

Application No: 23/2566N

Location: Land at Peter Destapleigh Way, Stapeley, Nantwich (Phase 2)

Proposal: Reserved matters application pursuant to outline planning permission ref: 12/3747N for the appearance, scale, layout, and landscaping for Phase 2 mixed-use development including employment development (comprising office and warehouse and light industrial buildings) and local centre with parking, service yards and associated infrastructure

Applicant: Muller Property Group

Expiry Date: 01-Feb-2024

SUMMARY

The application site essentially comprises the second phase of the mixed-use development of outline planning approval 12/3747N, which was granted on appeal by the Secretary of State on 15th July 2020 relating to land south of Peter Destapleigh Way. The principle for the mixed-use scheme including employment units, offices and retail units on this site has therefore been established. Full approval 12/3746N has also been granted for site access from Peter Destapleigh Way.

This application considers the approval of reserved matters including layout, scale, appearance, and landscaping relating to details of proposals for the siting of commercial components within the eastern part of the wider of the mixed-use development site known as Maylands Park.

The proposed scheme provides well designed buildings which integrate well with the context of the site and are designed in accordance with the approved quantum and uses permitted through the outline planning permission and the design code supporting reserved matters approval 22/3170N. The development subject to conditions is supported in design terms and the proposals accord with Policies; SE1, SD1 and SD2 of the CELPS, GEN1 of the SADPD, Policy C3 of the SNP and the Cheshire East Design Guide SPD.

The scheme achieves an acceptable relationship with the character of the locality, without material harm to neighbouring residential amenity and the proposed siting and design of commercial units would ensure acceptable levels of amenity for the occupants of the approved residential development within Maylands Park. As a result, the development would comply with Policies HOU 12 of the SADPD and policies C1 and C3 of the SNP.

The impact on the wider highway network arising from the mixed-use development of this site was addressed with during the consideration of the outline application. The internal road network meets relevant highways design standards, and adequate car parking is provided in accordance with parking standards identified in the CELPS. Therefore, the proposed access

arrangements for the development will not adversely affect highway safety or result in traffic management issues on the local highway network and as such complies with CELPS Policies CO2 & CO4, SADPD Policy INF 3, and SNP Policies T1 and T2.

The development includes satisfactory landscaping and planting, and also integrates well with its landscape context, in accordance with CELPS Policy SE4, SADPD Policy ENV5, SNP Policies GS1 and GS3, and the principles of design code.

It is considered that the ecological impacts will be mitigated and as a result the proposal complies with Policy SE 3 of the CELPS. The impact on trees and hedgerow is acceptable and would be mitigated by the proposed landscaping of the site, and a condition attached to protect retained trees.

The Council's Flood Risk Officer considers that subject to technical details being addressed the proposed surface water drainage system will satisfactorily serve the development.

Air quality and contaminated land matters were addressed at the outline stage, and subject to planning conditions of the outline approval which are required to be formally discharged.

The proposals are therefore considered to be acceptable in the context of the relevant policies of the Cheshire East Local Plan Strategy, the SADPD, the Stapeley & Batherton Neighbourhood Plan and the advice of the NPPF.

Recommendation: APPROVE subject to Conditions

DESCRIPTION OF SITE AND CONTEXT

The application site comprises the second phase of the mixed-use development of outline planning approval 12/3747N which was granted on appeal by the Secretary of State on 15th July 2020 relating to land to the south of Peter Destapleigh Way.

The application site is of an irregular shape (1.84 Ha) given approvals already granted for elements of the mixed-use scheme not forming part of this reserved matters application, and also adjoining land identified to accommodate a primary school.

To the west of this site is first phase of the mixed-use scheme for which reserved matters approval (22/3170N) was granted for a residential development of 188 dwellings, associated infrastructure and open space and ecological areas pursuant to outline planning approval 12/3747N.

Directly to the east of the mixed-use site lies the Stapeley Gardens development. Under reserved matters approval 22/3170N a Great Crested Newt (GCN) mitigation area is included within the mixed-use scheme to run alongside the eastern site boundary. This adjoins the Stapeley Water Gardens GCN compensation area.

Peter Destapleigh Way and the Cronkinson Farm residential development lie to the north of the site. An access road serving the mixed-use scheme will be provided from the existing traffic light junction off Peter Destapleigh Way, and which is subject to full planning approval 12/3746N.

The site is generally flat, former agricultural land bounded by native hedgerows to the south and east including some tree cover subject to a Tree Preservation Order. The southern boundary adjoins existing farmland.

DETAILS OF PROPOSAL

Outline planning approval (12/3747N) was granted on appeal by the Secretary of State in July 2020 for the following;

Proposed residential development for up to a maximum of 189 dwellings; local centre (Class A1 to A5 inclusive and D1) with a maximum floor area of 1,800 sq. Gross Internal Area (GIA); employment development (B1b, B1c, B2 and B8) with a maximum floor area of 3,700 sq. m GIA; primary school site; public open space including new village green, children's play area and allotments, green infrastructure including ecological area.

