Housing Strategy & Needs Manager.

Open Space

The s106 agreement attached to the outline consent requires public open space details for any phase of development to accompany the reserved matters application for that phase. Public open space details are defined as:

“a written scheme - setting out: (i) the details of the Public Open Space in respect of a Phase to be provided in relation to the Development; and (ii) a programme for the construction of the Public Open Space in respect of that Phase - which scheme shall accompany the Reserved Matters Application(s) in respect of that Phase.”

This written scheme of details has not been provided.

The s106 requires the open space to comprise:

- (i) a riverside walk;
- (ii) a central circus and Neighbourhood Equipped Area of Play and adult outdoor gym, and east and west spurs therefrom;
- (iii) other linear green routes, play areas and general informal recreational areas; and
- (iv) allotments

The provision of a Multi Use Games Area (MUGA) is also required.

There are three main areas of formal open space provision identified on the plans – a MUGA and allotments to the south of the site, and a centrally located Neighbourhood Area of Play (NEAP).

Very limited details for these areas have been submitted, and concerns have been raised with the applicant relating to the proximity of the NEAP and the MUGA to the nearest residential properties. A minimum buffer zone of 30 metres separating the activity zone and the boundary of the nearest property containing a dwelling is the Fields In Trust standard that is used by the Council. The NEAP comes to within 24 metres of the nearest residential property and the MUGA is currently within 10 metres of the nearest dwelling. In response, the applicants have stated that they are aware of other MUGAs that breach the 30 metre separation distance, and have therefore not shown any willingness to relocate it. They are also “unable to agree” to a request for the MUGA to be floodlit. This is disappointing particularly as a MUGA specification including floodlights was provided to the applicant at the outline stage. Further discussions are taking place on this matter, as currently this would amount to a reason for refusal.

No details have also been provided for the riverside walk, the adult outdoor gym and other linear green routes, play areas and general informal recreational areas. The open space proposals are therefore currently considered to be unsatisfactory.

ECONOMIC SUSTAINABILITY

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to Nantwich town centre including additional trade for local shops and businesses (in closer proximity to the site than the town centre), jobs in construction and economic benefits to the construction industry supply chain.

PLANNING BALANCE

The principle of the development has already been approved.

Matters of drainage and flooding have been considered to be acceptable, subject to conditions. Whilst some separation distances fall short of the standards it is considered that the development would not have a detrimental impact upon the living conditions of existing residents, ecology, highway safety and the local highway network. The consultation response from Environmental Protection is awaited, however it is anticipated that no further issues to those highlighted at the outline stage will be raised.

Following much discussion and negotiation with the applicants, the proposed scheme broadly provides an acceptable design and layout, the dwellings are adequately appropriate to the character of the area and appropriate landscaping and sufficient open space can be provided. However further details are required relating to: landscaping; landscaping, impact of attenuation ponds on trees, an affordable housing scheme and public open space details.

Subject to the above points being satisfactorily addressed, and the receipt of outstanding consultee responses raising no objections, the proposal will represents a sustainable form of development, and a recommendation of approval can be made.

RECOMMENDATION

Approve subject to conditions, and subject to receipt of outstanding information and consultee responses.

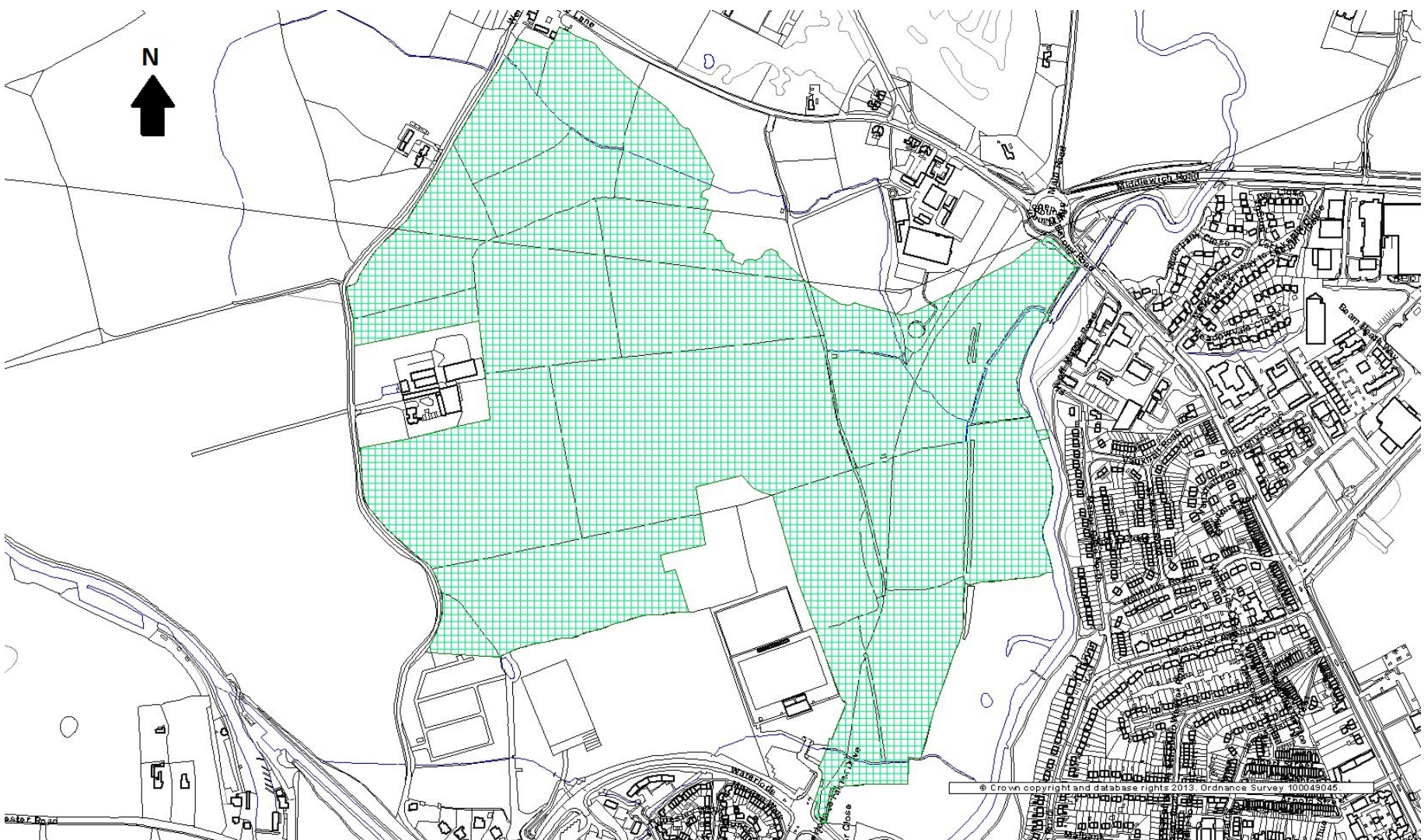
In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) delegated authority to do so in consultation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

Application for Reserved Matters

RECOMMENDATION: Approve subject to following conditions

1. A02RM - To comply with outline permission
2. A05RM - Time limit following approval of reserved matters
3. A01AP - Development in accord with approved plans

4. A06EX - Materials as application
5. A25GR - Obscure glazing requirement
6. Provision of electric vehicle charging infrastructure
7. Habitat management plan is to be submitted
8. Development to be carried out in strict accordance with the submitted badger mitigation and water mitigation strategies
9. Updated badger survey to be submitted prior to the commencement of the A51 diversion and further phases
10. Appointment of ecological clerk of works and submission of an ecological monitoring and reporting strategy
11. Contamination not previously identified
12. No dwellings or building to be placed within the modelled flood zone 2 or 3 areas.
13. Surface water management strategy shall not be compromised by fluvial flooding up to a 1 in 100yr + climate change event.
14. Detailed plans to be submitted for all additional waterbodies to be provided or enhanced as part of the ecological mitigation strategy.



Application No: 15/4888N

Location: WHITE MOSS, BUTTERTON LANE, BARTHOMLEY, CREWE, CHESHIRE, CW1 5UJ

Proposal: Outline application for the provision of up to 400 residential units

Applicant: Mr Lee Dawkin, Renew Land Developments Limited

Expiry Date: 16-Mar-2016

SUMMARY:

The proposal is contrary to development plan policies NE2 (Open Countryside) and therefore the statutory presumption is against the proposal unless material considerations indicate otherwise. The site is also not an identified allocated site within the Emerging Local Plan Strategy.

An important material consideration in this case is the NPPF which states at paragraph 49 that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites and that where this is the case housing applications should be considered in the context of the presumption in favour of sustainable development.

Cheshire East cannot demonstrate a 5 year supply of deliverable housing sites at this time and the presumption in favour of sustainable development applies at paragraph 14 of the Framework, however, given the large scale nature of this development, it is not considered that it would contribute significantly to the 5 year housing land supply and that the adverse impacts of granting permission in this case would demonstrably and significantly outweigh the benefits when assessed against the Framework as a whole.

There are considerable Section 106 contributions offered by the Developer towards the on site provision of affordable housing, provision and management of on-site public open space and play areas, the provision of school places and the improvement of off-site public rights of way. The proposal therefore provides some social and economic benefits and contributes to the social and economic arms of sustainability should these facilities come forward.

Sufficient mitigation has been provided to overcome the traffic generation caused by this development. However this was submitted at an extremely late stage in the application process and no costings have been submitted nor have any contributions been proposed by the applicant. On this basis a lack of information has been submitted to fully assess the impact on the local highway network.

The applicant has failed to submit sufficient information in respect of the impact on SBIs and a SSSI that is located close to the site. Crucially the supporting information submitted with the application does not demonstrate that ecological benefits from the development are greater than those that have to be implemented as part of the restoration scheme for the quarry.

It is therefore concluded that the harm caused to the environmental arm of sustainability outweighs the social and economic benefits of the scheme.

On the basis of the above, it is considered that the proposal represents unsustainable development and paragraph 14 is not engaged. Notwithstanding this, even applying the tests within paragraph 14 it is considered that the adverse effects of the scheme significantly and demonstrably outweigh the benefits.

The proposal is also considered to be an unplanned form of development that is premature that would undermine the delivery of the spatial distribution of dwellings as envisaged by the emerging Local Plan Strategy and be contrary to the primacy of the development plan process as envisaged by the NPPF.

SUMMARY RECOMMENDATION: REFUSE

DESCRIPTION OF DEVELOPMENT

The proposal is for outline planning approval for the provision of up to 400 residential units. All matters are reserved for future approval, with the access proposed to be taken through the part of the site that currently has outline approval.

SITE DESCRIPTION:

The application site consists of the western part of the existing White Moss Quarry site. The site consists of some distinct areas, the north western corner of the site is a wildlife mitigation pond, this remains unchanged as part of the proposals. The northern part of the site has been quarried and the restoration of this area is on-going. Through the centre of the site are areas that have yet to be quarried and at current rates the applicant has claimed that if the site continues at its current rate capacity remains to quarry the site until 2042 which is 14 years beyond the period the site has consent.

Agricultural land adjoins the site to the north and west with the M6 being between 25 and 150 metres from the western boundary of the site. Agricultural land adjoins the site to the south separating the site from commercial uses along Butterton Lane.

RELEVANT HISTORY:

The site has an extensive planning history on the wider quarry site. Most relevant of which are:

15/2259N	Application for removal or variation of a conditions following grant of planning permissions P93/0932 and P04/1054 13/4132N. Under consideration.
7/2006/CCC/19	Variation of conditions of permission 7/P04/1054 granted February 2007
7/P04/1054	Extension of time until 2028 granted December 2004.

The remainder of the quarry site is located to the east of the application site and was granted outline permission in September 2015 for the following;

Outline application for the residential development of the White Moss: Incorporating the provision of up to 350 residential dwellings; extra care facility; relocation and redevelopment

of existing garden centre; provision of local services including A1 uses: 465 square metres convenience store, 3no. 95 square metres retail units, D1 uses: children's day care centre and doctor's surgery, public house/restaurant; and, provision of public open space and associated highway improvements and biodiversity enhancement.

No reserved matters application has been received to date.

NATIONAL & LOCAL POLICY

National Policy

National Planning Policy Framework

Local Plan Policy

By virtue of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for Cheshire East currently comprises the saved policies from the Congleton Borough (January 2005), Crewe and Nantwich (February 2005) and Macclesfield Local Plans (January 2004).

Policies in the Crewe & Nantwich Local Plan

NE.2 (Open countryside)

NE.5 (Nature Conservation and Habitats)

NE.6 (Sites of International Importance for Nature Conservation)

NE.7 (Sites of National Importance for Nature Conservation)

NE.8 (Sites of Local Importance for Nature Conservation)

NE.9 (Protected Species)

NE.20 (Flood Prevention)

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Access and Parking)

BE.4 (Drainage, Utilities and Resources)

BE.5 (Infrastructure)

RES.5 (Housing in the Open Countryside)

RT.3 (Provision of Recreational Open Space and Children's Play Space in New Developments)

TRAN.3 (Pedestrians)

TRAN.5 (Cycling)

Although the site is within the former Crewe and Nantwich Borough the settlement boundary for Alsager is set out in Policy PS4 of the Congleton Borough Local Plan.

Other Material Policy Considerations

Interim Planning Statement: Affordable Housing (Feb 2011)

Strategic Market Housing Assessment (SHMA)

Strategic Housing Land Availability Assessment (SHLAA)

Article 12 (1) of the EC Habitats Directive

The Conservation of Habitats and Species Regulations 2010.

Draft Cheshire East Borough Design Guide

Cheshire East Local Plan Strategy – Submission Version

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

MP1 – Presumption in Favour of Sustainable Development
PG2 – Settlement Hierarchy
PG5 - Open Countryside
PG6 – Spatial Distribution of Development
SC3 – Health and Wellbeing
SC4 – Residential Mix
SC5 – Affordable Homes
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE1 - Design
SE2 - Efficient Use of Land
SE3 – Biodiversity and Geodiversity
SE4 - The Landscape
SE5 – Trees, Hedgerows and Woodland
SE9 –Energy Efficient Development
CO1 – Sustainable Travel and Transport
CO4 – Travel Plans and Assessments
IN1 - Infrastructure
IN2 – Developer Contributions

CONSULTATIONS:

Public Open Space - *As this is on the edge of Alsager new POS is vital in providing the new community a safe and pleasant environment in which to live. It is noted the applicant is providing a 'country park' green corridor around the edge of the development. Neither the East nor West is suitable for formal play space.*

- *14,000sqm new POS to include;*
- *Children's formal play provision*
 - *NEAP – Centrally located to provide a focus for the new community and alongside other new (PH.1) and existing community facilities*
 - *LAPS – a minimum of 2 LAPS, final numbers, contents and location to be agreed at submission of reserved matters but to ensure formal play provision is easily accessible and within FiT recommended guidelines*
- *Areas for social play and informal recreation*
- *Accessible hard surfaced routes across the site with consideration to lighting key routes*
- *Seating and activity areas throughout the POS*
- *Interpretation and public art throughout the POS using natural character/important species of the site*
- *Future management and maintenance opportunities*
- *Reflect the adopted Green Space Strategy and national best practice on POS provision*

With regard to potential transfer and ongoing maintenance by CEC, needs further discussion because whether with the council or otherwise, we need to understand the arrangements and be assured maintenance will be of the appropriate quality and in perpetuity. The method for establishing the maintenance com sums would be to identify and cost a schedule over the 15-25year period of the com sum.

