

Application No: 21/4283C

Location: Land Off, WARMINGHAM LANE, MIDDLEWICH

Proposal: Reserved Matters application (including appearance, landscaping, layout and scale) for the development of 235 dwellings and associated infrastructure Outline planning permission not subject to EIA

Applicant: Tim Booth, Jones Homes Ltd

Expiry Date: 07-Feb-2024

## **SUMMARY**

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

The development will not have a detrimental impact upon residential amenity and would comply with Policies HOU12 and HOU13 of the SADPD.

The design of the proposed development has been the subject of revised plans and is now of an acceptable design. The scheme complies with Policies SE1 and SD2 of the CELPS, GEN1 of the SADPD, the CEC Design Guide and LCD1 of the Moston NP.

The POS is considered to be acceptable and would be a benefit to this scheme.

The proposed landscaping scheme does require some minor improvements but this could be secured via the imposition of planning conditions. The development is acceptable in terms of its impact upon ecology and would comply with Policies SE1, SE3 (Biodiversity and Geodiversity), SE4, SE5 and SE6 of the CELPS, ENV1, ENV2 and ENV5 of the SADPD and Policies ENV1 and LCD1 of the MNP.

The tree losses on the site have largely been accepted as part of earlier applications and those additional trees lost would be mitigated via a revised landscaping scheme.

The drainage/flood risk implications for this proposed development are considered to be acceptable and will be dealt with as part of the conditions attached to the outline consent.

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 and parking provision is considered to be acceptable and complies with Policies SD1, SD2 and SE1 of the CELPS and INF3 of the SADPD.

The proposed development would comply with the Development Plan as a whole and as such is recommended for approval.

## **RECOMMENDATION**

**APPROVE with conditions**

## **SITE DESCRIPTION**

The site of the proposed development extends to approximately 15ha and is located to the south of Middlewich. The site forms part of allocation LPS45 of the CELPS.

The site is L-shaped, and to the north/north-east is residential development fronting Whatcroft Way, Stanthorne Place, Sproston Place and Wimboldsley Avenue. To the south and west is agricultural land.

To the east of the site is Warmingham Lane with a residential development under construction opposite the proposed vehicular access point.

The majority of the site is currently in agricultural use and there are a number of trees and hedgerow to the boundaries of the site. The site also includes a number of ponds.

## **PROPOSAL**

This is a Reserved Matters application for 235 dwellings with appearance, landscaping, layout and scale to be determined at this stage.

The access point to serve the development was approved as part of the outline planning permission and is taken from Warmingham Lane to the east.

The proposed development would have the following housing mix;

- 12 x one bedroom dwellings
- 38 x two bedroom dwellings
- 91 x three bedroom dwellings
- 77 x four bedroom dwellings
- 17 x five bedroom dwellings

All units would be two-storeys in height apart from 4 bungalows within the site.

The development includes 10% affordable housing provision (24 units) as agreed as part of the S106 Agreement as part of the outline application 15/5840C (65% rented and 35% intermediate tenure).

## **RELEVANT HISTORY**

23/1902C - Variation of hazardous substances consent 7/2007/CCC/16 – Approved 19<sup>th</sup> October 2023

21/0699C - Non-material amendment to 19/0782C - Full planning permission for the partial removal of an existing pipeline corridor and the creation of a new pipeline corridor diversion – Approved 21<sup>st</sup> April 2021

20/0594C – Non-material amendment on application 19/0782C - Full planning permission for the partial removal of an existing pipeline corridor and the creation of a new pipeline corridor diversion – Approved 2<sup>nd</sup> March 2020

19/0782C - Full planning permission for the partial removal of an existing pipeline corridor and the creation of a new pipeline corridor diversion – Approved 10<sup>th</sup> October 2019

18/3372W - Non material amendment to 13/1052W - Development of a pipeline corridor comprising of three pipes between the brine field at Warmingham and the salt factory at Middlewich and four pipes and a fibre optic cable link between the salt factory at Middlewich and the chemical works at Lostock; erection of a buffer tank at the Warmingham brine field; a buffer tank, pumping station and four settlement tanks used in the purification process at the salt factory at Middlewich; a pipe bridge crossing at the Rive Dane; a pumping station at Blue Slates Farm; two buffer tanks and a pumping station at the chemical factory, Lostock; and other associated ancillary development. – Approved 9<sup>th</sup> August 2018

18/2100W - Non Material Amendment to application 13/1052W – Approved 11<sup>th</sup> June 2018

18/1901W - Non-material amendment to planning application 13/1052W - Development of a pipeline corridor comprising of three pipes between the brine field at Warmingham and the salt factory at Middlewich and four pipes and a fibre optic cable link between the salt factory at Middlewich and the chemical works at Lostock; erection of a buffer tank at the Warmingham brine field; a buffer tank, pumping station and four settlement tanks used in the purification process at the salt factory at Middlewich; a pipe bridge crossing at the Rive Dane; a pumping station at Blue Slates Farm; two buffer tanks and a pumping station at the chemical factory, Lostock; and other associated ancillary development – Approved 11<sup>th</sup> June 2018

15/5840C - Outline planning permission for up to 235 residential dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space, and children's play area, 0.22ha for a community facility (use class D1 or D2), surface water flood mitigation and attenuation, vehicular access point from Warmingham Lane and associated ancillary works. All matters to be reserved with the exception of the main site access. – Approved 30<sup>th</sup> January 2019

13/1052W - Development of a pipeline corridor comprising of three pipes between the brine field at Warmingham and the salt factory at Middlewich and four pipes and a fibre optic cable link between the salt factory at Middlewich and the chemical works at Lostock; erection of a buffer tank at the Warmingham brine field; a buffer tank, pumping station and four settlement tanks used in the purification process at the salt factory at Middlewich; a pipe bridge crossing at the Rive Dane; a pumping station at Blue Slates Farm; two buffer tanks and a pumping station at the chemical factory, Lostock; and other associated ancillary development. – Approved 15<sup>th</sup> October 2013

12/0185C - Prior Notification of Agricultural Development – Refused 3<sup>rd</sup> February 2012

10/3685W - Time Extension on Previous Application 7/2007/CCC/13 for Brine Extraction and Underground Gas Storage together with Gas Processing Plant, Pipelines, Link to National Gas Transmission System and Associated Infrastructure – Withdrawn 7<sup>th</sup> October 2011