Reserved Matters approval (22/3170N) was subsequently granted in May 2023 for the residential component of the mixed use scheme now known as Maylands Park. This comprised 188 dwellings, associated infrastructure and open space including a NEAP and ecological areas.

This application seeks approval for Reserved Matters in relation to the appearance, landscaping, layout and scale, is essentially for Phase 2 of the mixed-use development pursuant to outline planning approval 12/3747N and comprises a Local Centre and Employment Development.

In accordance with the outline approval the proposed development includes:

- A local centre (1598 sq.m), comprising 6no. retail units
- An office building; (1755 sq.m)
- Warehouse and light industrial building (1927 sq.m) comprising 3no.units
- Car and HGV access, landscaping and associated infrastructure.

Access to the development will be via the access road leading southward from the traffic light junction on Peter Destapleigh Way which was also granted full planning approval (12/3746N) on appeal by the Secretary of State on 15th July 2020.

Planning permission (21/1703N) was also subsequently granted for a section of internal spine road leading on from the southern end of the access road to serve the mixed-use scheme, including the employment development and local centre which are the subject of this application. The proposal will also ensure that access is provided through to the future primary school site located beyond the local centre, but which is not part of this application.

The proposals have been devised using the indicative guidelines set out as part of the outline planning approval and the subsequent Design Code and Illustrative Masterplan approved as part of the first reserved matters planning application for residential development at the site (Ref: 22/3170N).

RELEVANT HISTORY

22/3170N - Reserved matters application pursuant to outline planning permission 12/3747N for the appearance, scale, layout and landscaping for Phase 1 residential development (Use Class C3) including internal access roads, public open space including NEAP, village green, community orchard and ecological areas, parking and associated infrastructure. Approved 26th May 2023

21/1703N - Full planning application for an internal spine road to serve land South of Peter Destapleigh Way. Approved 24th December 2021

12/3747N - Proposed residential development for up to a maximum of 189 dwellings; local centre (Class A1 to A5 inclusive and D1) with a maximum floor area of 1,800 sq.m Gross Internal Area (GIA); employment development (B1b, B1c, B2 and B8) with a maximum floor area of 3,700 sq. m GIA; primary school site; public open space including new village green, children's play area and allotments, green infrastructure including ecological area; access via adjoining site B (see below) and new pedestrian access and associated works Allowed on Appeal 15th July 2020 (Ref APP/R0660/A/13/2197532)

12/3746N - New highway access road, including footways and cycleway and associated works. Allowed on appeal 15th July 2020 (Ref APP/R0660/A/13/2197529)

POLICIES

Cheshire East Local Plan Strategy (CELPS)

PG 1 - Overall Development Strategy

PG 2 - Settlement Hierarchy

PG 6 - Open countryside

PG 7 - Spatial Distribution of Development

SD 1 - Sustainable Development in Cheshire East

SD 2 - 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 12 - Pollution, Land contamination and Land instability

SE 13 - Flood Risk and Water Management

CO 1 - Sustainable Travel and Transport

CO 2 - Enabling Business Growth Through Transport Infrastructure

CO 4 - Travel Plans and Transport Assessments

EG 1 - Economic Prosperity

IN 1 - Infrastructure

IN 2 - Developer Contributions

SC 1 - Leisure and Recreation

Site Allocations and Development Policies Document (SADPD)

PG9 - Settlement Boundaries
GEN1 - Design principles
ENV1 - Ecological network
ENV2 - Ecological implementation
ENV3 - Landscape character
ENV5 - Landscaping
ENV6 - Trees, hedgerows, and woodland implementation
ENV7 - Climate Change
ENV12 - Air quality
ENV15 - New development and existing uses
ENV16 - Surface water management and flood risk
HOU12 - Amenity
INF1 - Cycleways, bridleways and footpaths
INF3 - Highways safety and access
INF9 - Utilities
REC3 - Green space implementation
REC5 - Community facilities

Stapeley & Batherton Neighbourhood Plan (SNP)

The SNP was made on the 19 March 2018.

Policy GS 1 - Landscape and the Countryside.
Policy GS 2 - Open Space
Policy GS 3 - Woodland, Trees, Hedgerows, Walls, Boundary Treatment and Paving
Policy GS 5 - Environmental Sustainability of buildings and adapting to climate change
Policy GS 6 - Biodiversity
Policy T 1 - General Transport Considerations.
Policy T 2 - Pedestrian and cycle routes.
Policy T 3 - Footpaths, Cycleways and Bridleways.
Policy T 4 - Bus Services
Policy T 5 - Improving Air Quality
Policy T 6 - Identification of underground utility assets
Policy C 1 - Existing and New Facilities
Policy C 2 - New Business
Policy C 3 - Scale, Design and Amenity
Policy AWB 1 - Accessible GP practices
Policy AWB 3 - Provide for the sports needs of residents
Policy AWB 4 - Community Facilities.
Policy AWB 5 - Communications Infrastructure

Other Material Considerations

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)
Cheshire East Design Guide - SPD

CONSULTATIONS

Environmental Protection: No objection subject to conditions requiring the provision of noise mitigation in accordance with NIA, hours of operation (retail units), details of odour abatement scheme, details of external lighting and remediation of unexpected contamination and suitability of imported soils. Standard informatives relating to hours of construction, Piling, floor floating and dust management.