Education- No objection, subject to a financial contribution of £2,000,344 for local education provision.

United Utilities: No Objection. Conditions have been requested requiring that foul and surface water being drained on separate systems, details of surface water drainage scheme based on sustainable drainage principles and a subsequent management and maintenance plan.

Environment Agency - Protection of Controlled Waters

There may be no objection in principle to the restoration of this quarry by backfill under appropriate regulatory controls for the protection of Controlled Waters against pollution.

This development proposal will necessitate a considerable amount of infill and ground preparation works likely to be consistent with the scale of a substantial landfill activity. As such, it is anticipated that the developer is likely to require an Environmental Permitting Regulations Permit for the importation and deposit of the materials necessary to achieve the planned ground levels.

This significant modification of ground levels and materials will probably have a marked impact upon the groundwater levels and drainage of the site, and the uncertain nature of the materials to be used, or the way in which the ground will be engineered makes it premature to assume the infiltration properties available for SuDS drainage schemes etc.

Should planning permission be granted for the proposals we request that a planning condition is included requiring a scheme to be agreed to compensate for the impact of the proposed development on White Moss Local Wildlife Site, adhering to Cheshire East Council Planning Policy SE3.

Archaeology – No objection. A condition has been requested that requires additional investigations to take place before any development can take place.

Strategic Highways Manager – Object to the application. This matter is addressed in detail later in the report.

Environmental Health – No objections. A number of conditions and informatives have been requested and these matters are addressed in detail later in this report.

Rights of Way - *The proposed development appears to be adjacent to Public Rights of Way, namely Public Footpaths Nos.12,37 and 49 in the parish of Haslington, as recorded on the Definitive Map and Statement, the legal record of Public Rights of Way. Whilst it appears that the proposed development will not directly affect the Public Rights of Way, the developer's attention is drawn to the informative notes below. In addition, it can be anticipated that increased footfall arising as a result of the proposed development would have an impact on*

the Public Footpaths and thus contributions for their improvement to carry that increased footfall, are requested.

The aforementioned Public Footpaths form a circular loop around the development site. It can be anticipated that increased footfall arising as a result of the proposed development would have an impact on the Public Footpaths, as residents use them for daily exercise and dog walking. To enable the Public Footpaths to carry this increase in footfall and still be available as year-round walking routes, some improvements would be required. This may, with the agreement of the landowners, involve surfacing measures and the installation of accessible path furniture to replace more restrictive existing furniture. A contribution towards these improvements would therefore sought from the developer should the application be granted consent. The works necessary has been estimated to total £15,000.

The legal status, maintenance and specification of the proposed paths in the public open space of the site would need the agreement of the Council as the Highway Authority. If the routes are not adopted as public highway or Public Right of Way with the provision of a commuted maintenance sum, the route would need to be maintained for use under the arrangements for the management of the open space of the site.

Pedestrian and cyclist routes should be designed and constructed to best practice in terms of shared use infrastructure, accessibility and natural surveillance. Properties should have adequate and best practice cycle storage facilities and all highway designs should incorporate accessibility for cyclists and pedestrians. Should the development be granted consent, the developer should be conditioned to provide new residents with information about local walking and cycling routes for both leisure and travel purposes, with key routes signposted.

RSPB - The RSPB **objects** to this proposal on the basis that we believe that the applicant has provided insufficient information to allow the Local Planning Authority (LPA) and ourselves to determine whether the proposed development has the potential to have a significant impact on sensitive breeding bird species.

Newcastle-under-Lyme Council - *There is a history of development proposals for White Moss Quarry, including an outline application in 2013 for the provision of up to 1000 residential dwellings and other mixed development on the whole of the quarry site (planning reference 13/4132N), this was followed by a revised scheme for up to 350 dwellings ("Phase 1") on the southern part of the site, which received consent in September 2015. The application now submitted, and upon which the Borough Council's comments are being sought relates to the northern part of the quarry – the development being referred to as 'Phase 2'. Were consent to be granted for this application, this would mean a total of up to 750 units would have outline planning consent at the White Moss Quarry site. The site lies west of the settlement boundary of Alsager as defined on the Congleton Borough Local Plan Proposals Map in the open countryside. To the south of the site referred to in Phase 1 is the Radway Green BAE plant, and to the west the M6. As members will be aware Cheshire East have not been able for some time to satisfy Inspectors that they can demonstrate a 5 year supply of deliverable housing sites, and a number of residential developments have been approved on the basis that existing policies that restrict the supply of housing are out of date. As indicated above 350 units have already been permitted on the southern part of the quarry site.*

Cheshire East's Local Plan Strategy was submitted to the Secretary of State in May 2014 and is currently undergoing an independent examination. It identifies strategic sites and strategic location that will accommodate most of the development needed. Cheshire East has recently completed a consultation on proposed changes, following the publication by the Inspector of his Further Interim Views. Cheshire East are indicating a Core Strategy housing site at White Moss (CS42), but not one that includes the current application site, and their proposal envisages only 350 units (i.e. is equivalent to the consented Phase 1).

Given the scale of the additional proposed development, and its location fairly near to the Borough boundary, it is considered that the Borough Council, whilst it may be difficult to demonstrate by evidence a link between the scale of residential development in this location and the regeneration of the North Staffordshire conurbation, the delivery of which is an objective of the existing Joint Core Strategy, should still express concerns that significant additional residential development is being proposed above and beyond that already provided for Alsager in the now submitted version of Cheshire East's Core Strategy.

Alsager Town Council : *The Town Council objects to the application as the application is for a further 400 dwellings in addition to the 350 already approved.*

The grounds for objection being

- 1) The environmental impact of the proposed development.*
- 2) The potential failure of realisation of an already approved Quarry restoration plan.*
- 3) Noise and air pollution from the M6*
- 4) Highway capacity and safety issues on surrounding roads including queuing of traffic at both Radway Green and Sandbach Road South.*

Barthomley Parish Council – comments awaited

REPRESENTATIONS:

27 letters of objection have been received in respect of the application. The points of objection relate to;

- Inappropriate use of the land.
- Should be retained as accessible public amenity land as previously agreed.
- 'Green Wedge' on the plans is inadequate.
- Changes to land drainage and sewerage provision could be an issue due to volume generated by proposed development.
- The development will adversely affect Alsager's infrastructure, existing facilities and services.
- Noise pollution from the M6.
- Air quality as a result of exhaust fumes.
- Emission of landfill gases.
- An increase in vehicles on the roads resulting in congestion.
- Conflicting information regarding a Bond ensuring the restoration of the quarry has been provided, and has also been withheld by the council.
- Impact on the wildlife on the site, which could share rare features alongside a neighbouring SSSI.
- Dwellings will be constructed in the immediate vicinity of high voltage cables.

- There is a disregard for local & regional planning policies in the determining of applications for the White Moss Quarry site.
- Limited job opportunities in the area will increase commuting on and out of the site.
- The field to the south of the site is designated agricultural land.
- Impact on the public access to Rights Of Way on the site and the maintenance of pathways.
- Concerns regarding surface water and drainage into Valley Brook.
- Risk of flooding increased.
- The development proposes a high density of dwellings, which will have a direct impact on the amenities and facilities available in the area.
- The development is outside of reasonable walking distance from civic amenities resulting in the increase in car use on an already congested route.
- The address and location plan are ambiguous. Leading to some members of the public not being consulted.
- The proposed area has not previously been identified as appropriate for houses.
- Walkers, cyclers and runners will suffer on the National Cycle network due to the increase in vehicles on the road.
- The Green Corridor shown on the plans is not correct.
- Will further urban sprawl.
- Beautiful views will be destroyed.
- Disproportionate in scale.
- Development in Alsager is already at an unsustainable level.
- No new schools or healthcare services for residents.
- The lack of 5 year land supply negates the ability to refuse this application.
- Alsager has met its allocation of new builds -40% increase.
- Lack of parking in town.
- No facilities for children.
- The housing development will alter the character of Alsager.

APPRAISAL:

Main Issues

Given that the application is submitted in outline, the main issues in the consideration of this application are the suitability of the site for residential development having regard to matters of principle of development, the implications for the spatial distribution of development, the sustainability of the site and of the proposals in general, provision of affordable housing, drainage and flooding, site planning/layout and design issues and indicative distribution of development within the site, open space, rights of way, amenity, landscape impact, trees and forestry, ecology, education, highway safety and traffic generation.

The Development Plan – Crewe & Nantwich Local Plan 2005

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”

The application site lies within an area of open countryside covered by Policy NE2. This policy seeks to limit development within the open countryside and confine it to certain specified

activities that must take place in a rural area. The justification to the policy explains that “development in the open countryside should be kept to a minimum in order to protect its character and amenity”

Paragraph 215 of the NPPF explains that due weight can be afforded to policies in existing plans which pre-date the framework according to their degree of consistency with that document. Policy NE2 with its emphasis on character and amenity aligns closely to the need to recognise the intrinsic character of the countryside within paragraph 17 of the NPPF. Several appeal decisions have confirmed the consistency of Policy NE2 with NPPF advice.

Other Material Considerations – The Emerging Development Plan

The emerging development plan is the Cheshire East Local Plan Strategy. This Plan is currently under Examination – with the third set of hearings completed in October 2016. Previous hearings in the autumn of 2014 and 2015 resulted in Interim and Further Interim Views from the Inspector. Consequently certain policies have already been subject to scrutiny and the Inspector’s views.

In particular the Settlement Hierarchy (Policy PG2) was considered in the Autumn of 2014 and the Interim Views of November 2014 concluded that “the settlement hierarchy seems to be justified, effective and soundly based”. The application site lies within the lowest tier of settlement (rural areas and other settlements) within the emerging plan. As such it is clearly contrary to the strategy of the Plan to see such a large scale of development located within the rural area.

Policy PG6 of the Local Plan Strategy sets out the spatial distribution of development. This proposes that ‘Other Settlements and Rural Areas’ should accommodate 2950 homes. This distribution was considered by the Inspector In October 2015. He concluded that “the additional evidence supporting the revised spatial distribution of development seems to represent a realistic, rational and soundly-based starting point for the spatial distribution of development.” Without having examined the strategic sites the Inspector wasn’t able to unconditionally endorse the distribution, but he has provided a very clear indication of his views.

The provision of approximately 900 homes in one location within the rural area is clearly disproportionate. At 1 April 2016 some 733 homes had been completed in the rural area, 1120 were committed – and 275 homes are assigned to Alderley Park (which now has consent).

Consequently 2128 out of the 2950 homes are now either completed or committed. To provide 400 homes in a single site would also reduce the opportunity for smaller scale sustainable development in other locations.

The site does adjoin the settlement boundary of Alsager as it is proposed to be extended to incorporate the part of the quarry site that has outline permission. For completeness it has to be pointed out that Policy PG6 also makes allowance for 2000 homes within the settlement boundary of Alsager. These 200 homes are made up of existing commitments and allocations with 131 dwellings being completed Alsager up to 31 March 2016.

As such the application is in serious conflict with emerging Policy PG6.

Paragraph 216 enables weight to be attributed to emerging policies according to:

- The stage that the plan has reached
- The extent of unresolved objections
- The degree of consistency with the framework

In this case Policy PG2 has been broadly endorsed by the Local Plan Inspector, the plan is entering its final stages and the remaining issues to be considered at the hearings relate to some detailed wording within part of the policy.

Accordingly, it is considered that emerging policy PG2 can be afforded considerable weight in the consideration of this case. Policy PG6 is still subject to some unresolved objections and so should be afforded moderate weight.

The Impact of the lack of a 5 year supply of Housing

It is acknowledged that the Council cannot currently demonstrate a 5 year supply of deliverable housing land and therefore the presumption in favour of sustainable development applies. This is primarily because 100% of the Borough currently contributes to housing need but at least 40% of the Borough is subject to significant planning constraints (see footnote 9 of NPPF) – and awaits the conclusion of the Local Plan before the necessary housing sites in these areas can be confirmed. Accordingly, for the time being there is no 5 year supply in place and hence paragraph 14 of the NPPF is engaged.

The Recent Court of Appeal Case [Suffolk Coastal DC and Hopkins Homes Ltd and SSCLG Richborough Estates and Cheshire East BC and SSCLG [2016] EWCA Civ 168] – referred to hereafter as the “Richborough Case” looked comprehensively at the process of applying NPPF advice at paragraphs 14 and 49.

In summary the judges conclude that the proper construction of para 49 is that the phrase 'policies for the supply of housing' refers to policies 'affecting' housing land supply in its widest context and that this is the only interpretation that is also consistent with the core principle of the NPPF to deliver housing land.[see paragraph 32 of the Judgement]

The judges accept the 'wide' interpretation and conclude that any policy which limits the potential development of land is a relevant policy - this includes Green Belt, AONB, National Parks, Wildlife conservation and “various policies whose purpose is to protect the local environment in one way or another”.

They then set out how para 49 should be applied.

Step1:

Are the relevant policies up to date because the Local Planning Authority cannot demonstrate a 5 year supply of deliverable housing sites? Which policies are 'relevant' is a matter of judgement by the decision maker, but the judges are clear that this should be a wide interpretation.

Step2:

If they are not up to date, apply the presumption in favour of sustainable development (paragraph 14) which also involves a planning judgement.

The judgement reinforces once again the primacy of the development plan:

The NPPF is a policy document. It ought not to be treated as if it had the force of statute. It does not, and could not, displace the statutory “presumption in favour of the development plan” [paragraph 42]

The judges are clear that Paragraphs 49 & 14 do not make these 'relevant' policies irrelevant, it is a matter of the weight for Decision maker:

We must emphasize here that the policies in paragraphs 14 and 49 of the NPPF do not make “out-of-date” policies for the supply of housing irrelevant in the determination of a

planning application or appeal. Nor do they prescribe how much weight should be given to such policies in the decision..... Neither of those paragraphs of the NPPF says that a development plan policy for the supply of housing that is “out-of-date” should be given no weight, or minimal weight, or, indeed, any specific amount of weight. They do not say that such a policy should simply be ignored or disappplied. That idea appears to have found favour in some of the first instance judgments where this question has arisen. It is incorrect. [paragraph 46]

The factors in determining weight include the extent of the shortfall in housing supply; what the Council is doing to address it; and the particular purpose of the relevant policy. In terms of the weight to be given to any policy, the judgement indicates that this will ;

‘...vary according to the circumstances, including, for example, the extent to which relevant policies fall short of providing for the five-year supply of housing land, the action being taken by the local planning authority to address it, or the particular purpose of a restrictive policy – such as the protection of a “green wedge” or of a gap between settlements...’