CY/7/2007/CCC/13 - Brine extraction and underground gas storage together with gas processing plant, pipelines, link to National Gas Transmission System and associated infrastructure – Approved 1<sup>st</sup> October 2008

07/1464/CPO - Hazardous Substance Consent for the storage and processing of natural gas – Approved 10<sup>th</sup> July 2008

CY/7/2006/CCC/12 - To vary condition No 3 of planning permission ref 4/36367, 7/P00/0550 & 8/31257 which are related to the installation of cross country mains routed through properties between British Salt Limited's factory at Cledford, Middlewich and their Brinefield at Hill Top Farm, Warmingham, Crewe and Holehouse Farm, Minshull Vernon, Crewe. – Approved 20<sup>th</sup> December 2006

04/0347/OHL - Revision of application 35481/3 for overhead power line – No Objection 22<sup>nd</sup> December 2004

CY/7/P00/0550 - Underground mains to replace existing water, brine and mud (waste) pipes, plus provide additional pipes for water, brine, mud, gas, product, duct, electricity and telemetry cables between the Warmingham Brinefield and the Salt Factory at Middlewich – Approved 21<sup>st</sup> June 2002

## **NATIONAL & LOCAL POLICY**

### **Cheshire East Local Plan Strategy (CELPS)**

LPS45 – Land off Warmingham Lane West (Phase II), Middlewich

MP1 – Presumption in Favour of Sustainable Development

PG1 – Overall Development Strategy

PG2 – Settlement Hierarchy

PG7 - Spatial Distribution of Development

SC4 – Residential Mix

CO1 - Sustainable Travel and Transport

CO4 – Travel Plans and Transport Assessments

SC5 – Affordable Homes

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

SE 1 - Design

SE 2 - Efficient Use of Land

SE 3 - Biodiversity and Geodiversity

SE 4 - The Landscape

SE 5 - Trees, Hedgerows and Woodland

SE 6 – Green Infrastructure

SE 8 – Renewable and Low Carbon Energy

SE 9 – Energy Efficient Development

SE 13 - Flood Risk and Water Management

IN1 – Infrastructure  
IN2 – Developer Contributions

### **Site Allocations and Development Policies Document**

PG9 – Settlement Boundaries  
GEN1 – Design Principles  
ENV2 – Ecological Implementation  
ENV3 – Landscape Character  
ENV5 – Landscaping  
ENV6 – Trees, Hedgerows and Woodland Implementation  
ENV7 – Climate Change  
ENV12 – Air Quality  
ENV14 – Light Pollution  
ENV16 – Surface water Management and Flood Risk  
HOU1 – Housing Mix  
HOU8 – Space, Accessibility and Wheelchair Housing Standards  
HOU12 – Amenity  
HOU13 – Residential Standards  
HOU14 – Housing Density  
HOU15 – Housing Density  
HOU16 – Small and Medium Sized Sites  
INF1 – Cycleways, Bridleways and Footpaths  
INF3 – Highways Safety and Access  
INF9 – Utilities  
REC2 – Indoor Sport and Recreation Implementation  
REC3 – Open Space Implementation

### **Middlewich Neighbourhood Plan**

The local referendum for Middlewich Neighbourhood Plan was held on the 14 March 2019 and returned a 'no vote'

### **Moston Neighbourhood Plan**

The Moston Neighbourhood Plan was made on the 11<sup>th</sup> November 2019 and forms part of the Development Plan.

HOU1 – Location of New Homes  
HOU2 – Housing Mix and Type  
LCD1 – Design and Landscape Setting  
LCD2 – Dark Skies  
INF1 – Utilities  
INF3 – Surface Water Management  
ENV1 – Wildlife Habitats, Wildlife Corridors and Biodiversity  
ENV2 – Trees, Hedgerows and Watercourses.

### **National Policy**

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

Of particular relevance are paragraphs:

11. Presumption in favour of sustainable development.

50. Wide choice of quality homes

102-107 Promoting Sustainable Transport

124-132 Requiring good design

### **Supplementary Planning Documents**

The EC Habitats Directive 1992

Conservation of Habitats & Species Regulations 2017

Cheshire East Design Guide

### **CONSULTATIONS**

**Environment Agency:** No objection. General advice provided.

**CE Flood Risk Manager:** No objection in principle and further information will be required to discharge conditions 9 and 10 attached to the outline planning permission.

An informative is suggested relating to the ordinary watercourse on the site.

**United Utilities:** Condition suggested relating to the submission of a Sustainable Drainage Management and Maintenance Plan.

Informative suggested relating to UU infrastructure.

**Cheshire Brine Subsidence Board:** It is confirmed that the Cheshire Brine Subsidence Compensation Board (CBSCB) is in agreement in principle with the findings of the risk assessment incorporating the use of a combination of raft and 'cage' foundation solutions on the site.

**CEC Education:** No comments received.

**Strategic Housing Manager:** The application includes an affordable housing scheme that covers all that is required under the both the CELP and Housing Supplementary Planning Document (HSPD). No objection.

**Natural England:** No objection.

**Health and Safety Executive:** The HSE does not advise on safety grounds against the granting of planning permission in this case.

**Archaeology:** No archaeological implications. All recommended archaeological works for this site have been undertaken in previous applications and therefore there are no further outstanding elements of archaeological fieldwork required for this application.

**Public Rights of Way (PROW):** Pedestrian and cyclist routes should be designed and constructed to best practice in terms of shared use or segregated infrastructure, accessibility and natural surveillance.

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.

The mown paths are likely to become worn and muddy. It is recommended that paths are finished in a resin bound surface.

**Strategic Highways Manager:** No objection.

**Environmental Health:** The following conditions are suggested;

- Implementation of the noise mitigation measures within the acoustic report
- Submission and approval of a Phase II Contaminated Land Report
- Submission of a Verification Report before occupation
- Importation of soils
- Unexpected contamination

**Greenspaces on behalf of CEC:** Offer the following comments;

- It is understood that accessible connections from this site through to the Morris site is proving difficult due to 3<sup>rd</sup> party ownership and mown connections on the Morris side. A level path is now provided alongside the NEAP into the adjacent site.
- With regards to the open space in the northwest of the site the applicant has stated the contours of the site restrict a circular route however it is not clear if this is in reference to the whole site beyond and around the SUDS basin? Would it be possible to create a circular accessible route around the southern section of POS as per the highlighted attachment using a resin bound gravel? This would not give complete accessibility but would greatly improve routes for those with less mobility. In the event this cannot be achieved, the applicant has offered to surface approximately 30m into the northwest of the open space and create a seating/viewing area which is most welcomed. The seating area in the community space should be on hard standing accessible surface and could contain a picnic area to enjoy the views.
- With regards to the NEAP. Discussions have taken place and are at an early stage. However, it is understood the surrounding play facilities such as Morris, Bellway, Taylor Wimpey and CEC will be taken into account the aim being to complement not duplicate as much as possible. The heritage of Middlewich will also be considered through the salt mining and canals importance where possible.
- Planting details (Planting Plan 7 of 10) are acceptable for the community orchard.