These are matters of planning judgement that will need to be made in each case. Furthermore it is emphasised that:

‘There will be many cases, no doubt, in which restrictive policies, whether general or specific in nature, are given sufficient weight to justify the refusal of planning permission despite their not being up-to-date under the policy in paragraph 49 in the absence of a five-year supply of housing land. Such an outcome is clearly contemplated by government policy in the NPPF. It will always be for the decision-maker to judge, in the particular circumstances of the case in hand, how much weight should be given to conflict with policies for the supply of housing that are out-of-date.’

Therefore just because a policy is ‘out of date’ it does not mean that it is set aside. On the contrary an exercise must be undertaken to assess its purpose, value and weight. This takes place in the context of the presumption in favour of sustainable development.

In terms of the Council’s present position, the Local Plan will deliver a 5 year supply of deliverable housing land – with a 20% buffer. The details are set out in the Housing Supply & Delivery Topic Paper. Consequently a remedy is in train – and it is available to be implemented within a few short months.

Accordingly this proposal for ‘approximately’ 400 homes is of very limited assistance to the Council’s housing supply position. The most beneficial types of development are those that can deliver quickly and efficiently. Generally these are sites that are smaller in nature – and not large sites that have longer lead in times or require additional significant infrastructure. This application is in outline and will require future reserved matters approval. The access into the site would be taken through the adjoining site which itself only has outline permission and no application has yet been made for the approval of reserved matters. The applicant has not outlined any potential delivery rates in the application and significant works will be required to the land before any properties can be built it is highly unlikely that the site will contribute to the Council’s 5 year supply, and if it did the contribution would be limited.

In the meantime, the purpose and function of the Countryside policies remains relevant and important to the good planning of the Borough. The Policy is designed to preserve the character and amenity of the countryside which is an enduring principle.

Consequently, taking all of these various factors into account it is considered that the absence of a 5 year supply, whilst rendering policies 'out of date' should not to any significant degree diminish their application in this case.

SUSTAINABILITY

Turning now to the three dimensions of sustainable development within the NPPF - economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

These roles should not be undertaken in isolation, because they are mutually dependent.

Social Sustainability

Housing Land Supply

The Council cannot currently demonstrate a five year supply of deliverable housing land for the purposes of determining planning applications.

Previous application reports have noted the progress that is being made with the Local Plan Strategy and how, through that process, the Council is seeking to establish a 5 year housing land supply. Six weeks of examination hearings took place during September and October 2016 which included the consideration of both the overall housing supply across the remainder of the Plan period and 5 year housing supply. The Council's position at the examination hearings was that, through the Plan, a 5 year housing supply can be achieved. However, in the absence of any indication yet by the Inspector as to whether he supports the Council's position, this cannot be given material weight in application decision-making. The Council's ability to argue that it has a five year supply in the context of the emerging Local Plan Strategy is predicated on two things which differentiates it from the approach towards calculating five year supply for the purposes of current application decision making. Firstly the Council contended, taking proper account of the Plan strategy, that the shortfall in housing delivery since the start of the Plan period should be met, and justifiably so, over an eight year period rather than the five year period, which national planning guidance advocates where possible and, secondly, that the Local Plan Strategy 5 year housing supply can also, justifiably, include a contribution from proposed housing allocations that will form part of the adopted plan. These include sites proposed to be removed from the Green Belt around towns in the north of the Borough.

Looking ahead, if the Inspector does find that a 5 year supply has been demonstrated through the Local Plan Strategy, this will be material to the determination of relevant applications. Any such change in material circumstances will be reflected in relevant application reports. However, until that point, it remains the case that the Council cannot demonstrate a five year housing supply. This means that paragraphs 49 and 14 of the Framework are engaged.

Affordable Housing

The Councils Interim Planning Statement: Affordable Housing (IPS) states in Settlements with a population of 3,000 or more that we will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified 'windfall' sites of 15 dwellings or more or larger than 0.4 hectares in size. The desired target percentage for affordable housing for all allocated sites will be a **minimum of 30%**, in accordance with the recommendations of the Strategic Housing Market Assessment carried out in 2013. This percentage relates to the provision of both social rented and/or intermediate housing, as appropriate. Normally the Council would expect a ratio of 65/35 between social rented and intermediate housing.

This is a proposed development of around 400 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 120 dwellings to be provided as affordable dwellings.

The Affordable Housing IPS requires that the affordable units should be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration and also that the affordable housing should be provided no later than occupation of 50% of the open market dwellings

The affordable housing requirement would be secured by way of a S106 agreement, which: -

- requires them to transfer any rented affordable units to a Registered Provider
- provide details of when the affordable housing is required
- includes provisions that require the affordable homes to be let or sold to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Councils allocations policy.

includes the requirement for an affordable housing scheme to be submitted prior to commencement of the development that includes full details of the affordable housing on site

Infrastructure

The Local Plan advises that the Local Planning Authority may impose conditions and/or seek to negotiate with developers to make adequate provision for any access or other infrastructure requirements and/or community facilities, the need for which arises directly as a consequence of that development. Such provision may include on site facilities, off site facilities or the payment of a commuted sum.

Policy IN1 of the emerging Cheshire East Local Plan Strategy – Submission Version, advises that the Local Planning Authority should work in a co-ordinated manner to secure funding and delivery of physical, social, community, environmental and any other infrastructure required to support development and regeneration.

Subject to a secured total education contribution of £2,000,344 to off-set the increase in demand for school places caused by the development the impact on local schools is acceptable.

Social Sustainability - Conclusion

The first dimension to sustainable development is its social role. In this regard, the proposal will provide up to 400 new family homes, including 30% affordable homes, public open space and a contribution to school places.

Overall, the proposal is considered to be a socially sustainable form of development, for which there is a presumption in favour within the Framework.

Environmental Sustainability

Ecology

Impacts on Local Wildlife Sites

Two areas within the quarry have been designated as Site of Biological Importance (SBI) since 1995. The principal reason for the designation of the SBI was the presence of a Lowland Raised Mire (Bog) with associated woodland, open water, scrub and bare peat habitats. Raised bogs are capable of natural regeneration (which can include areas of bare peat) and are listed as Annex One Habitats of the Habitats Directive and so potentially could be designated as Special Areas of conservation under the European Habitats Directive. The submitted illustrative layout plan includes an area of retained peat which is proposed to be restored as lowland raised peat/wet woodland. To maximise the nature conservation value of this area the habitats should be restored to lowland raised bog only rather than wet woodland. In addition the remaining area of peat which falls within the red line of the application amounts to 1.45ha (this is as shown on plan SE487-12 included with the Lowland Raised Bog Restoration Proposals submitted in respect of application 13/4132N). The illustrative master plan includes a raised access road through the area of retained peat and the proposed houses also encroach into this area. This impact reduces the available area of peat suitable for restoration, fragments the available habitat and the construction of the access road and houses is also likely to result in major disturbance of the remaining area of peat.

Other Local Wildlife Sites

Three Locally designated sites, Yew Tree Farm, Moss End Site of Biological Importance/Local Wildlife Site, Bibby's Moss Site of Biological Importance/Local Wildlife Site and Cranberry Moss Local Nature Reserve are located in close proximity to the proposed development site. The submitted ES states that Yew Tree Farm and Cranberry Moss would not be adversely affected by the proposed development. In order to demonstrate this, the extent and nature of the hydrological envelope of the scheme needs to be considered. No such information has been submitted and therefore it has not been suitably demonstrated that these sites will not be adversely affected by the proposed development.

Impacts on Oakhanger Moss SSSI and Midland Meres and Mosses Phase 2 Ramsar

Natural England has advised in their consultation comments that the application site is located within 200m of Oakhanger Moss SSSI which forms part of the Midland Meres & Mosses Phase 2 Ramsar (Wetland Sites of International Importance). Under regulation 61 of the Habitat Regulations the Council is required to undertake an 'Assessment of Likely Significant effects' of the proposed development on the features for which the Ramsar was

designated. An Appropriate Assessment under the habitat Regulations may then be required if likely significant effects cannot be ruled out.

Natural England advise that there is insufficient information to allow likely significant effects on the Ramsar to be ruled out. The required information has not been submitted as part of the application and therefore the Council and Natural England cannot fully consider this issue.

Loss of Restoration Opportunities

This site holds an extant planning consent for the extract of sand and peat with final restoration to a large water body. An application for amended restoration proposals is currently being considered by the Council (15/2259N) to take account of the housing scheme consented under application 13/4132N. The original approved and proposed amended restoration proposals provide an opportunity to deliver significant benefits for biodiversity, particularly priority bird species. These benefits would be lost if the current application was granted consent and whilst the impact on protected species can be shown not be detrimental at this time this is not the baseline position, this should be position following the restoration of the site.

Badgers

A number of badgers setts have previously been recorded around the application site. An updated survey has been undertaken and which badgers are active in the broad locality there are no active setts within the red line of the application. The proposed development is unlikely to have a significant impact upon badgers. However as the status of badgers on a site can change a condition should be attached, in the event that planning permission is granted that requires the submission of an updated badger survey with any reserved matters application.

Hedgerows

Hedgerows are a Biodiversity Action Plan priority habitat and hence a material consideration. Based on the submitted illustrative layout it appears likely that much of the existing hedgerows could be retained as part of the proposed development. There may however be some loss of existing hedgerow at the detailed design stage depending on the types of boundary treatment used.

It would be ensured the existing hedgerows are retained and appropriate replacement hedgerow planting be incorporated into any detailed landscaping scheme for the site to compensate for any unavoidable losses as part of any reserved matters application.

Reptiles

An up to date reptile survey has now been submitted. No evidence of reptile species was recorded

Bats

Three mature oak trees identified as having bat roost potential. Based on the submitted illustrative layout plan these trees are outside the boundary of the current application.

Breeding Birds

A breeding bird survey of the broader site was undertaken to inform the determination of application 13/4132N. This survey highlighted the presence of a number of notable bird species.

Willow tit

This red listed and UK BAP bird species was identified as probably breeding on site. This species is considered to be increasingly rare in Cheshire and the UK as a whole. This species was present in two distinct areas of the wider site. One of these areas falls within the boundary of the current application. Based on the submitted layout plan much of the habitat for this species would be retained however there would be some losses of suitable habitat to the scheme. A condition be attached requiring the submission of a willow tit mitigation method statement to be submitted in support of any future planning application.

Little Ringed Plover

This schedule 1 (specially protected) bird species was recorded as probably breeding in the quarry area. The proposed development will result in the loss of an area habitat of this species. Phase one of the white moss quarry scheme would however also result in the loss of and fragmentation of the habitat for this species. The consenting of this application would however result in the loss of an opportunity to create high quality habitat for this species as part of the consented and proposed amended restoration proposals.

Conclusion

The current proposals have the potential to both have negative and positive impacts on biodiversity. Potential benefits include the restoration of raised bog habitats and the retention of willow tit habitat. Although at present the opportunities for restoration of raised bog habitats are far from being maximised under the current illustrative layout. The current proposals also do not retain the entire identified willow tit habitat. The current permission for the extraction of peat also means that the peat could also all be removed prior to a reserved matters application being submitted and so opportunities for restoration could be lost.

The significant disbenefit of the scheme is the loss of the potentially significant ecological benefits delivered through the consented use of the site and revised restoration scheme that will follow on completion of the operations. Insufficient information has been submitted in relation to the possible impacts on nearby SBI's and Ramser.

On balance it is therefore considered that the proposals are contrary to Policies NE5, NE6, NE7 and NE8 of the Crewe and Nantwich local Plan.

Landscape Impact

This application would form the second phase of an already consented development for up to 350 dwellings (13/4132N). As part of the application a Landscape and Visual Impact Assessment has been submitted, this indicates that it has been undertaken using the Third Edition (2013) Guidelines for Landscape and Visual Impact Assessment.

The assessment identifies the National Character Area – Shropshire, Cheshire and Staffordshire Plain (NCA 61) as well as the Local character, in this case as identified in the Cheshire Landscape Character Assessment 2009 as Landscape Character Type 12:

Mosslands, and within this type as M3: Oakhanger Moss Character Area. As the assessment indicates, White Moss does not readily accord with the LCA description of this character area since it has been a peat and sand extraction site for a number of years.

An addendum has been submitted to the originally submitted Landscape and Visual Impact assessment that supported this application. This addendum assesses the proposed development based on the restoration proposals for the quarry as in the approved application for White Moss Quarry, 7/14766 conditions 15 and 16, rather than on the existing condition of the quarry. The assessment baseline condition now includes the proposed large lake and small pool enclosed by woodland, new areas of woodland above the waterline and new footpaths around the perimeter of the site, with woodland planting on the inner side of these and no public access beyond existing footpaths.

The assessment identifies that the proposed development of up to 400 dwellings would have a long term effect on the landscape fabric as it would require the infilling of the lakes and the removal of sections of the perimeter woodland, changing the landscape from one of lakes and woodland to one of housing and a recreational landscape. The landscape assessment identifies landscape impacts at the site, local, and broader landscape levels, indicating that at the site level sensitivity is low, the magnitude of change would be major and that the significance of impacts would be permanent-minor adverse. This is shown to change at the local setting where sensitivity is identified as being medium, the magnitude of change as

moderate and significance of impacts as permanent-neutral. The significance of impacts are shown as reducing on the broader site context.

The visual assessment identifies 11 viewpoints and offers an assessment of the visual impacts at the operational stage and at the residual stages and indicates that some degree of visual impacts are likely to be experienced by receptors identified within the Zone of Theoretical Visibility.

It is considered the landscape assessment has underestimated the sensitivity of the landscape, as well as the magnitude of effect that the proposals would have on the local level, and while it may be the case that the proposed restoration landscape, one of lakes surrounded by woodland, may not sit readily within the mosslands character site, it is not felt that it is entirely an alien or incongruous restoration. While it is agreed that the chosen viewpoints are fairly representative, the sensitivity of a number of the receptors has been underestimated; also the magnitude of change has also been underestimated for a number of receptors and consequently that the significance would in reality be greater than shown for the site. Whilst it is considered that the significance of landscape and visual impacts will be greater, it is not considered the proposals would result in a significant effect. However, it is noted and agreed with comments in the submitted addendum that substantial landscape intervention will be required to successfully integrate the proposals and achieve more extensive, wider ranging valuable landscape and ecological enhancements than this application proposes.

Trees & Hedges

The application includes a Tree Survey Report provided by Solum Environmental (Ref SE578T/J/01 dated 18th March 2014), whilst not an Arboricultural Impact Assessment it provides a Proposals Appraisals Plan for trees (Dwg SE578/PAP/01 dated 18/3/2014 which indicates those trees likely to be affected by the outline proposal.

The Appraisals Plan and Indicative Layout allows for the retention of trees protected by the Crewe and Nantwich Borough Council (Whitemoss Quarry, Radway Green) Tree Preservation Order 1996 (TPO G3 and G4) located to the south east of the site adjacent to the public footpath (Haslington FP49). The trees, shown as trees T125 to T133 in the submitted Tree Report will be located within public open space. One protected tree (Oak T132) is located close to the proposed main access into the site and in this regard root protection area requirements in accordance with BS5837:2012 will need to be taken into consideration at the reserved matters stage and adjustments made to the access to avoid any possible damaging impacts.

Forestry comments on the previous application (13/412N) remain relevant in that the Nature Conservation issues and the sites SBI status prevail.

Amenity

In order to protect the amenity of neighbouring occupiers during the construction period Environmental Health have recommended conditions requiring the submission, approval and implementation of a Construction Environmental Management Plan as well as limits on the hours of construction.

Air Quality

An air quality addendum report has been submitted with the application which addresses previously raised matters. The report and addendum considers whether the development will

result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to traffic flows.

The proposed development is considered significant in that it is highly likely to change traffic patterns and congestion in the area. There is also a concern that the cumulative impact of developments in the area will lead to successive increases in pollution levels and thereby increased exposure. The assessment uses ADMS Roads to model NO₂ and PM₁₀ impacts from additional road traffic associated with this development and the cumulative impacts of committed developments in the area. In addition, the Smart Motorway Scheme being undertaken on the M6 which will bring traffic closer to the proposed development has been considered.

An air quality damage cost calculation has also been undertaken to determine the proportionate cost for mitigation for off site impacts. The model predicts that the north western section of the site could be exposed to levels of pollution close to or above the national nitrogen dioxide health based standard primarily due to emissions from the M6 motorway. For existing receptors, the report concludes that there will be a negligible increase in pollutant concentrations at all receptors modelled. Taking into account the uncertainties with air quality modelling, the impacts of the development could be significantly worse.

The damage costs associated with emissions arising from vehicle movements from the development over a five year period have been calculated as £321,105.98. This in turn equates to approximately £800 per dwelling. The cost of mitigation to be implemented to offset the impact of emissions should reflect this total value. Measures considered shall be determined prior to the reserved matters stage.

Modern ultra low emission vehicle technology (such as all electric vehicles) are expected to increase in use over the coming years (the Government expects most new vehicles in the UK will be ultra low emission). As such, it is considered appropriate to create infrastructure to allow charging of electric vehicles, in new, modern, sustainable properties.

A development of this scale and duration would be expected to have an adequate dust control plan implemented to protect sensitive receptors from impacts during this stage of the proposal. Given the proximity of the proposal to high nitrogen dioxide levels adjacent to the M6, it is considered that the conditions relating to layout and mitigation measures are attached to any planning permission in order to alleviate the above impacts.

Noise

The site is in an area subject to high environmental noise levels from the nearby M6 Motorway. The applicant has submitted an acoustic report in support of the application to demonstrate that, in principle, noise from the M6 motorway can be adequately mitigated to achieve adequate noise levels within dwellings and external amenity areas.

The mitigation required to achieve this (a 2.5m acoustic fence, acoustic glazing and acoustic ventilation to facades of certain properties) will need to be provided at an appropriate time. Any reserved matters application shall be accompanied by a comprehensive scheme for noise mitigation this would be included within any planning permission as a condition.

Highway Impacts

This is an outline application with access to be determined for a residential development consisting of up to 400 units. Access to the site is to be taken from the access points approved on application 13/4132N, the principal access is a new roundabout on the B5077 that replaces the existing signal junction at Crewe Road/Radway Green. A secondary access is provided on the B5077 Crewe Road that is located west of the new roundabout junction.

There have been a number of residential development schemes submitted in Alsager in addition to the planned Local Plan sites and in order to assess the traffic/highway impact of these developments on the road network the Council commissioned a traffic study of all the principal junctions in Alsager. (Alsager Traffic Study). The ATS included the White Moss site allocation of 350 units and concluded that subject to mitigation this level of development would not result in an unacceptable material impact on the road network.

Assessment of Highway Impact

The applicant has sought to address the highway concerns raised regarding the capacity of the local highway network to accept the development proposed.

The applicant has submitted a Technical Note that included an updated number of committed developments and used the CEC Alsager Traffic Study models to assess the capacity of the junctions. The modelling results indicated that the Church Road/Crewe Rd/Station Rd would operate within capacity as would Linley Lane/Crewe Rd signal junction. The main concern is the town centre area and the junction of Crewe Road/Sandbach Rd/ Lawton Rd that is forecast to operate over capacity both without and with the development added.

In mitigation of the development impact, the applicant has submitted a proposal of a hybrid shared space scheme. The scheme has been assessed in regards to capacity with development in place and will operate satisfactory within capacity.

Whilst, this scheme can be considered sufficient to mitigate the development impact, there are no details submitted regarding the cost of the scheme and the level of contribution the developer is providing for the scheme.

Therefore, I would have to recommend refusal on lack of information submitted.

Accessibility

An assessment of accessibility has been undertaken in the Phase 1 application, although this Phase 2 scheme sits to the north of Phase 1 some distance away from Crewe Road. In regards to pedestrians and cyclists the site will be linked to Phase 1 and public rights of way that pass through the site and can be considered as accessible by foot. Given the location of the site, the distance to walk to local bus stops is increased and will be a significant walking distance for residents well above the recommended 400m walking distance. To address this issue the applicant is proposing diverting existing bus services into the site to reduce walking distances to access the bus services. Whilst the provision of additional public transport services is positive there is no agreement with operators that the proposals can be provided as described when considering this planning application.

Highways - Summary and Conclusions

The primary access points to this application have been established in Phase 1 of the White Moss development and access to Phase 2 is taken from internal road links. The capacity of the main access points to accommodate the additional development has been assessed and can operate successfully within capacity.

In regard to sustainability, the site can be accessed by pedestrians and cyclists although the location of the site in a semi rural location is not ideal and it is unlikely to support work based travel. The accessibility to local bus services is important and there will be need for improvements to be made to the public transport services as part of this Phase 2 development.

Public Rights of Way

The Rights of Way team have confirmed that no public rights of way are present within the application site. Should the application be approved £15,000 is sought to improve the quality of the footpaths within the site and this will be secured through a s106 agreement.

The legal status, maintenance and specification of the proposed paths in the public open space of the site would need the agreement of the Council as the Highway Authority. If the routes are not adopted as public highway or Public Right of Way with the provision of a commuted maintenance sum, the route would need to be maintained for use under the arrangements for the management of the open space of the site.

Pedestrian and cyclist routes should be designed and constructed to best practice in terms of shared use infrastructure, accessibility and natural surveillance. Properties should have adequate and best practice cycle storage facilities and all highway designs should incorporate accessibility for cyclists and pedestrians. Details of the above

Economic Sustainability

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to the town including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

PLANNING BALANCE AND CONCLUSION

The proposal is contrary to development plan policies NE2 (Open Countryside) and therefore the statutory presumption is against the proposal unless material considerations indicate otherwise.

The most important material consideration in this case is the NPPF which states at paragraph 49 that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites and that where this is the case housing applications should be considered in the context of the presumption in favour of sustainable development

It is therefore necessary to make an assessment as to whether the proposal constitutes “sustainable development” in order to establish whether it benefits from the presumption under paragraph 14 by evaluating the three aspects of sustainable development described by the framework (economic, social and environmental).

In this case, the development would provide market and affordable housing to meet an acknowledged shortfall. The proposal would also have some economic benefits in terms of jobs in construction and, spending within the construction industry supply chain.

Subject to a suitable Section 106 package, the proposed development would provide public open space however, the quality of that provision within the context of the overall site is not proven. The scheme could provide the necessary affordable housing requirements and the requirement for the future maintenance of the open space and playspace on site.

The scheme however does have significant dis-benefits. The application is lacking information that would allow full consideration of the impact of the development on nearby Sites of Biological Importance and the Ramsar (Wetland sites of international importance). It is also a key consideration that when compared against what the ecological benefits delivered through

the restoration of the site will be lost if permission were granted. A lack of information has also been submitted in respect to fully address the highway issues raised by the application.

These negative impacts significantly outweigh the social and economic benefits of the proposal's contribution to housing land supply.

On the basis of the above, it is considered that the proposal represents unsustainable development and paragraph 14 is not engaged. Notwithstanding this, even applying the tests within paragraph 14 it is considered that the adverse effects of the scheme significantly and demonstrably outweigh the benefits. It is also considered that the proposal would considerably undermine the emerging Local Plan Strategy and constitute an unplanned form of development contrary to the NPPF.

It is recommended that Members refuse the application on the following grounds -:

RECOMMENDATION

REFUSE for the following reasons;

- 1. The proposed residential development is unacceptable because it is located within the Open Countryside, contrary to Policies NE.2 (Open Countryside) and RES.5 (Housing in Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan, Policy PG 5 of the Cheshire East Local Plan Strategy – Consultation Draft March 2016 and the principles of the National Planning Policy Framework and create harm to interests of acknowledged importance. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.**
- 2. The proposal constitutes a premature development which would compromise the Spatial Vision for the future development of the rural areas within the Borough, contrary to Policies PG2 and PG6 of the Cheshire East Local Plan Strategy – Consultation Draft March 2016 and guidance within the NPPF.**
- 3. It has not been suitably demonstrated that the ecological benefits of this proposal will be at a level to surpass the expected ecological value of the site upon completion of the agreed restoration scheme. Therefore the application is contrary to Policies NE.5, NE.6, NE.7, NE.8 and NE.9 of the Crewe and Nantwich Local Plan, Policy SE3 of the emerging Cheshire Easy Local Plan Strategy and guidance within the NPPF.**
- 4. Insufficient information has been submitted with the application that demonstrates the proposals will not have a detrimental impact on the Oakhanger Moss SSSI and Midland Meres and Mosses Phase 2 Ramsar and local Sites of Biological Importance. Therefore the application is contrary to Policies NE.6, NE.7 and NE.8 of the Crewe and Nantwich Local Plan, Policy SE3 of the emerging Cheshire Easy Local Plan Strategy and guidance within the NPPF.**
- 5. Insufficient information has been submitted with the application that demonstrates the proposals will not have a detrimental impact on the operation of the local highway network. Therefore the application is contrary to Policy BE.1**

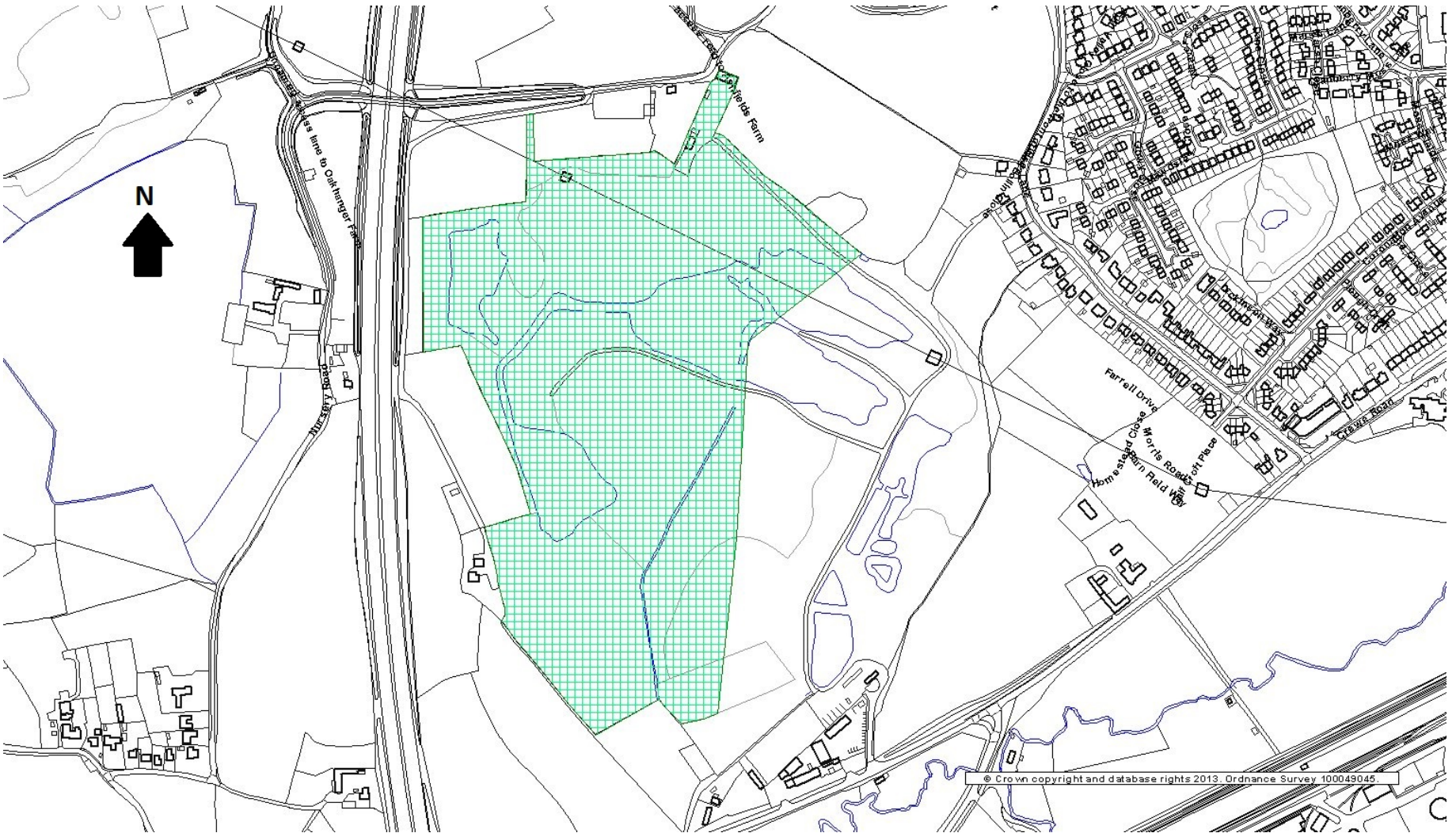
of the Crewe and Nantwich Local Plan, Policy SE3 of the emerging Cheshire Easy Local Plan Strategy and guidance within the NPPF.