## **VIEWS OF THE PARISH COUNCIL**

**Middlewich Town Council:** Object to the application on the following grounds;

- No new development shall take place in the Town without improvements to infrastructure including doctors, dentists and school provision
- More traffic on the roads. Increased congestion and impact upon air quality
- Lack of local facilities within walking distance of the site.
- The affordable housing officer has objected to the affordable housing mix proposed.
- Potential proximity to the wet rock head. Potential for natural ground dissolution.

- It is proposed to site the house on rafts, is this adequate mitigation? There should be no piles used as support
- Is there a requirement to re-route overhead electricity cables?
- What are the consequences of the brine main? A further survey must take place
- The contaminated land report identifies potential sources of contamination.

**Moston Parish Council:** Whilst accepting that the application for 235 houses was approved, the Parish Council's original concerns are yet to be addressed, which are as follows:

- Traffic on Moston Lanes continues to increase at an alarming rate. A condition for funding of the re-surfacing of Dragons Lane, speed restrictions and improved signage at the junctions of Warmingham Lane with Dragons Lane, Dragons Lane with Whitehall Lane and Dragons Lane with Tetton Lane, remains outstanding.
- Tetton Lane traffic has increased considerably since the application was approved. The increase will continue on this narrow, subsidence ridden lane, more so when the Middlewich Eastern Bypass eventually opens and the 450 houses on Glebe Farm begin occupation. The Parish Council considers that it is now appropriate to impose a sensible speed limit on Tetton Lane.
- A traffic management scheme applied by Seddon Housing during the building of 84 houses on the opposite of Warmingham Lane worked well and the Parish Council would expect a similar scheme to be adopted during the building of the 235 houses.
- The Parish Council wishes to strongly recommend that all construction traffic must access the site directly from Both Lane A533. No construction traffic to use Warmingham Lane which is south of the site.

## REPRESENTATIONS

Letters of objection have been received from 12 households raising the following points:

- The application has changed since the original outline application which was to leave the field opposite 5 Sproston Place as a green open space
- The application site carries pipelines for the salt works. There should be no construction over the pipeline.
- The plan should provide like for like houses as provided on the adjacent site
- Impact upon outlook
- Increased traffic together with the Seddon site under construction
- Concerns over highway safety (including pedestrians and cyclists)
- No consultation took place as part of the outline planning application
- This site was not flagged up on searches when purchasing their property
- The Councils website GIS did not accurately show the location of the outline application.
- Size, bulk, scale, design and form of the houses is visually intrusive
- Harm to the character and appearance of the rural landscape
- Overlooking and loss of privacy
- The proposed dwellings have side/rear elevations facing the adjacent dwellings to the north. Harm to outlook.
- Impact upon property value
- Lack of parking for the proposed dwellings
- Object to the provision of a walkway linking into the Morris estate (there is no pavement on Sproston Place)
- There should be further planting along the perimeter of the site
- Middlewich infrastructure cannot accommodate these additional dwellings

- Increased traffic congestion
- Mud and vehicles on Warmingham Lane from the Seddon development
- Warmingham Lane will be closed for weeks whilst the pipeline is diverted
- Impact upon wildlife and protected species
- The trees on the site should be protected
- There is no need for further housing in Cheshire East or Middlewich
- There is no capacity at local schools
- There is no post service provided Wednesday to Saturday so how will the new homes be catered for?
- Brownfield sites should be developed first
- Speeding vehicles along Warmingham Lane
- The Oakwood Estate cannot handle any further foot fall
- The brine lines across the site cannot be built upon
- When dwellings were purchased on the adjacent site, residents were told that this site could not be built upon
- The developer is building on land previously identified as open space
- Impact upon mental health
- Outlook onto a carpark
- The proposed dwellings are side onto those which front Sproston Place
- Obstruct views of the countryside
- The layout will encourage people to walk over a wet/boggy area of the adjacent site to access the play area
- The HSE are objecting to the application
- Brownfield sites should be developed first
- Loss of trees within the development
- Concerns due to brine subsidence
- Affordable housing is not in keeping with the neighbouring dwellings
- Impact upon Great Crested Newts
- Not clear how the farm access will be maintained
- More landscaping is required between the two estates
- 11 Oak trees are to be felled
- Larger green space is required between both developments
- Warmingham Lane should be resurfaced
- Noise from construction on the site
- Affordable housing is not distributed evenly across the site
- The Councils Landscape Architect has objected to this application
- Overdevelopment and population increase in Middlewich. Impact upon infrastructure
- Increased congestion
- Increased strain of the environment and green spaces (including loss of biodiversity).
- There should be meaningful dialogue with the local community.

## **APPRAISAL**

### **Principle of Development**

A number of representations raise issues relating to the principle of development. However, the principle of development has been accepted following the approval of application 15/5840C. The site is also allocated for development as part of LPS45 within the CELPS. This application

is to consider the appearance, landscaping, layout and scale of the proposed development only.

The S106 Agreement completed as part of the outline application includes a contribution of £1,223,645 towards the provision of the Middlewich Eastern Relief Road. Should the Middlewich Eastern Bypass not come forward the money can be spent on either affordable housing and/or education provision as detailed within the S106 Agreement.

## Housing Mix

Policy SC4 of the submission version of the Local Plan requires that developments provide an appropriate mix of housing (however this does not specify a mix). In this case the development would provide the following mix:

- 12 x one bedroom dwellings
- 38 x two bedroom dwellings
- 91 x three bedroom dwellings
- 77 x four bedroom dwellings
- 17 x five bedroom dwellings

All dwellings would be two-storeys in height apart from 4 bungalows within the site. The development proposes 10% affordable housing (65% rented and 35% intermediate tenure).