In order to give proper effect to the Board's intentions and without changing the substance of the decision, authority is delegated to Head of Planning (Regulation), in consultation with the Chair of SPB, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Application for Outline Planning

RECOMMENDATION: Refuse approval

1. The proposed residential development is unacceptable because it is located within the Open Countryside, contrary to Policies NE.2 (Open Countryside) and RES.5 (Housing in Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan, Policy PG 5 of the Cheshire East Local Plan Strategy – Consultation Draft March 2016 and the principles of the National Planning Policy Framework and create harm to interests of acknowledged importance. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.
2. The proposal constitutes a premature development which would compromise the Spatial Vision for the future development of the rural areas within the Borough, contrary to Policies PG2 and PG6 of the Cheshire East Local Plan Strategy – Consultation Draft March 2016 and guidance within the NPPF.
3. It has not been suitably demonstrated that the ecological benefits of this proposal will be at a level to surpass the expected ecological value of the site upon completion of the agreed restoration scheme. Therefore the application is contrary to Policies NE.5, NE.6, NE.7, NE.8 and NE.9 of the Crewe and Nantwich Local Plan, Policy SE3 of the emerging Cheshire Easy Local Plan Strategy and guidance within the NPPF.
4. Insufficient information has been submitted with the application that demonstrates the proposals will not have a detrimental impact on the Oakhanger Moss SSSI and Midland Meres and Mosses Phase 2 Ramsar and local Sites of Biological Importance. Therefore the application is contrary to Policies NE.6, NE.7 and NE.8 of the Crewe and Nantwich Local Plan, Policy SE3 of the emerging Cheshire Easy Local Plan Strategy and guidance within the NPPF.
5. Insufficient information has been submitted with the application that demonstrates the proposals will not have a detrimental impact on the operation of the local highway network. Therefore the application is contrary to Policy BE.1 of the Crewe and Nantwich Local Plan, Policy SE3 of the emerging Cheshire Easy Local Plan Strategy and guidance within the NPPF.



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Application No: 16/2229C

Location: CARADON BATHROOMS LTD, LAWTON ROAD, ALSAGER, STOKE-ON-TRENT, CHESHIRE, ST7 2DF

Proposal: Reserved matters application following outline application 11/4109C; for access (off Linley Lane), appearance, landscaping, layout and scale.

Applicant: Peter Barlow, Wainhomes (North West) Ltd

Expiry Date: 04-Oct-2016

Summary

The principle of development has already been accepted as part of the outline approval on this site.

Social Sustainability

The development will not have a detrimental impact upon residential amenity, it would provide benefits in terms of much needed affordable housing provision and would help in the Councils delivery of 5 year housing land supply.

The development would not have a detrimental impact upon residential amenity.

The impact upon infrastructure would be neutral.

In terms of the POS and LEAP provision this is considered to be acceptable and would be a benefit to this scheme.

Environmental Sustainability

Details of the proposed landscaping would be secured through the imposition of a planning condition.

With regard to ecological impacts, the development would have a neutral impact subject to mitigation.

The drainage/flood risk implications for this proposed development are considered to be acceptable.

An update will be provided in relation to the impact upon the trees on site.

Economic Sustainability

The proposed access point is acceptable and the traffic impact as part of this development has already been accepted together with contributions for off-site highway works. The internal design of the highway layout/parking provision is considered to be acceptable.

The development of the site would provide a number of economic benefits in the residential use of the site.

It is considered that the planning balance weighs in favour of this development.

RECOMMENDATION

Approve with conditions

PROPOSAL

This is a reserved matters application for 268 dwellings. The issues which are to be determined at this stage relate to the access (to Linley Lane only), appearance, landscaping, layout and scale of the development.

The main access to the site would be via Lawton Road and this access was approved as part of the outline application 11/4109C.

The development would consist of 1 to 5 bedroom units. The development would consist of the following mix:

- 2 x one bed units
- 73 x two bed units
- 23 x three bed units
- 157 x four bed units
- 13 x five bed units

SITE DESCRIPTION

The application relates to 15ha of land, situated to the south of Crewe Road (B5077) and to the west of Linley Lane (A5011). The majority of the site is located within the Alsager Settlement Boundary, although a small section is located within the Green Belt.

To the south of the site is the Crewe-Derby railway line. The north and eastern boundaries are bound by tree cover which forms a TPO (Crewe Road/Linley Lane TPO 2007). The north-east corner of the site is located within the Green Belt and contains a prehistoric burial mound overlying a small stone circle. A watercourse runs across the site from the south-east corner to the northern boundary, this is culverted for most of its length.

The site is relatively flat and is well screened. The site includes a large factory and warehouse building which has a floor area of 64,095sq.m (part of which has now been demolished). An

existing office building and a more modern warehouse building are located outside the red-edge for this planning application.

RELEVANT HISTORY:

16/1609C - Removal of Condition 14 on approval 11/4109C - Outline planning permission with some matters reserved for up to 335 residential units and access off Lawton Road and Linley Lane – Application undetermined

15/4316C - Variation of Condition 15 (hours of delivery) and Removal of Condition 16 (hours of operation of the biomass boiler) on Approval 13/4121C - Full planning permission for the demolition of all existing buildings and the construction of a new retail foodstore; parking and circulation spaces; formation of new pedestrian and vehicle accesses; landscaping and associated works (re-submission of 12/0800C) – Application undetermined

13/4121C - Full planning permission for the demolition of all existing buildings and the construction of a new retail food store; parking and circulation spaces; formation of new pedestrian and vehicle accesses; landscaping and associated works (re-submission of 12/0800C) – Approved 18th November 2015

12/0800C - Full Planning Permission for the Demolition of All Existing Buildings and the Construction of a New Retail Foodstore, Parking and Circulation Spaces, Formation of New Pedestrian and Vehicle Accesses, Landscaping and Associated Works – Withdrawn 23rd May 2012

11/4390C - Application for Planning Permission for a Three Arm Roundabout and Access Road – Withdrawn 13th September 2012

11/4109C - Outline Planning Permission with some Matters Reserved for up to 335 Residential Units and Access off Lawton Road and Linley Lane – Approved 21st November 2013

POLICIES

National Policy:

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

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.

50. Wide choice of quality homes

56-68. Requiring good design

Development Plan:

The Development Plan for this area is the Congleton Borough Council First Review 2005, which allocates part of the site within the settlement boundary and part of the site within the open countryside.

The relevant Saved Policies are:

PS4 Towns
PS7 Green Belt
E10 Re-use or Redevelopment of Existing Employment Sites
GR1 New Development
GR2 Design
GR3 Residential Development
GR4 Landscaping
GR5 Landscaping
GR6 Amenity and Health
GR8 Amenity and Health
GR9 Accessibility, servicing and provision of parking
GR14 Cycling Measures
GR15 Pedestrian Measures
GR17 Car parking
GR18 Traffic Generation
GR21 Flood Prevention
GR 22 Open Space Provision
GR23 Provision of Services and Facilities
NR1 Trees and Woodland
NR2 Statutory Sites
NR3 Habitats
NR4 Non-statutory sites
NR5 Habitats
H2 Provision of New Housing Development
H4 Residential Development in Towns
H6 Residential Development in the Open countryside
H13 Affordable Housing and Low Cost Housing

Cheshire East Local Plan Strategy – Submission Version (CELP)

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

PG2 – Settlement Hierarchy
PG5 - Open Countryside
PG6 – Spatial Distribution of Development
SC4 – Residential Mix
SC5 – Affordable Homes
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE3 – Biodiversity and Geodiversity
SE5 – Trees, Hedgerows and Woodland
SE 1 - Design
SE 2 - Efficient Use of Land
SE 4 - The Landscape
SE 5 - Trees, Hedgerows and Woodland
SE 3 - Biodiversity and Geodiversity
SE 13 - Flood Risk and Water Management

SE 6 – Green Infrastructure
IN1 – Infrastructure
IN2 – Developer Contributions

Other Considerations:

The EC Habitats Directive 1992
Conservation of Habitats & Species Regulations 2010
Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System
Interim Planning Statement Affordable Housing

CONSULTATIONS:

United Utilities: No comments received

Environment Agency: No comments to make

ANSA (Public Open Space): Ansa has to consider each application on it's own merit however the applicant has submitted through discussions the offer of "land A" burial ground to be secured through a S106 agreement and in this instance only is acceptable as part of the overall AGS. Every effort, subject to tree restraints should be made to connect "A" through the woodland to the linear open meadow making it as accessible as possible.

The LEAP scheme should be submitted for approval at the earliest convenience and should be to Fields in Trust standards embracing inclusivity/accessibility ethos

CEC Flood Risk Manager: This site is in flood zone 1. However a large portion of the site is at risk from surface water flooding. In the outline planning application the Environment Agency added the condition that the culvert should be opened up and restored on ecological grounds. This condition has now been removed; however it also had the potential to have a significant impact in lowering the flood risk on site. This option could have also resulted in positive benefits offsite and would have provided a number of potential solutions to the surface water management strategy that will be required as part of a full planning application. Planning informatives are suggested.

CEC PROW: It is important that the facilities for walking and cycling, including routes, destination signage and information materials, are completed and available for use prior to the first occupation of any property within any phase of the development, and remain available for use during the completion of other phases.

Pedestrian and cyclist routes should be designed and constructed to best practice in terms of shared use or segregated infrastructure, accessibility and natural surveillance. Properties should have adequate and best practice cycle storage facilities and all highway designs should incorporate accessibility for cyclists and pedestrians.

Should the development be granted consent, the developer should be conditioned to provide new residents with information about local walking and cycling routes for both leisure and travel purposes, with key routes signposted.

CEC Environmental Health: No additional comments following the outline application.

CEC Head of Strategic Infrastructure: No objections to the application.

CEC Strategic Housing Manager: No objection. Confirmed amended layout to address pepper potting of affordable housing units is acceptable.

VIEWS OF THE PARISH/TOWN COUNCIL:

Alsager Town Council: The Town Council supports the comments on the application as reported by the Environmental Planning Team regarding enhances landscape setting for the development and all other comments in their response dated 26th July 2016. The Town Council supports the comments on the application as reported by the countryside access development officer (PROW) dated 11th July 2016. The Town Council supports the comments on the application reported by the Environmental Health Officer (Contaminated Land) dated 21st July 2016. The Town Council supports the comments on the application reported by Church Lawton Parish Council dated 21st July 2016 regarding the vehicular access point from the proposed supermarket site to the housing development.

Church Lawton Parish Council: Church Lawton Parish Council have a strong concern that the application seems to include a vehicular access point from the proposed supermarket site to the housing development. This could potentially lead to a 'rat run' from Linley Lane to Lawton Road and vice versa posing a danger to residents.

REPRESENTATIONS:

Neighbour notification letters were sent to all adjoining occupants and a site notice erected.

One letter of general observation has been received raising the following points;

- It is not clear what type of access is being proposed
- Linley Lane is very busy and it appears that the access may be obscured by the brow of a hill
- There is already access to the site from Lawton Road and there is no reason for a further access
- The access onto Linley Lane could lead to rat-running creating a health and safety hazard

APPRAISAL

The principle of residential development has already been accepted following the approval of the outline application 11/4109C which was allowed at appeal.

This application relates to the approval of the access, appearance, landscaping, layout and scale of the development.

Affordable Housing

Due to viability issues identified at the outline approval the S106 agreement attached to the outline application details that an Affordable Housing Scheme shall include an affordable housing provision of 18% which will comprise 65% affordable/social rent and 35% as intermediate tenure.

The SHMA 2013 shows the demand in Alsager is for 54 dwellings per annum. Broken down the evidenced need was for 38 x two bed, 15 x three bed, 2 x four+ bed and 5 x one bed older persons accommodation.

There are 268 applicants on the Cheshire Homechoice housing waiting list for Alsager and Church Lawton. They require 101 x one bed, 100 x two bed, 53 x three bed and 14 x four bed properties.

This is a proposed development of 268 dwellings therefore in order to meet the S106 Agreement attached to the outline consent there is a requirement for 48 dwellings to be provided as affordable dwellings (31 units should be provided as Affordable rent and 17 units as Intermediate tenure).

The proposed units are considered to be acceptable in terms following negotiations with the Councils Housing Officer.

In this case the external design detail and materials would be consistent with the open market dwellings and is considered to be acceptable.

Concern had initially been raised that there was not enough spread of affordable housing across the site. An amended plan has been received which shows a greater pepper potting of affordable housing across the site. The affordable housing layout is now considered to be acceptable on this site.

Highways Implications

The wider traffic congestion issues in the locality and the point of access were considered as part of the outline application. The outline application includes a S106 contribution of £56,950 towards bus pass provision and sustainable transport measures.

The applicant has submitted tracking plans to indicate that there is sufficient space within the turning heads to accommodate refuse vehicles.

The level of car parking provision across the development complies with the Council's off street parking standards.

There is a road link being provided to the access that serves the nearby Foodstore and concerns have been raised that this link will create rat-running traffic avoiding the signal junction of Crewe Road/Linley Lane. Although this link will allow through traffic, its omission would require all residents to drive out of the site and on the main highway network just to access the store. The Councils Head of Strategic Infrastructure considers that this link should be provided as part of the development proposals. Furthermore it has always been intended for the residential development to have an access onto Linley Lane and the outline application (conditions 3 and 22) require details to be submitted as part of the Reserved Matters application. In this case the detailed design of the access onto Linley Lane has now been approved as part of the approval for the supermarket as part of application 13/4121C dated 18th June 2015.

There are no objections to the application and further speed reduction measures have been provided on the main access to the site.

Amenity

In this case the Congleton Borough SPG requires the following separation distances:
21.3 metres between principal elevations
13.8 metres between a non-principal and principal elevations

In this case there are no existing residential dwellings in close proximity to the proposed housing. The intervening trees/woodland, retained warehouse/office and railway line would lie between the existing dwellings and those proposed as part of this application.

The separation distances that would be provided as part of this application meet the requirements contained within the SPD and as a result would be acceptable.

Contaminated Land

The issue of contaminated land was considered as part of the outline approval and this issue will be dealt with as part of the discharge of condition 11 attached to the outline consent.

Disturbance during the construction phase of the development

In this case there is a Construction Management Plan attached to the outline approval (condition 16).

Noise

In this case condition 9 attached to the outline consent requires the submission and approval of a scheme of noise mitigation in terms of the retained employment uses on site, the approved supermarket and the existing railway line.

Land Levels

The site has significant variation in levels with the existing car park to the north east of the site being at a lower level (92.90AOD – 94.50AOD) to the main part of the site which was occupied by the former factory unit (97.67AOD – 99.80 AOD).

The change in the land levels on the north-eastern part of the site does not raise any amenity or design issues due to the separation distances involved to the surrounding residential properties and the screening which is provided by the existing tree belts on the site. However there are issues in relation to the impact upon the TPO trees on the site and the land levels required to mitigate the development against local flood risk (the Councils Flood Risk Officer has requested that finished floor levels are set 600mm above the local flood risk level).

In this case the submitted plans show that the proposed dwellings on the area to the north-eastern part of the site would have finished floor levels of between 95.10AOD – 95.25AOD this is an increase of the existing levels (92.90AOD – 94.50AOD). For the main part of the site the submitted plans show that the dwellings would have finished floor levels of between 97.20 AOD – 101.25AOD this is an increase in the existing levels on this part of the site (97.67AOD – 99.80 AOD).

The implications in terms of flood risk and the impact upon the TPO trees on the site is considered within the relevant sections below.

Trees

The site has extensive tree cover much of which is likely to have been planted over a period of time either as screening for the factory site or enhancement of development within the site. There is little evidence of any recent management.

Most of the tree cover is protected by the Congleton Borough Council (Crewe Road/Linley Lane) TPO 2007.

This application includes a tree survey, Arboricultural Impact Assessment (AIA) and an Arboricultural Method Statement.

The AIA indicates that the development would require the removal of a limited number of trees and groups of trees, and that there would be direct impacts on some retained specimens requiring special construction techniques. Tree protection measures are proposed for the retained trees on this site.

Following initial concerns raised by the Councils Forestry Officer, amended plans have been received which show the removal of the roadside footpath within the Root Protection Area to the north of the existing office building. The removal of this stretch of footpath is acceptable to the Councils Highways Officer. Further amendments have included the removal of a proposed footpath which encroached into the protected woodland.

The changes in land levels as discussed above have the potential to impact upon the trees within the site. In this case the area affected is the north-eastern part of the site which is covered by large areas of hardstanding associated with the car-park of the previous warehouse unit on the site. Given the extent of hard-standing within this area (which would be removed as part of the development) it is unlikely that the changes in land level would impact upon the well-being of the surrounding trees. It is important that the level changes are undertaken in a sensitive manner and to ensure that the appearance of the development where it adjoins the woodland is acceptable. Illustrative site sections have been provided which are broadly acceptable. Full details of site levels would be controlled through the imposition of planning conditions.

At the request of the Councils tree officer conditions will be attached to require the submission of a woodland management plan, the submission of an updated tree protection plan and arboricultural method statement, the submission of site specific engineer design details for any areas of hard surfacing and retaining structures within root protection areas, land levels and service/ drainage layout.

Landscape

It is not considered that the development would have an impact upon the wider landscape given the previous warehouse unit which stood on the site and the surrounding tree cover.

Revised indicative landscape structure proposals have been provided but do not provide full details. Should development be approved a detailed scheme would need to be secured through the imposition of a planning condition.

Design

The application is a Reserved Matters application with details of scale, layout, appearance and landscaping to be determined at this stage.

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

The positive and externally orientated perimeter blocks are welcomed with all areas of open space and highways well overlooked by the proposed dwellings.

The majority of the proposed units would be two-storey in height apart from the Jenner and Wordsworth house types (45 units) which would be 2.5 stories in height and two of the apartment blocks which would be 3 storeys in height. The height of the development is consistent with the surrounding dwellings in this part of Alsager (it should be noted that condition 4 attached to the outline approval allows for dwellings up to 3 stories in height).

In terms of the detailed design the proposed dwellings include canopies, projecting gables, bay windows, sill and lintel details. The design of the proposed dwellings and their scale is considered to be acceptable and would not detract from this part of Alsager. The development would be consistent with the design of the approved development to the south of the site.

Ecology

Other Protected Species

Condition 19 of the outline consent requires an updated survey to be submitted with the reserved matters application. This survey has been completed and again recorded a number of setts being present on site. Condition 17 specifies that no works are to take place within 30m of a sett unless agreed in writing by the local planning authority. None of the recorded setts would be directly affected by the proposed works, but a number of setts do fall within 30m of the proposed housing.

The applicant's ecological consultant is advising that the proposed development be undertaken under the terms of a Natural England license and it is proposed that the sett entrances located closest to the proposed works are temporarily closed throughout the construction period to ensure badgers are not disturbed. The Councils Ecologist advises that this approach is acceptable. If planning consent is granted this would be controlled through the imposition of planning conditions.

Bats and culverted stream

During the determination of the outline application the opening of existing culverted watercourse and creation of the linear park was seen as compensation for loss of bat foraging habitat. The provision of this feature was subject to condition 14 on the outline application but this will be removed as part of application 16/1609C which is awaiting the completion of a S106 Agreement. It should be noted that there is condition 18 which requires the provision of bat boxes attached to the outline approval.

Public Open Space

Based on the mix of housing proposed the scheme should provide an area of 0.91ha of amenity green space plus a minimum of 400sqm dedicated to the provision of the LEAP. The applicants have suggested that the proposed scheme would provide a total of 0.92ha of green space, however this figure includes the provision of a LEAP. As the LEAP has been included in the applicants Green Space calculations it appears that there would be a slight under provision of amenity green space within the scheme. A plan detailing precisely the areas of green spaces, with measurements, has been requested to assist on this matter.

The outline consent included a parcel of land to the north east of the site (known as the burial ground) which measures 0.84ha would be dedicated to open space. This parcel of land is not included within the reserved matters application boundary. Notwithstanding this, it is a requirement of the conditions on the outline consent and the legal agreement to provide a scheme for open space across the whole site. The applicants have indicated that this parcel of land will be dedicated to amenity green space and have submitted the necessary information to demonstrate this, which ties in with the legal agreement for the site. The mechanism is therefore in place to provide the Council with sufficient comfort that this parcel of land as amenity green space will be delivered. The inclusion of this parcel of land would therefore take the amenity green space provision over the requirement and ANSA are agreeable to this, in this instance.

The burial ground green space is detached from application site due to the retained woodland, and as such would not be on site provision or directly accessible. The applicants are agreeable to exploring the feasibility of a connection from the residential area to the green space through the woodland. The acceptability of this is dependent on factors relating to ecology, trees and land levels. The feasibility of this can be secured by condition. If direct access cannot be achieved then the site would be accessible via the footpath on Linley Lane and the footpath on the northern side of Crewe Road.

The application proposals include the retention of a large protected woodland. However, for the purposes of calculating amenity green space this area cannot be included. It is however noted that this would contribute towards providing a green residential environment.

The S106 Agreement which was completed as part of the outline approval requires the developer to provide a Local Equipped Area for Play (LEAP) with a minimum of 5 items of play equipment. A condition will be attached to ensure that these details are provided prior to the commencement of the development.

Education

This issue of education capacity was dealt with as part of the outline application in this case there are no contributions towards primary and secondary school contributions.

PROW

There are no PROW located on the application site but there is a PROW to the west of the site (Alsager FP26) which provides a more direct link towards Alsager Train Station. In this case the S106 Agreement as part of the outline application requires a contribution of £93,050 to upgrade this footpath link.

Flood Risk and Drainage

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps. This defines that the land has less than 1 in 1000 annual probability of flooding and all uses of land are appropriate in this location.

However it should be noted that a large portion of the site is at risk from surface water flooding this is mainly confined to the western part of the existing car park and the eastern boundary of the main part of the site along the boundary with Linley Lane. This area seems to follow the line of the existing culvert although it should be noted that the line of the culvert differs on the plans provided by the applicant and the Councils Flood Risk Officer. Clarification on the line of the culvert has been sought and an update will be provided in relation to this issue.

The Councils Flood Risk Officer has requested that the developer does not site dwellings on the areas shown at risk from surface water flooding to reduce the risk to residents from this hazard (this is largely provided for apart from the dwellings located to the western side of the existing car park). In areas where this cannot be avoided then the Councils Flood Risk Officer has asked for finished floor levels to be situated at +600mm above the local flood risk level. The applicant has submitted sections of the site to demonstrate the proposed levels in this area and the Flood Risk Officer has suggested the imposition on 2 informatives to the decision.

PLANNING BALANCE

The principle of development has already been accepted as part of the outline approval on this site.

Social Sustainability

The development will not have a detrimental impact upon residential amenity, it would provide benefits in terms of much needed affordable housing provision and would help in the Councils delivery of 5 year housing land supply.

The development would not have a detrimental impact upon residential amenity.

The impact upon infrastructure would be neutral.

In terms of the POS and LEAP provision this is considered to be acceptable and would be a benefit to this scheme.

Environmental Sustainability

Details of the proposed landscaping would be secured through the imposition of a planning condition.

With regard to ecological impacts, the development would have a neutral impact.

The drainage/flood risk implications for this proposed development are considered to be acceptable.

The development can be carried out without having a detrimental impact upon the trees on this site.

Economic Sustainability

The proposed access point is acceptable and the traffic impact as part of this development has already been accepted. The internal design of the highway layout/parking provision is considered to be acceptable.

The development of the site would provide a number of economic benefits in the residential use of the site.

It is considered that the planning balance weighs in favour of this development.

RECOMMENDATION:

APPROVE subject to the following conditions

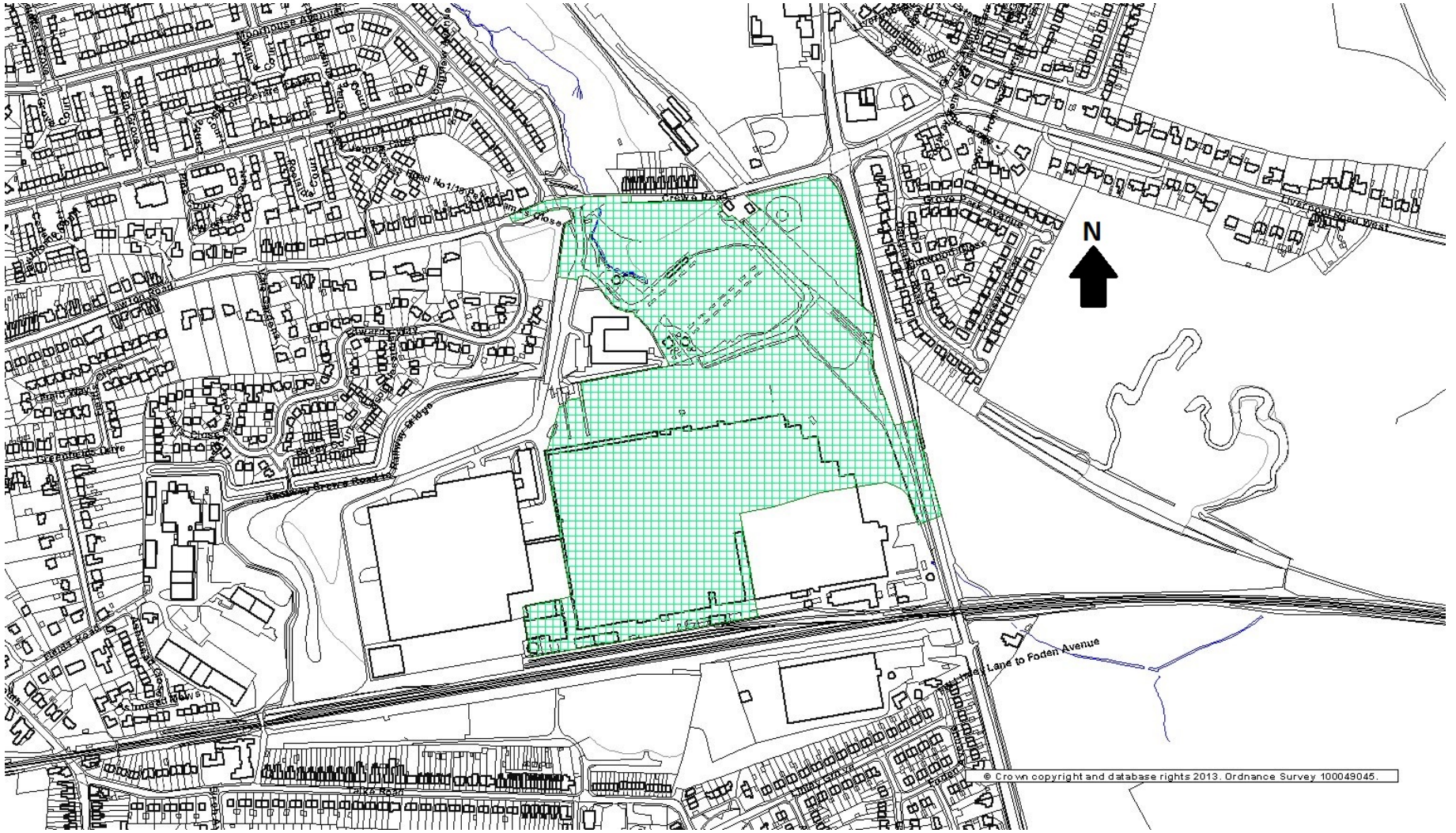
1. **Approved Plans**
2. **Materials to be submitted**
3. **Submission of a landscaping scheme**
4. **Implementation of the approved landscape scheme**
5. **Boundary Treatment details to be submitted for approval**
6. **Land levels to be submitted and approved (including mitigation for surface water flooding)**
7. **Other Protected Species Mitigation in accordance with submitted report**
8. **Other protected species protective fencing**
9. **Requirement for submission and implementation of a woodland management plan**
10. **Amended Arboricultural Method Statement and tree protection plan to be submitted. Implementation of submitted tree protection measures and adherence to submitted Arb Method Statement.**
11. **Submission of site specific engineer design details for any areas of hard surfacing and retaining structures within root protection areas.**
12. **Service/ drainage layout**
13. **Where required by condition 10, no development shall take place until details of an Engineer designed no dig hard surface construction specification for any area of hard surfacing within the root protection area of retained trees, together with details of any proposed retaining structures within root protection areas have been submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details.**

14. Details of the play equipment within the LEAP to be submitted and approved

15. Prior to the commencement of development a scheme detailing the feasibility of a pedestrian link between the development site and the proposed amenity green space known as the burial ground, shall be submitted to the Local Planning Authority and approved in writing. The scheme shall address any implications associated with the potential impacts upon ecology, retained trees and land levels, and, if found to be feasible details of its means of construction and a scheme of implementation shall be provided. If a scheme for pedestrian access is found to be feasible, then the pedestrian link shall be provided in strict accordance with the approved details and made available in accordance with the scheme of implementation.

16. Land levels to be submitted and approved within the local flood risk levels

In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chair (or in his absence the Vice Chair) of Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.



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STRATEGIC PLANNING BOARD

Date of Meeting: 14 December 2016

Report of: Head of Planning Strategy

Subject/Title: Greater Manchester Spatial Framework (GMSF)

Portfolio Holder: Cllr Ainsley Arnold

1. Report Summary

- 1.1. The Draft GMSF is currently subject to consultation and the formal response of the Council needs to be submitted by 23 December 2016. This report highlights the main implications for Cheshire East and the headline points to make in response.

2. Recommendation

- 2.1. That the Director of Planning & Sustainable Development be recommended to respond to the Combined Authority with the comments set out in Appendix 1.

3. Other Options Considered

- 3.1. The Council has a duty to cooperate with neighbouring Planning Authorities and so has little option but to engage with the consultation.