Policy HOU1 of the SADPD states that housing development should deliver a range and mix of house types, sizes and tenures. All major developments should respond to housing need, and this includes the indicative house types and tenures and sizes identified at Table 8.1. In this case the requirements of policy HOU1 are overridden by condition 27 attached to the outline planning permission which specifies the housing mix for the proposed development and states as follows;

*Each phase of the development hereby approved shall incorporate a mix of units of;*

- 1 bed and/or 2 bed dwellings between 10% and 30% of the number of dwellings
- 3 bed dwellings between 20% and 40% of the number of dwellings
- 4 bed and/or 5 bed dwellings between 20% and 40% of the number of dwellings

*and a minimum of 5 % of the units shall be bungalows or units for single storey living.*

The proposed development provides the following mix;

- 1 - 2 bed units – 21.3% of the number of dwellings
- 3 bed units – 38.7% of the number of dwellings
- 4 – 5 bed units – 40% of the number of dwellings
- The 8 ground floor apartments and 4 bungalows equate to 5.1% of the number of dwellings

In terms of dwelling sizes, it is noted that HOU8 of the SADPD requires that new housing developments comply with the Nationally Described Space Standards (NDSS). The applicant has provided details to show that the proposed house types are all NDSS compliant.

Policy HOU8 of the SADPD states that for major developments:

- a. at least 30% of dwellings in housing developments should comply with requirement M4 (2) Category 2 of the Building Regulations regarding accessible and adaptable dwellings; and

b. at least 6% of dwellings in housing developments should comply with requirement M4 (3)(2)(a) Category 3 of the Building Regulations regarding wheelchair adaptable dwellings.

The applicant has confirmed that the requirements of Policy HOU8 will be met and this would be controlled via the imposition of a planning condition in the event of an approval.

This is a Reserved Matters application, and the housing mix complies with that secured as part of condition 27 attached to the outline planning permission. The development also complies with the requirements of policy HOU8 of the SADPD in terms of space, accessibility and wheelchair housing standards.

### **Affordable Housing**

The S106 Agreement completed as part of the outline application requires 10% of the housing on the site to be affordable (65% rented and 35% intermediate tenure).

The mix shown on the submitted plans identifies that the following affordable units will be provided as part of this proposed development;

- 8 x one bedroom units
- 12 x two bedroom units
- 4 x three bedroom units

The Head of Strategic Housing has confirmed that they have no objection to the proposed mix of 24 units which equates to 10% of the units on the site. The proposed location of the affordable units is acceptable as they are provided in 6 groups within the development. The application is acceptable in terms of its affordable housing provision.

### **Public Open Space**

Condition 13 attached to the outline planning permission requires that the Reserved Matters application includes a NEAP (Neighbourhood Equipped Area of Play) including a minimum of 8 pieces of equipment for all ages and comprise a minimum area of 1000sq.m.

The layout shows that that the proposed development would provide a significant amount of open space. This open space will provide a number of functions such as for recreation, ecology, landscaping and drainage. The amount of POS on this site is considered to be acceptable and no objection is raised from the POS Officer.

The location of the NEAP is shown on the proposed plan and the POS Officer has confirmed that she has no objection to the location of the NEAP or its design.

The Councils POS Officer has requested some amendments in the form of footpath changes. These have been provided and are considered to be acceptable.

The management of the POS would be secured as part of a management company secured as part of the outline consent.

## **Education**

The impact upon education infrastructure was considered as part of the outline planning permission. In this case no contribution for education was secured due to viability issues associated with the outline application and preference was given to securing other mitigation in the form of 10% affordable housing, and a Middlewich Bypass contribution (£1,223,645).

However, should the Middlewich Bypass not come forward within a reasonable time frame the contribution could be spent towards education provision and/or affordable housing.

## **NHS**

The concerns raised in relation to the impact upon health care infrastructure are noted. However, no contribution was secured as part of the outline consent and contributions were prioritised for other mitigation (the Middlewich Bypass).

## **Location of the site**

The site was found to be locationally sustainable as part of the outline application.

## **Residential Amenity**

Policy HOU13 of the SADPD identifies the following separation distances;

- 21 metres for typical rear separation distance (24m plus 2.5m per additional storey)
- 18 metres for typical frontage separation distance (20m for three-storey buildings)
- 14 metres for a habitable room facing a non-habitable room (the addition of 2.5m per additional storey)

The properties impacted by this development are those to the north which front Sproston Place, Stanthorne Place and Whatcroft Way. Due to the provision of a linear parcel of open space along the relevant boundary the required separation distances would be exceeded. The shortest separation distance would be from No 1 Whatcroft Way which has 4 windows facing the site (dining room and secondary lounge at ground floor level; bedroom and en-suite at first floor level) and the dwelling on plot 235 (which has windows at ground floor serving a family room, living room and breakfast room, with two secondary bedroom windows at first floor), the separation distance would be 18.5m and would exceed the typical frontage separation distance stated in policy HOU13.

All other separation distances would exceed 24.5m and the development would not harm residential amenity and would comply with policies HOU12 and HOU13 and LCD1 of the MNP insofar as it relates to residential amenity.

## **Levels**

Condition 11 attached to the outline planning permission requires details of the existing ground levels, proposed ground levels and the level of proposed floor slabs to be submitted as part of the first Reserved Matters application.

The applicant has submitted details of the existing and proposed floor levels. These are comparable and given the separation distances involved there would be no harm to residential amenity.

### **Impact from Construction Disturbance**

This issue will be dealt with as part of the condition imposed as part of the outline planning permission (7 – Construction Management Plan).

### **Noise**

Condition 6 attached to the outline planning permission requires the submission of a scheme of acoustic mitigation and this has now been approved as part of application 23/3118D.

As part of this Reserved Matters application a Noise Impact Assessment has been submitted with the application and this recommends ventilation details for certain plots along the Warmingham Lane frontage.

### **Air Quality**

The issue of air quality was considered as part of the outline application and conditions were imposed in relation to electric vehicle charging (condition 12), travel plan (condition 17) and dust management (included within the CMP condition 7).

### **Contaminated Land**

The issue of contaminated land was considered as part of the outline application and conditions 8 and 28 have been attached in relation to this issue.

### **Lighting**

Policy LCD2 of the MNP states that future outdoor lighting systems should have a minimum impact on the environment, minimising light pollution and adverse effects on wildlife. In this case lighting could be controlled via the imposition of a planning condition.

### **Highways**

The letters of objection raising concerns over the points of access and traffic generation are noted. However, these details were approved as part of the outline application.

In terms of the highway impact the outline application for this development secures a substantial contribution of £1,223,645 towards the delivery of the Middlewich Eastern Bypass.

Condition 17 attached to the outline planning permission requires the submission of an Umbrella Travel Plan with the Reserved Matters application. This has now been approved as part of application 23/3118D.

The access carriageway is 5.5m wide with 2m footways on both sides, and this arrangement continues along both spine roads that run in an east/west direction through the site. The

northernmost spine road is also 5.5m wide but with no footway on the southern side of it where no development fronts onto it. Off these spine roads the carriageway reduces where shared surfaces are introduced, followed by narrower shared private drives serving a small number of properties. The road hierarchy and carriageway and footway proposals are considered sufficient for this scale of development.

The site layout also includes a number of raised tables along the spine roads which will assist in managing vehicle speeds. There is a pedestrian connection to the site boundary to the northeast of the site and one adjacent to the play area in the centre.

The parking provision within the site is to CEC requirements including the secured and lockable cycle parking provided for the apartments, and bin collection points and turning areas are also acceptable.

The development complies with policies SD1 and CO2 of the CELPS and INF3 of the SADPD.

### **Trees and Hedgerows**

Condition 20 attached to the outline planning permission requires that the Reserved Matters application be supported by a tree/hedgerow protection scheme.

An updated Arboricultural Statement has been submitted in support of this application. The Statement considers the most recently submitted site layout plan, the topographical survey drawings and documents associated with the outline permission, partial removal of an existing pipeline (App 19/0782C) and creation of a pipeline corridor diversion (App 21/0699C).

The Statement identifies 58 individual trees, 6 tree groups and 11 hedges within or immediately adjacent to the site. Under BS5837:2012 tree quality categorisation, three trees are identified as high (A) category; 41 individual trees and 3 groups as moderate (B) category; 10 individual trees and one group as low (C) category and 4 trees that are unsuitable for retention.

The trees within and immediately adjacent to the site are currently not protected by a Tree Preservation Order or located within a designated Conservation Area. There are no trees that have been identified as having Ancient or Veteran status. These trees could be removed without consent.

Trees T12, T13 and T21 (B category) and T25-T27 (C category) were identified as anticipated losses under the outline application (15/5840C) as were several sections of hedgerow (identified as H1, H2, H4, H6, H7 and H9). Trees T2, T6, T12, T15 and T16 (B category); T7, T13 and T14 (C category) and T25-T27(U category) including sections of Hedgerows H1, H2 and H4 were agreed for removal under applications 19/0782C and 21/0699C.

Section 8 of the Statement assesses and reports on the arboricultural implications of the proposed development arising as a consequence of subsequent revisions to the design. It is noted that five additional, moderate (B) category Oak trees (T4, T5, T10, T27 and T28) are proposed to be removed to accommodate Plots 12, 27, 73, 85, and one tree within Group G3/1 to accommodate a turning area opposite Plot 136. The Council would normally seek to retain Category B trees where possible within development in accordance with BS5837:2012 and Policy SE 5.

Whilst some trees were shown to be lost at the application stage, an additional 5 (B) category trees will now require removal. In accordance with Policy SE 5, development must seek to avoid the loss of trees that make a significant contribution unless there are clear overriding reasons and there are no suitable alternatives. If the loss is unavoidable then development proposals must satisfactorily demonstrate a net environmental gain by appropriate mitigation, compensation or offsetting as part of the landscape proposals. It should be noted that the Arboricultural Statement does not deal with whether there were any suitable alternatives to the design of the layout that would have avoided the loss of trees. However, the trees are not protected and could be removed without consent, the proposed development does provide 140 high canopy trees out of a total of 293 trees. Subject to the additional planting required as part of the landscape consultation response (discussed below), it is considered that the proposed replacement planting would mitigate the harm caused.

Revised Planting Plans have been submitted in support of the application which shows around 293 trees proposed to be planted which is an increase over previous plans.

The Arboricultural Statement identifies 11 hedgerows within the site. The outline application and pipeline diversion identified the loss of sections of six hedgerows; two of which are deemed important under the Hedgerow Regulations.

Should planning permission be recommended for approval, a tree protection plan should be secured, and this could be done via the imposition of a planning condition.

On balance the proposed development is considered to be acceptable and would comply with Policy SE5 of the CELPS, ENV6 of the SADPD and ENV2 of the MNP.

## **Design**

The importance of securing high quality design is specified within the NPPF and Policies SE1, SD1 and SD2 of the CELPS, GEN1 of the SADPD and the Cheshire East Design Guide.

In particular, development proposals should consider the wider character of a place in addition to that of the site and its immediate context, to ensure that it reinforces the area in which it is located. These principles are echoed by Moston NP Policy LCD1 and also reflected in the CEC Design Guide and the “Building for a Healthy Life Framework” (BHL). The Council’s Design Officer has undertaken an assessment of the application using the BHL framework which is reflected in the commentary below. BHL uses a traffic light system, with the aim of eliminating reds, whilst maximising the number of greens.

During the course of the application the site layout has been amended following discussions with the Councils Urban Design Officer.

### Design Code

Condition 4 of the outline planning permission requires the first reserved matters to incorporate a detailed masterplan and design code which deals with the whole site.

A detailed Design Code has been provided as part of this application and this has been revised following consultation with the Councils Urban Design Officer.

Following the receipt of the amended Design Code the Councils Urban Design Officer has stated that the improvements made are welcomed and that this has resulted in the identification of appropriate character areas. The character areas (inner and outer) are simple, with uncluttered architecture utilising a suitably limited.

The use of a suitable brick with areas of render with quoins in the central area, along with the double brick heads and stone cills to the windows, the addition of some protruding gables to the front and chimneys on the re-elevated house-types are all suitable responses to local cues.

Similarly, with regard to the landscape design and public realm, the coding process has improved the development, but further improvements can be secured (see the landscape section below).

### Natural Connections

There have been a number of positive changes that improve the connectivity across the layout. The most important of these is the connection to the main spine road creating a loop within the development.

The improved footpath links to the north increase connectivity to the existing housing and to Warmingham Lane and Middlewich town centre.

The series of mown paths around the POS are welcomed too, and if effectively maintained these will provide a number of alternative pedestrian routes through and around the development.