4. Reasons for Recommendation

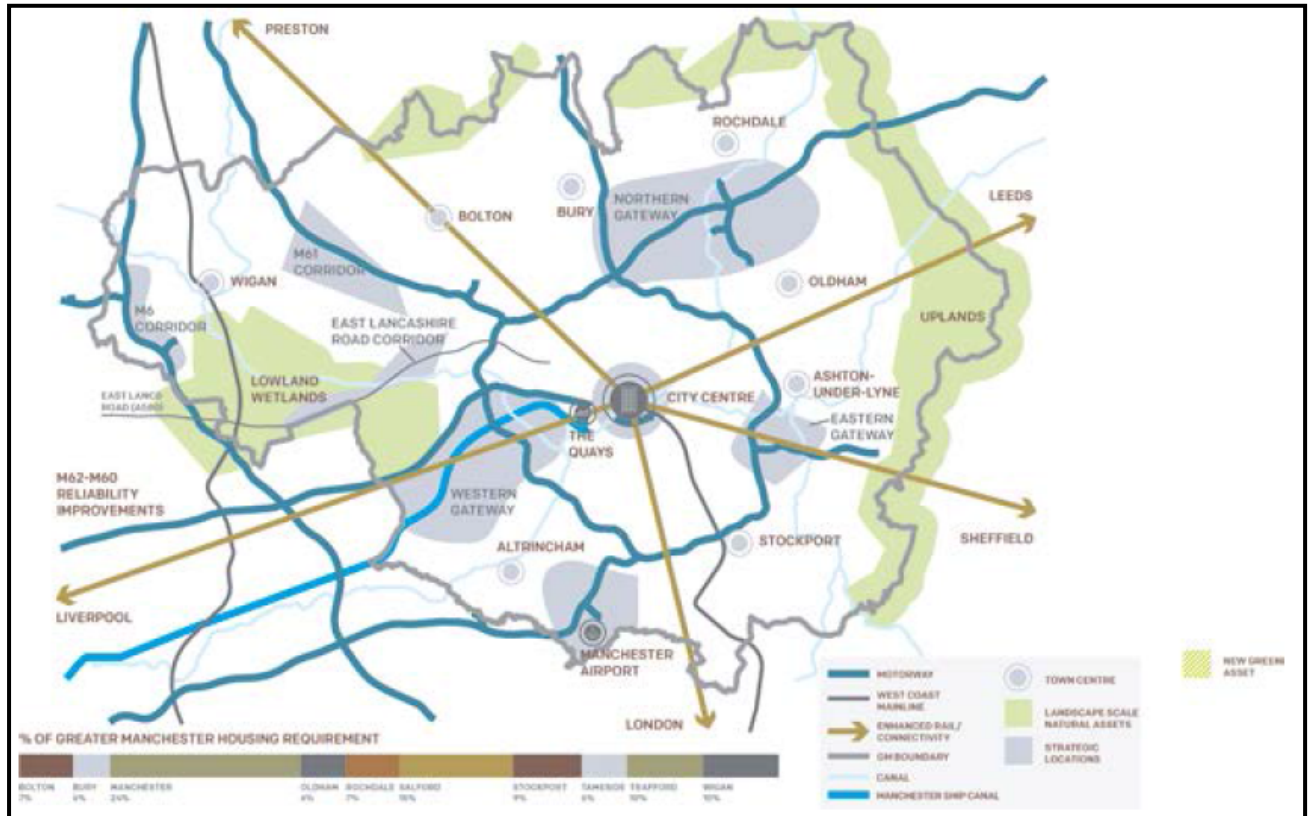
Introduction

- 4.1 The Greater Manchester Combined Authority has commenced consultation on a new statutory development plan for the conurbation – the Greater Manchester Spatial Framework. The Plan covers the period 2015-2035. Consultation on the document will run from 31 October until 23 December 2016. Responding to such consultations comes within the powers to deal with planning and related matters delegated to the Director Planning & Sustainable Development.

Overall Concept

- 4.2 The Framework is an ambitious strategy to deliver economic growth and environmental improvements across Greater Manchester. Growth is focussed on a series of 'gateways' mainly around the M60, alongside new garden suburbs and areas of green infrastructure.

Key Diagram:



Growth Assumptions

- 4.3 The draft GMSF is based on delivering the rate economic growth projected by Oxford Economics' Accelerated Growth Scenario (AGS) 2015. The AGS 2015 points to a jobs growth rate averaging 0.7% per annum over the 2015-35 period. This could be challenging to achieve, given the current economic uncertainties but the fact that the GMSF does not plan for a higher jobs growth rate is to be welcomed, as that could place unreasonable demands on private sector jobs growth and could require a significant (and unsustainable) increase in net in-commuting from Greater Manchester's neighbours.

Industry & Logistics

- 4.4 Around 4,000,000 sqm of industrial and warehousing floor space will be delivered across the Plan Period. However around twice as much land is allocated within the GMSF in order to meet this requirement.

Offices

- 4.4 Around 2,450,000 sqm of new offices will be required within the conurbation by 2035. These will be focussed in more selective locations, linked to existing business centres.

Housing

- 4.6 Greater Manchester has a housing requirement of 227,200 homes between 2015 and 2035 – an average of 11,360 homes pa. Almost a quarter of these are proposed for Manchester City, with the remainder distributed across the other 9 Boroughs. Our near neighbours Stockport and Trafford account for some 42,400 homes between them. The full distribution is set out below:

District	Total Requirement	Average Annual Requirement	Houses (%)	Apartments (%)
Bolton	16,800	840	85	15
Bury	12,500	625	85	15
Manchester	55,300	2,765	15	85
Oldham	13,700	685	85	15
Rochdale	15,500	775	90	10
Salford	34,900	1,745	30	70
Stockport	19,300	965	75	25
Tameside	13,600	680	80	20
Trafford	23,100	1,155	60	40
Wigan	22,500	1,125	90	10
Total for GM	227,200	11,360	55-60	40-45

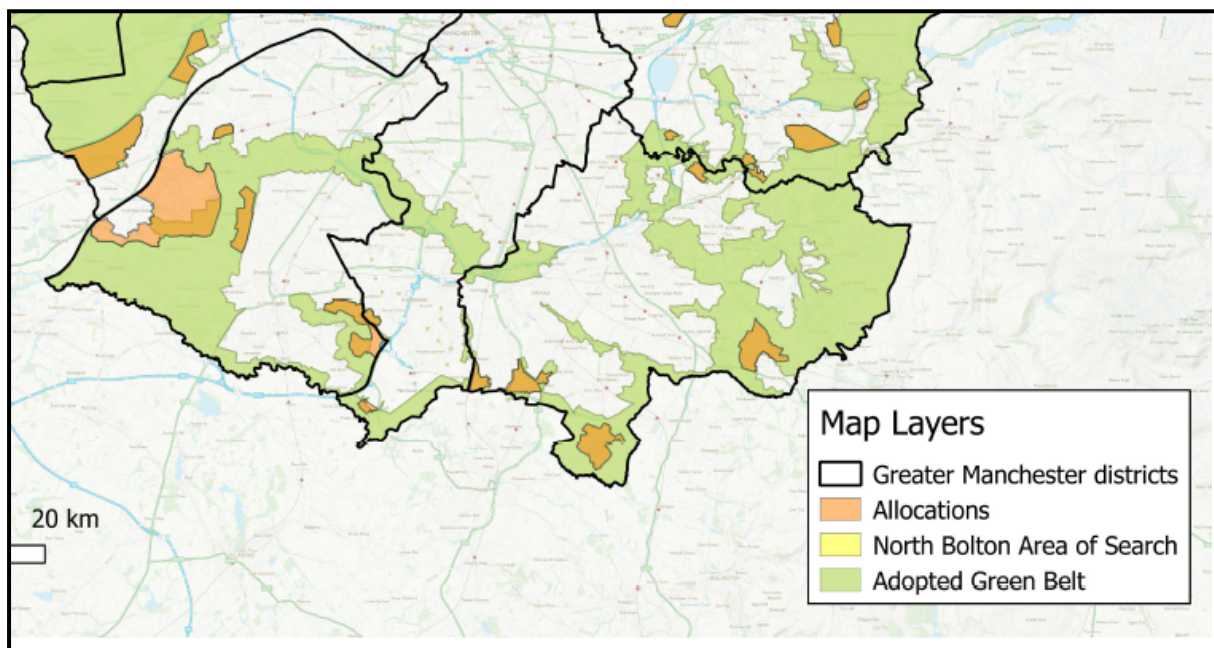
- 4.7 Some 28 per cent of the new homes proposed for the city-region would be built on Greater Manchester's green belt.

Green Belt & Allocations

- 4.8 The GMSF proposes to make significant alterations to the Green belt – overall the Framework plans to remove 4,900 hectares of land from the conurbation's green belt. These will provide either new employment zones or 'Garden Suburbs'.
- 4.9 The employment zones are situated within a series of 'Gateways' mainly located along the main motorway corridors. The only area which is close to Cheshire East is a proposed extension to 'Airport City' – to be located to the south of the existing new development. The significant scale of land for business within the conurbation clearly presents competition for investment

and so may pose a threat in terms of our own economic aspirations – but in other respects it is also welcome in that reinforces the Council's decision not to allocate significant new logistics provision in the north of the Borough

- 4.10 The Garden Suburbs take a similar approach to the North Cheshire Garden Village – in that they seek to maximise sustainable development opportunities by creating large scale growth in a single point. No smaller scale housing sites on the edge of settlements are proposed to compliment this, but many of the brownfield opportunities within the conurbation will be smaller scale in character.
- 4.11 The extract from the Framework below shows a number of significant green belt alterations located just across the Cheshire East Border with Greater Manchester



- 4.12 The Following allocations are close to the Cheshire East boundary. (These are also illustrated on the attached plan)
- High Lane: 4,000 homes
 - Woodford: 238Ha / 2,400 homes
 - A34 Cheadle: 3,700 homes
 - Heald Green 2,000 homes
 - Business Expansion at the Airport

5. Background/Chronology

- 5.1. The GMSF was last subject to consultation in December 2015 and January 2016 and the Council's formal response was considered at a Portfolio Holder meeting on 11 January 2016

6. Wards Affected and Local Ward Members

6.1. All – but most especially those closes to Greater Manchester

7. Risk Management & Implications of Recommendation

7.1. Poorly designed, located or accessed development within Greater Manchester could have an adverse impact on the prosperity or environment of Cheshire East. It is therefore in the Council's interest to seek to influence the final strategy adopted by our neighbours

8. Access to Information

8.1. Full details of the GMSF are in the [draft document](#), (168Mb) whilst supporting documents are [here](#)

9. Contact Information

Contact details for this report are as follows:-

Name: Adrian Fisher
Designation: Head of Planning Strategy
Tel. No.: 01270 686641
Email: adrian.fisher@cheshireeast.gov.uk

APPENDIX 1 – PROPOSED RESPONSES

General

The GMSF is a large and complex development plan and the GMCA should be applauded for seeking to prepare a comprehensive plan and adopting a strategic approach to growth in the conurbation. Appropriately located growth within Greater Manchester will be beneficial to the prosperity of the whole North West region in the long term. Cheshire East therefore welcomes the GMSF and the opportunity to comment on it.

It is recognised that the Framework is at a draft stage and not a fully formed or completed document. Thus there is time for policies and proposals to be further refined and developed.

Duty to Cooperate

Communication between the GMCA and the Council has generally been good, but becomes especially important as proposals progress.

- *Cheshire East welcomes the involvement in the GMSF to date, but emphasises that this positive cross boundary engagement will need to continue for the duty to cooperate to be met, especially as the Framework heads towards submission.*

Growth Assumptions

Cheshire East Council does not object to a jobs growth rate averaging 0.7% per annum over the 2015-35 period but would not want that figure to rise. The NPPF advises that plans should be aspirational but realistic and so the Combined Authority is encouraged to take a rigorous approach to striking that balance. Overly optimistic aspirations could have adverse consequences in terms of cross boundary travel or the balance of jobs and homes.

- *In terms of the alignment of housing provision, jobs growth and floorspace provision it is not clear how the GMSF proposed (AGS 2015) levels of jobs growth and employment floorspace feed into estimates of the GMSF housing requirement. However, there ought to be a calculation linking and aligning jobs growth and floorspace provision with housing provision (otherwise the supply of workers will not match demand) and this calculation should be clearly explained in the consultation documents.*
- *In terms of floorspace/ employment land estimates the consultation documents do not seem to include any information on the amount of employment land that the proposed level of floorspace provision translates into. The GMSF should make it clear what assumptions are made about development ratios/ plot ratios and use these assumed value to convert floorspace into an employment land requirement.*

- *It would also be helpful if the document or evidence base stated what employment densities were assumed*
- *The Council has some further detailed points to make concerning commuting and migration which we would be pleased to discuss at future duty to cooperate meetings*

Development Distribution, Green Belt & Site Allocation

Further work appears to be necessary to justify the scale of Green Belt release, the distribution of development and the selection of sites for development. In particular it is unclear how the very large brownfield potential of Greater Manchester has fully been taken account of.

- *Cheshire East Council considers that the relationship between the objectively assessed need, housing requirement and distribution of development needs to be more explicitly set out. Given that the conurbation is one housing market area the approach to how housing is assigned to each borough requires better explanation*
- *The Council is concerned at the scale of Green Belt release around the conurbation and encourages the GMCA to undertake additional work to further explain and justify its approach.*
- *The Green Belt Assessment should preferably reach an overall conclusion on each green belt parcel – and this should be employed, alongside other factors, to clearly inform site selection.*
- *Evidence on Urban capacity should be more explicit and adopt a standard methodology to make it clear that all brownfield opportunities have been fully considered*
- *Given the varying levels of urban land availability across Greater Manchester, the spatial distribution of development should consider the need to promote sustainable patterns of development alongside consideration of the brownfield opportunities and constraints in setting out the exceptional circumstances to justify alterations to the Green Belt.*
- *Sites need to be fully justified against clear criteria drawing on a wide range of factors, ideally as part of a structured, consistent and objective methodology*

Further consideration of the resulting Green Belt boundaries is required, as well as an assessment of the impact of release on the surrounding Green Belt areas

Transport

Transport for Greater Manchester have recently consulted on a separate transport strategy – and so there is a need for both this and the GMSF to fully align. Cheshire East shares several key cross-boundary routes with Greater Manchester, including the A34 and the A537. Several (congested) junctions are located either on or just within the CEC administrative area.

The scale of growth close to the Cheshire East boundary renders the refresh of the South East Manchester Multi Modal Study (SEMMMS) more important than ever. Cheshire East Council believes that good cross boundary travel is mutually beneficial – in that it supports the role and function of Manchester city centre and other centres within the conurbation, whilst also allowing southward travel to employment and leisure opportunities within Cheshire.