Overall, whilst the fundamental lack of connectivity with neighbouring development cannot be overcome, much has been done to improve internal links and this is now acceptable. An amber score is awarded.

### Walking, Cycling and Public Transport

As noted above the lack of connectivity with neighbouring development cannot be overcome, much has been done to improve internal links and this is now acceptable. Connections are provided to the north onto Warmingham Lane and the adjacent residential development. An amber score is awarded.

### Facilities and Services

A well-equipped and suitably located NEAP, attractive POS with Community Orchard, Community Space, Community Land and network of footpaths would be provided as part of this residential scheme. Access to all other facilities and services would require leaving the site and heading north into Middlewich (there is a public house, local supermarket, takeaways, pharmacy and post office approximately 650m to the north of the site on Warmingham Lane). The application site was considered to be sustainably located at the outline stage. A amber score is awarded.

### Homes for Everone

As discussed within the housing mix and affordable housing sections above, the outline planning permission provides a condition in terms of the housing mix whilst the level of affordable housing is specified within the agreed S106 Agreement.

The affordable housing provision is tenure-blind and there is effective pepper-potting across the site. On this basis a green score is awarded.

### Making the most of whats there

The site is relatively flat, although levels do drop to the north-west of the site. The site makes best use of the existing levels. Although there are tree/hedgerow losses they are associated with the applications to divert pipelines on the site. The other trees/hedgerows and ponds would be retained as part of the proposed development.

The site includes outward facing perimeter blocks to all boundaries of the site, and there is open space buffers provided to the Warmingham Lane frontage and the existing dwellings which adjoin the site. A green score is awarded.

### A memorable character

As noted above, the applicant has produced a Design Code in support of the application and this provides a comprehensive assessment of the local character study of the nearby settlements of Middlewich, Church Minshull and Warmingham amongst others. The Design Code also references the CEC Design Guide and the relevant Character Area of 'Salt and Engineering Towns'.

The development includes two specific character areas, the outer character area and the inner character area. The rural character area reflects the rural edges of the site through traditional features such as window leading, footers and render for gables, whilst the inner character area is largely simpler. Between both character areas there are variations in detailing such as chimney, window and porch design. As a result a green score is awarded.

### Well defined streets and spaces

This has clearly been designed in line with both guidance contained in Building for a Healthy Life and the Cheshire East Borough Design Guide. There is a clear and legible perimeter block arrangement with a continuity of street frontages, front doors facing the street and a well-defined relationship between public and private space. Public open space is both well located and well-overlooked, houses turn corners and there are strong internal vistas. As a result, a green score is awarded.

### Easy to find your way around

There are a series of character areas across a layout consisting of perimeter blocks, meaning that the proposals are internally well-connected and legible. This is supported by a well-defined hierarchy of streets framed by buildings. Houses turn corners, providing surveillance and focal houses are located at key locations such as the termination of vistas and serve to aid the legibility.

There would be a network of open space within the running through the development. The NEAP is centrally located and overlooked and although a large section of the open space is located to the north-west of the site it would be overlooked by existing dwellings and those proposed to the north-west. A green score is awarded.

### Healthy streets

The proposal adopts a simple and legible hierarchy which is in line with the guidance set out in the CEBDG.

With regards to hard surfacing materials, the site is located within the *Salt and Engineering Towns* character area and submitted details are considered to be acceptable. A green score is awarded.

### Cycle and car parking

The car parking strategy is mixed comprising in-curtilage bays to the front and side and a number of small parking courtyards. All car spaces are close to homes and well-overlooked and parked cars would not dominate the streetscape.

Condition 29 of the outline planning permission requires that the Reserved Matters provides a detailed scheme showing the design, location and size of a bin store and bike store for each dwelling. This is identified on the proposed plans. A green score is awarded.

### Green and blue infrastructure

The proposed development includes extensive areas of green infrastructure running through the site and to the north-west of the site. In terms of blue infrastructure, the two existing ponds would be retained within the development (within areas of open space), as would the stream to the northern corner of the site.

There would be some tree losses within the development, but the majority of these had been accepted for removal as part of applications 19/0782C and 21/0699C to alter the pipelines crossing the site, and as part of the outline planning permission. The additional losses would be mitigated as part of the proposed development.

The proposal retains the sites remaining tree and integrates these into the green infrastructure network. Key areas of POS, including a NEAP are both well located and well overlooked. The attenuation basin is integrated as a landscape feature. The community orchard is located at the entrance to the large parcel of POS to the north. Footpath links would run through the network of POS within the development.

The green and blue infrastructure proposals are positive and a green score has been awarded (this is subject to the improvements being secured via the proposed landscape condition).

### Back of pavement, front of home

The scheme includes a good use of landscape design (subject to amendment), materials (subject to the replacement of the buff brick and a greater reliance on grey tiles) and boundary treatments, which provides a clear delineation between private, semi-private and public space. Each dwelling

has access to rear gardens without going through the home, so refuse and recycling bins can be stored within the rear garden. There is also a welcome lack of 'left-over' spaces that can so often despoil a place. Overall, the back of pavement and front of home is handled effectively, and a green score is awarded.

### Design conclusion

The role played by the detailed design coding process and guidance including the Cheshire East Design Guide is evident. This Reserved Matters residential application is considered and well-designed.

It should be noted that there are no red scores and that the only amber scores awarded are in respect of Criteria 1, 2 & 3. These are effectively legacy issues, as a result of the constraints of the site and the less than perfect connections established by the earlier outline permission. It is considered that in design terms the application complies with Policies; SE1, SD1 and SD2 of the CELPS, GEN1 of the SADPD, Policy LCD1 of the MNP and the Cheshire East Design Guide SPD.

### **Landscape**

The principle of residential development has been established and the change in the character of the site has to be expected.

The application includes a detailed landscaping scheme and the proposal has been assessed by the Councils Landscape Architect. The Councils Landscape Architect advises that improvements could be made to the landscape design on this site, and this would require some 'tweaking' of the plans. These amendments could be secured without any alterations to the layout of the housing development on the site and as such it is considered that these changes could be secured via the imposition of a planning condition.

The changes suggested by the Landscape Architect include:

- The provision of additional large canopy Oak trees within the Warmingham Lane frontage open space.
- Additional softening of the streets through additional planting and tree planting
- Further consideration of the street tree hierarchy within the CEC Design Guide.
- The mown footpath could benefit from better connections to more streets.
- More dramatic planting and tree designs to the inner estate crossroads.
- Reduction in the amount of timber knee rails to the open space.
- Potential for public art within the open space on site.
- Slight redesign and improvement of the northern public open space.
- The correction of some minor errors on the landscape plans.

Overall, it is considered that improvements could be made to the landscape design for this development. These changes can easily be secured via the imposition of a landscape condition, and subject to this condition the proposed development would comply with Policies SE1 and SE4 of the CELPS, ENV3 and ENV5 of the SADPD and LCD1 of the MNP.

## Ecology

Condition 14 All reserved matters applications shall be supported by an updated protected species impact assessment and mitigation strategy.

A number of updated protected species surveys and a mitigation strategy has been submitted as required by this condition. These submissions raise the following ecological issues:

### *Great Crested Newts*

This protected species was recorded at a number of ponds both on and off site. As anticipated at the time that outline consent was granted the proposed development would result in a significant adverse impact upon this species as a result of the loss of terrestrial habitat and the risk of animals being killed or injured during the construction phase.

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places:

(a) in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment, and provided that there is

(b) no satisfactory alternative and

(c) no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK has implemented the Directive in the Conservation (Natural Habitats etc) Regulations 2010 (as amended) which contain two layers of protection (i) a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and (ii) a licensing system administered by Natural England and supported by criminal sanctions.

Policy SE 3 of the CELPS states that development which is likely to have a significant impact on a site with legally protected species will not be permitted except where the reasons for or the benefits of the development outweigh the impact of the development.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. "This may potentially justify a refusal of planning permission."

The NPPF advises LPAs to protect and enhance biodiversity: if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) or adequately mitigated, or as a last resort, compensated for, planning permission should be refused.

Natural England's standing advice is that, if a (conditioned) development appears to fail the three tests in the Habitats Directive, then LPAs should consider whether Natural England is likely to

grant a licence: if unlikely, then the LPA should refuse permission: if likely, then the LPA can conclude that no impediment to planning permission arises under the Directive and Regulations.

In terms of the Habitat Directive tests;

- The proposed development is of overriding public interest. The site is allocated for residential use (as explained above) and has outline planning permission. On this basis there are overriding reasons of overriding public interest and the development would provide much needed housing development in Middlewich
- There is no satisfactory alternative and the site already has outline planning permission and is allocated for development.
- The applicant has expressed an intention to enter the development into Natural England's District Level licencing scheme. The Councils Ecologist advises that entry into the licencing scheme would be sufficient to address the adverse impacts of the proposed development on great crested newts and maintain the favourable conservation status of the species. This means that there would be no detriment to the maintenance of the species population at favourable conservation status in their natural range.

As a result, the proposed development would be comply with the relevant policies of the Development Plan in terms of the impact upon protected species.

The applicant must however submit a signed copy of the 'Impact Assessment and Conservation Payment Certificate' from Natural England as evidence that the development is eligible to join the DLL scheme. The agent has confirmed that this has taken, and details will be provided prior to the Committee meeting.

#### *Lesser Silver Diving Beetle*

This protected and priority species was recorded at a pond (pond 3) on site. The pond would be retained as part of the development. However, changes in land use around the pond is likely to reduce its suitability for this species potential resulting on a significant adverse impact. The pond may also be at risk of damage or disturbance during the construction process.

The submitted lesser silver diving beetle survey report includes outline proposals for the on-going management of the pond, and these are included in the submitted Ecological Mitigation Strategy and also the revised habitat management plan submitted under condition 25.

The submitted ecological mitigation strategy includes proposals for the fencing-off of the ponds during the construction phase.

The revised landscape plan shows the retention of the pond in an area of more species rich grassland. If reserved matters consent is granted a planning condition is required to secure the implementation of the submitted Ecological mitigation strategy. The application is considered to be acceptable in terms of the impact upon Lesser Silver Water Beetle.

#### *Water courses*

There is a stream adjacent to the boundary of the site in the northern corner. The submitted mitigation strategy refers to this being safeguarded by means of a buffer and safeguarded through the installation of a silt fence.

### *Common Toad*

This priority species was recorded at ponds outside the application site boundary. The proposed development would have an adverse impact on this species as a result of the loss of an area of relatively low value terrestrial habitat for this species. The submitted ecological mitigation strategy advises that the SUDS basin on site be designed to hold a depth of permanent open water to provide an additional alternative breeding habitat for this species.

This matter may be dealt with by means of a condition in the event that planning consent is granted.

### *Other Protected Species*

No setts were recorded during the latest survey. There was some evidence of activity recorded on the boundary of the site. The Councils Ecologist has confirmed that acceptable proposals have been included to minimise the risk to badgers, as such the proposed development will result in a minor impact upon badgers as the result of the loss of suitable foraging habitat.

### *Bats*

A further bat survey of trees proposed for removal as part of the development has been submitted. Two potential features were not able to be inspected during the survey. One due to heath and survey constraints and the other feature being occupied by other wildlife during the survey. There remains a risk that roosting bats may have remained undetected, but considering the number of features not inspected during the survey this risk is likely to be relatively low. None of the trees on site supported features of HIGH value for roosting bats.

The Councils Ecologist advises that a reasonable amount of survey effort has been undertaken in respect of roosting bats at this site.

No evidence of roosting bats was identified during the submitted survey. Bat roosts in trees are often extremely difficult to detect. In this instance the submitted report advises that whilst no evidence of roosting bats was recorded during the submitted surveys, due to the transient nature of bat roosts in trees it cannot be concluded that bats would not roost within the trees at some point in the future.

Based upon the available evidence roosting bats would not be affected by the development. However, if planning consent is granted, a condition could be attached to require the submission of a further survey before works commence.

### *Hedgehog*

There are no historical records of this priority species in the vicinity of the application site, the submitted ecological assessment however concludes that the species may occasionally occur on site. The incorporation of gaps under fences to facilitate the movement of this species through the site is required under condition 24.

## *Hedgerows*

Native hedgers are a priority habitat and hence a material consideration. Hedgerows 2 and 12 on site were identified as being Important under Hedgerow Regulations during the determination of the outline application. The loss of sections of Important hedgerow was anticipated at the outline stage, the submitted Tree Report also identifies the loss of sections of a number of other hedgerows as a result of the proposed development. Relatively limited native hedgerow planting is proposed as part of the submitted landscaping scheme and the proposed development, and so the development is likely to lead to an overall loss of hedgerow biodiversity. The landscape scheme includes an appropriate level of replacement native species hedgerows.