- *Cheshire East Council encourages the GMCA to fully align the GMSF and GM transport strategy*
- *Both strategies should properly recognise the cross boundary implications of travel in and around the conurbation.*
- *Cheshire East Council is concerned at the limited information on transportation and its role in site selection*
- *Sites should be selected so as to favour access to heavy Rail or Metrolink corridors wherever possible.*
- *There are significant two-way commuting flows between the North of Cheshire East and South Manchester. Much of this commuting is focussed on an increasingly congested highway network. Without improvements, the level of congestion on cross boundary routes would be severe, impacting key junctions on both sides of the boundary. There is no information on the level of impact the plan proposals have on key junctions within Cheshire East.*
- *The SEMMMS refresh will report what future transport schemes are possible to provide future capacity in our cross boundary networks. The conclusions of this report are not yet available and without this information of what future interventions are required (and possible) it is difficult to comment on the suitability of the proposed development locations.*
- *Equally, It is not clear that the site selection process has adequately considered the relative spatial impacts of development with regard to environmental factors such as air quality.*
- *References to sub-regional and local accessibility in policy GM6 should recognise the importance of accessibility in the wider travel to work area outside of the administrative boundary.*
- *Measures should be included in the supporting plan policy's to encourage more sustainable modes of cross boundary commuting into / out of Cheshire East along.*

SITE SPECIFIC RESPONSES

It is recommended that comments be made on those allocations closest to the Borough:

Woodford

- *Cheshire East Council is very concerned at the scale of this proposal, and its impact on the integrity of the green belt between nearby settlements.*

- *The Proposal is very likely to have significant impacts on transport and accessibility in an already congested corridor – and further work is necessary to show how these would be mitigated. This should be integrated with the current SEMMMS refresh. CEC are of the view that the Poynton Relief Road is a prerequisite for the delivery of this site; and as such this scheme should form part of the TfGM Transport Strategy*
- *Cheshire East Council is concerned that this site is located some distance from any railway station or railway line and a policy to improve linkages to Poynton Railway Station should be included.*
- *Consideration should be given to linkage to the North Cheshire Garden Village – this could provide a different and preferable means of securing growth.*

High Lane

- *Development is likely to have a significant impact on the A6 through Disley and therefore additional work would be beneficial to assess and mitigate this. The A6 through Disley is subject to a declared Air Quality Management area; traffic predictions for the new A6-MARR link road suggest additional traffic will be attracted through this corridor. Analysis of the AQ impacts is requested in this area.*
- *Cheshire East supports the concept of a new station to serve this area, though existing service patterns need to be protected – and the potential to link through to Middlewood station. The provision of a railway station is considered to be essential for this scale of development in this location. The Middlewood way should be retained as part of any extension of heavy rail*

A34 Cheadle

- *The proposed allocation is likely to impact onto the A34 in an already busy transport corridor. Cheshire East Council encourages the potential for a new railway station to be explored within the site, alongside other measures from the SEMMMS refresh including measures to address the cross border impacts on CEC highway network.*

Heald Green

- *Cheshire East Council notes the allocation, but prefers that it secures good linkages to the nearby Heald Green Railway station*

Airport

- *Cheshire East Council notes the allocation but prefers that the exceptional circumstances for release from the Green Belt are demonstrated and that appropriate landscape mitigation is included. However, an assessment of the impact of additional traffic through Wilmslow is requested and if required measures provided to secure transport improvements in Wilmslow to mitigate the impact of this proposal.*

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Cheshire East Council

STRATEGIC PLANNING BOARD

Date of Meeting:	14 December 2016
Report of:	Director Planning & Sustainable Development
Subject/Title:	Cheshire East Local Plan Strategy – Main Modifications
Portfolio Holder:	Cllr Ainsley Arnold

1. Report Summary

- 1.1. A meeting of the Council on 26 February 2016 approved proposed changes to the Cheshire East Local Plan Strategy for consultation. Council also delegated consideration of the consultation responses to the Executive Director Place. The subsequent Examination Hearings into the Cheshire East Local Plan Strategy concluded on 20 October and now the Inspector's findings are awaited.
- 1.2. The Inspector is expected to recommend formal main modifications to the Plan and these will need to be the subject of a further round of consultation. This is an essential step before the Local Plan can be finally adopted.
- 1.3. The Local Plan Strategy will provide a stable framework for planning decision making and is also the means of securing a 5 year supply of housing land. It will replace a number of planning policies that were adopted well over ten years ago. There is hence an urgent need to have the plan in place as soon as possible.
- 1.4. In order to facilitate this, further delegation of powers is being requested at the full meeting of the Council on 15 December 2016. This is with the aim of minimising the time between receipt of Inspector's next report and the consultation on his draft Recommended Main Modifications. This will enable the Local Plan Strategy to progress to the point of adoption as quickly as practicable.
- 1.5. This report requests seeks the comments and support of Strategic Planning Board for the recommendation to Full Council.

2. Recommendation

- 2.1. That Strategic Planning Board considers the attached report to Council and recommends to Council that the requested delegations be approved, as set out in the report.

3. Reasons for Recommendation

- 3.1. Where reports on planning matters are submitted to a full meeting of the Council they are first considered by Strategic Planning Board as the specialist planning committee of the Council.

4. Background , Implications and Risk

- 4.1. These are set out in the attached Report to council.

5. Wards Affected and Local Ward Members

- 5.1. All wards

6. Access to Information/Bibliography

- 6.1. The Local Plan Strategy examination library contains all published material relating to the Examination process. This can be accessed online at <http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library>

7. Contact Information

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APPENDIX 1

Report to Council 15 December 2016 - Cheshire East Local Plan Strategy – Main Modifications

APPENDIX 1

Cheshire East Council

Council

Date of Meeting:	15 December 2016
Report of:	Director Planning & Sustainable Development
Subject/Title:	Cheshire East Local Plan Strategy – Main Modifications
Portfolio Holder:	Cllr Ainsley Arnold

1. Report Summary

- 1.1. A meeting of the Council on 26 February 2016 approved proposed changes to the Cheshire East Local Plan Strategy for consultation. Council also delegated consideration of the consultation responses to the Executive Director Place. The subsequent Examination Hearings into the Cheshire East Local Plan Strategy concluded on 20 October and now the Inspector's findings are awaited.
- 1.2. The Inspector is expected to recommend formal main modifications to the Plan and these will need to be the subject of a further round of consultation. This is an essential step before the Local Plan can be finally adopted.
- 1.3. The Local Plan Strategy will provide a strong planning framework to provide significant benefits for local communities, giving increased certainty over new development, enabling investment, guiding the provision of new infrastructure and safeguarding the best of our environment. There is an urgent need to have the plan in place as soon as is feasible. The recommendations in this report will minimise the time between receipt of Inspector's next report and the consultation on his draft Recommended Main Modifications. This will enable the Local Plan Strategy to progress to the point of adoption as quickly as practicable.
- 1.4. This report requests that Council notes and approves the requirement to consult on the Inspector's draft Recommended Main Modifications to the Local Plan Strategy. In order to minimise delay, it also requests that the previous delegation for making additional modifications to the Plan is extended through the next stages, prior to adoption of the Local Plan Strategy by the Council.

- 1.5. In addition to the substantive Main Modifications, delegated approval is also requested to approve other non-material changes to the Plan

2. Recommendation

- 2.1. That authority be delegated to the Director of Planning & Sustainable Development, in consultation with the Cabinet Portfolio Holder, the Party Group Leaders and the Chairman & Vice-Chairman of Strategic Planning Board, to approve the publication of any draft Recommended Main Modifications received from the Inspector for public consultation alongside any further Sustainability Appraisal and Habitats Regulations Assessments required.
- 2.2. That authority also be delegated to the Director of Planning & Sustainable Development, in consultation with the Cabinet Portfolio Holder, the Party Group Leaders and the Chairman & Vice-Chairman of Strategic Planning Board, to approve any proposed Additional Modifications to the Local Plan Strategy that do not constitute a Main Modification, but which he deems are necessary or appropriate

3. Other Options Considered

- 3.1. The identified alternative option is to wait for the receipt of the Inspector's draft Recommended Main Modifications and bring a report to a future Council Meeting detailing the draft Recommended Main Modifications and seeking approval for public consultation. Given the timing of Council meetings, this option is likely to delay the receipt of the Inspector's Final Report on the legal compliance and soundness of the Local Plan Strategy by at least two months, with consequent delays in the timetable leading to adoption.

4. Reasons for Recommendation

- 4.1. As set out in the National Planning Practice Guidance, where an Inspector considers that modifications are required to make a submitted Local Plan sound, the Inspector can recommend such Main Modifications to the local planning authority. A Main Modification is defined as a change that materially affects a policy in the plan and is required to make the Revised Local Plan Strategy sound and legally compliant.
- 4.2. At the close of the hearing sessions in October 2016, the Inspector indicated that he envisages preparing a short report outlining any further work the Council may need to undertake along with any further amendments (Main Modifications) that are needed to ensure the plan is sound and can be adopted. As part of the formal Examination process, there will need to be a formal six week period of public consultation on the Inspector's draft Recommended Main Modifications and this consultation will be carried out under the direction of the Inspector.

- 4.3. As the Council has no discretion to amend the Inspector's Recommended Main Modifications for consultation, prior approval for consultation on these Recommended Main Modifications is sought at this stage so that the consultation can be concluded in the shortest possible timeframe to avoid further delays leading to the adoption of the plan. Subject to the recommendation in this report, the timely receipt of the Inspector's report and the scale of additional work, Sustainability Appraisal and Habitats Regulations Assessment, it is hoped that consultation would begin in January 2017.
- 4.4. Representations received on the draft Recommended Main Modifications will be taken into account by the Inspector prior to the issue of his final report to the Council, including conclusions on the legal compliance and soundness of the Local Plan Strategy and the reasons for any Main Modifications. It is at this point that the Council will consider the Inspector's final report and decide whether to formally adopt the Plan with the Recommended Main Modifications.
- 4.5. In addition to Main Modifications, the Council can also put forward 'additional modifications' that do not materially affect a policy in the plan to deal with more minor matters. These additional modifications are not subject to any further public consultation. The Examination of the Local Plan Strategy has been complicated and lengthy. As a result, there may be a number of minor additional changes that should be made to the plan before the Council considers it for adoption. Examples include the correction of typographical errors, alteration of references to other documents that have been updated since submission in 2014, updates to terminology since 2014 and the inclusion of a Foreword for the final adopted plan.
- 4.6. On 26 February 2016, Council resolved: *"That authority be delegated to the Executive Director of Growth & Prosperity in consultation with the Cabinet Portfolio Holder, Party Group Leaders and the Chairman & Vice-Chairman of Strategic Planning Board to approve any further proposed changes to the Local Plan Strategy that may be necessary or appropriate following consultation"*.
- 4.7. The second recommendation in this report seeks to extend that authority in the period leading up to the adoption of plan to allow 'additional modifications' to be made that are necessary or appropriate but which do not materially alter a policy in the plan. This will enable the complete plan to be presented to a future Council meeting, alongside the Inspector's Recommended Main Modifications.

5. Background/Chronology

- 5.1. The Local Plan Strategy was originally submitted in 2014, but its examination was suspended for 7 months during 2015. The Revised Local Plan Strategy approved by Council on 26 February 2016 was subject to 6 weeks of public consultation in March and April 2016. Following this

consultation, the Council prepared detailed responses to the consultation, which was submitted to the Inspector in 8 July 2016.

- 5.2. Further Examination hearings were held over six weeks in September and October 2016 to consider new issues arising from the public consultation as well as the Strategic Sites and Strategic Locations in the plan. At the close of these hearings, the Inspector indicated that he envisages preparing a short report outlining any further work the Council may need to undertake along with any further amendments (Main Modifications) that are needed to ensure the plan is sound and can be adopted. Once the Inspector has considered the representations to the Main Modifications, he will submit his final report to the Council, including his conclusions on the legal compliance and soundness of the Plan and the reasons for any Main Modifications. It is at this point that the Council will consider the Inspector's final report and decide whether to formally adopt the Plan with the recommended Main Modifications.

6. Wards Affected and Local Ward Members

- 6.1. All wards

7. Implications of Recommendation

7.1. Policy Implications

- 7.1.1. The Local Plan is a key component of the Council's policy Framework. Whilst it will form the benchmark for considering planning applications it will also feed into numerous other agendas such as infrastructure, transport, economic development, recreation, public health, education and adult social care.

7.2. Legal Implications

- 7.2.1. The process of Examination is governed by Section 20 of the 2004 Planning Act – but does not make express provision for the extended Examination experienced by the Council. The Inspector must carry out the examination of the submitted document, to which the power to recommend modifications in section 20(7C) applies.

- 7.2.2. Section 20(7C) provides:

"(7C) If asked to do so by the local planning authority, the person appointed to carry out the examination must recommend modifications of the document that would make it one that—

- (a) satisfies the requirements mentioned in subsection (5)(a), and*
- (b) is sound."*

7.2.3. As such, the Inspector must recommend modifications, which he will call Main Modifications, to the submission version of the Local Plan Strategy. Section 20(7C) does not specify how the Inspector should recommend those modifications nor how they are considered by the Council.

7.3. Financial Implications

7.3.1. The cost of the Local Authority officers' time involved in the Local Plan is covered by the existing revenue budget for Planning & Sustainable Development. The Examination process prompts exceptional costs for which particular provision is made within the Planning Reserve budget.

7.4. Equality Implications

7.4.1. No new implications arising from this report.

7.5. Rural Community Implications

7.5.1. The Local Plan Strategy provides a planning framework for all areas of the Borough outside the Peak District National Park. Consequently, it covers much of the rural area of the Borough in a geographic sense – but also it addresses numerous matters of importance to rural areas within its policies and provisions. Importantly, the Local Plan Strategy will facilitate the drawing up of more detailed policies for rural areas, via either Site allocations or Neighbourhood Plans.

7.6. Human Resources Implications

7.6.1. No new Implications arising from this report

7.7. Public Health Implications

7.7.1. The adoption of the local plan creates benefits for public health through the creation of healthier new communities which incorporate good standards of open space, recreation, housing and green infrastructure.

7.8. Implications for Children and Young People

7.8.1. The Adoption of the Local Plan will provide a more secure and certain framework for investment in new school infrastructure. It will also ensure that the children and young people of Cheshire East will be provided with sufficient homes and employment opportunities in future years.

7.9. Other Implications (Please Specify)

7.9.1. None arising from this report.

8. Risk Management

8.1. An adopted Local Plan has many benefits for the Council, local communities and business. It provides certainty over future growth, infrastructure and a secure framework for investment. Accordingly delay in the planning process poses risks for the Council with potential uncertainty over the decision making framework continuing in the short term. To mitigate this, the Council has implemented rigorous project management to the preparation of the Local Plan – to ensure completion of the process within an open yet timely manner.

9. Access to Information/Bibliography

9.1. The Local Plan Strategy examination library contains all published material relating to the Examination process. This can be accessed online at <http://cheshireeast-consult.limehouse.co.uk/portal/planning/cs/library>

10. Contact Information

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