## *Bat and Bird Box provision*

The submitted mitigation strategy includes proposals for the incorporation of a number of bat and bird boxes.

## *Lighting*

A detailed lighting scheme has been submitted with this application. The revised lighting proposals are now considered to be acceptable.

Condition 24 Gaps for hedgehogs to be incorporated into all garden or boundary fencing/walling proposed within the site.

Acceptable proposals under this condition have been submitted.

Condition 25 A habitat management plan shall be submitted to and approved by the local planning authority

As, detailed above the submitted management plan includes details of how the retained pond would be managed for lesser silver diving beetle. The submitted habitat management plan is acceptable.

## Ponds

The submitted hydrological assessment of the ponds highlights a reduction in the catchment for the ponds as a result of the proposed development, which will result in the lowering of the water levels within the ponds. This effect can be mitigated through the diversion of rainwater to the ponds from the roofs of the adjacent proposed dwellings. In the event that reserved matters consent is granted a condition can be attached which requires submission of a scheme for the diversion of rainwater to the existing ponds. The scheme would need to be supported by evidence on the volume of water required to maintain the current water levels in the ponds and a detailed explanation of how the required volume of water would be provided.

## **Hazardous Installations**

Part of the site is located within the outer zone of a hazardous installation and the site frontage to Warmingham Lane is located within the inner zone of a hazardous installation.

The hazardous installation is identified on the HSE maps has now been varied following the approval of application 23/1902C. The line of the hazardous installation pipeline has been amended and the inner zone is confined to the site frontage with Warmingham Lane. No dwellings are proposed within the inner zone, only within the outer zone. The HSE has now assessed the application and has confirmed that it does not advise against the granting of planning permission on safety grounds.

## **Flood Risk**

The application site is located within Flood Zone 1 (low probability of river/tidal flooding) according to the Environment Agency Flood Maps. A Flood Risk Assessment (FRA) was submitted as part of the outline application.

The impact of the development in terms of drainage was considered as part of the outline application and condition 9 requires a scheme to limit the surface water run-off generated by the development and condition 10 requires the detailed design and associated management and maintenance plan for the surface water drainage.

The Council's Flood Risk Team has been consulted as part of this application and have raised no objection in principle whilst United Utilities have raised general comments only. As a result, the development is considered to be acceptable in terms of its flood risk/drainage implications and the drainage scheme will be considered as part of the discharge of conditions 9 and 10 attached to the outline consent.

## **Renewable Energy**

In support of this application, the applicant has advised that each dwelling will be provided with an air source heat pump. This will be secured via the imposition of a planning condition and will help to reduce the environmental impact of the development as well as energy bills for the future occupiers.

## **Community Facility**

The outline application makes reference to a community facility within the site. This was restricted to use classes D1 (non-residential institutions – clinics, health centres, nurseries, schools church halls etc) and D2 (assembly and leisure – cinema, music halls, swimming baths, indoor or outdoor sport/recreation), both use classes have now been replaced.

The completed S106 Agreement identifies that the community facility land shall be no less than 0.22 hectares (the proposed site plan shows that it would measure 0.22 hectares).

The S106 identifies that the community facility land shall be reserved for a period of 5 years from the commencement of development. At the written request of the Council between the commencement of development and a period of 5 years thereafter, the community facility land shall be transferred to the Council, or a party nominated by the Council.

## **Brine Subsidence**

Condition 15 attached to the outline planning permission requires the foundation design to be submitted and approved. These details have now been approved as part of application 23/3118D following no objection from the Brine Board.

## **Phasing**

Condition 22 attached to the outline planning permission requires phasing details for the whole development to be submitted with the first reserved matters application. This has been provided and is considered to be acceptable.

## **CONCLUSION**

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

The development will not have a detrimental impact upon residential amenity and would comply with Policies HOU12 and HOU13 of the SADPD.

The design of the proposed development has been the subject of revised plans and is now of an acceptable design. The design complies with Policies SE1 and SD2 of the CELPS, GEN1 of the SADPD, the CEC Design Guide and LCD1 of the Moston NP.

The POS is considered to be acceptable and would be a benefit to this scheme.

The proposed landscaping scheme does require some minor improvements, and this could be secured via the imposition of planning conditions. The development is acceptable in terms of its impact upon ecology and would comply with Policies SE1, SE3 (Biodiversity and Geodiversity), SE4, SE5 and SE6 of the CELPS, ENV1, ENV2 and ENV5 of the SADPD and Policies ENV1 and LCD1 of the MNP.

The tree losses on the site have largely been accepted as part of earlier applications and those additional trees lost would be mitigated via a revised landscaping scheme.

The drainage/flood risk implications for this proposed development are considered to be acceptable and will be dealt with as part of the conditions attached to the outline consent.

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 and parking provision is considered to be acceptable and complies with Policies SD1, SD2 and SE1 of the CELPS and INF3 of the SADPD.

The proposed development would comply with the Development Plan as a whole and as such is recommended for approval.

**RECOMMENDATION:**

**APPROVE** subject to the following conditions;

- 1. Approved plans**
- 2. External Lighting**
- 3. Materials to be submitted and approved**
- 4. Boundary Treatment to be submitted and approved**
- 5. Hard surfacing as approved**
- 6. This permission does not grant permission for an entrance statement**
- 7. At least 30% of dwellings in housing developments should comply with requirement M4 (2) Category 2 of the Building Regulations regarding accessible and adaptable dwellings**
- 8. At least 6% of dwellings in housing developments should comply with requirement M4 (3)(2)(a) Category 3 of the Building Regulations regarding wheelchair adaptable dwellings.**
- 9. SUDS Basin design to support toads**
- 10. Updated bat surveys of trees prior to removal.**
- 11. Safeguarding of nesting birds.**
- 12. Air Source Heat Pump Provision**
- 13. Landscaping scheme to include additional native species hedgerow planting within the site**
- 14. Submission of a strategy for the diversion of rainwater to the existing ponds supported by detailed evidence on the volume of water required to maintain the ponds and how this would be achieved.**
- 15. Submission of a Revised Landscape Scheme**
- 16. Implementation of Landscaping**
- 17. Tree Protection to be submitted and approved**

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