(Other than the recommended conditions to address unexpected contamination and use of imported soils, issues relating to contamination, air quality and details of external lighting are addressed under conditions of outline approval 12/3747N)

CEC Highways: No objection.

United Utilities: No objection. Further to the review of the submitted Foul & Surface Water Drainage Design Drawing 6591 01-13 (Dated June 2023) the proposals are considered acceptable.

Flood Risk Manager: No objection. Subject to a condition requiring the submission and approval of a detailed surface water drainage scheme based on the principles of the approved Flood Risk Assessment (FRA) and Drainage Strategy.

Stapeley Parish Council: Objects to the application on the grounds summarised below;

- Supporting Planning Statement does not refer to policies GS5, T4, T5, C1, C2, C3, AWB4, AWB5 of the Stapeley Neighbourhood Plan that are key to new development, and also fails to demonstrate how Neighbourhood Plan policies have been adequately addressed by the proposals. The reserved matters application is therefore inadequate for determination.
- Proposed access arrangements focus solely on vehicular access and other sustainable, transportation options are not considered.
- No consideration of measures to facilitate cycle, pedestrian and public transport movements, or increase them, as sustainable transport options. Policies not assessed against relevant Neighbourhood Plan Policies T2 and T3.
- The height, elevations, and scale of the office building and light industrial units completely out of keeping with the local area (no buildings in the area are of such a height and width). Their height and elevations would dominate surrounding retail and housing.
- Proposed provision of electric vehicle charging points for just 5% of parking spaces is inadequate. Minimum provision required for 66.67% parking spaces (100 spaces) with electric vehicle charging points.
- No traffic plan submitted.
- Transport plan only considers Pear Tree/Peter Destapleigh Way (A530) junction, not the two nearby, busier, junctions of London Road (A51)/Elwood Way (A51)/A530 and B5074 (Newcastle Road) / A51 / Elwood Way (A51), both of which will be used by commercial traffic accessing the site. The report does not consider how traffic types and volume will change as a result of the proposed development.
- Proposed parking insufficient for the retail, commercial and office development, let alone if the proposed Primary School were to be built. As a minimum, parking restrictions must be imposed on Peter Destapleigh Way and the roads feeding into the proposed development.

- The developer should be required to fund appropriate public transportation improvements (e.g. additional buses/bus routes).
- Provision of lay-by on the approach road to the school which will be used by articulated lorries. There is no provision for appropriate turning space and will result in either turning over a crossing or reversing out onto the feeder road.
- Lack of future control of noise levels from commercial and industrial units.
- Hours of operation 07.00-23.00 for retail and unlimited for industrial units seem unreasonable.
- Measure required to control the hours of movements for lorries and deliveries
- Measures required to mitigate the Impact of the noise and other pollution (e.g. light, air) on nearby existing residential properties.
- The supporting “Sustainability Statement and Energy Strategy – Maylands Park” ignores relevant policies contained in the Stapeley and Batherton Neighbourhood Plan including policies GS5, T5, T2, T3 and T4. Therefore, the evaluation of sustainable design and adaptation to climate change is inadequate.
- The Sustainability Statement contains factual errors and does not propose any sustainable transport provision for the site, including proposals for adequate public transport, cycle or footway links and contrary to SNP Policies T2 and T3.
- Inadequate details of plans to divert existing field drains given need to prevent flooding in the area of the proposed development.
- No details provided of impact on badger sett recorded within the site.
- A 5 year landscape management plan is inadequate for the development. An absolute minimum of 25 years land management commitment by the developer is vital.

REPRESENTATIONS

14 Representation have been received objecting to the application the concerns raised are summarised below;

- Loss of open countryside.
- The size and appearance of the development out of keeping with the character of residential and rural area.
- Development should be sited at existing warehouse / business locations such as those off the A500 where road infrastructure is better suited for access.
- Siting of warehouse/light distribution centre is inappropriate and set a precedent for industrial style development.
- More suitable, brownfield sites should accommodate this type of development.
- Considerable variations from the proposals submitted in 2017 including the removal of the primary school and the relocation and redesign of the employment area.
- A new primary school should be a mandatory part of the application and not be optional.
- The original plans stated there would be development of 2 storey buildings and these have been updated to 3 storey. This will increase capacity of these buildings, result in increased traffic and be detrimental to appearance of locality.
- Adverse visual impact and unattractive outlook of 8m high distribution warehouse, 6m high light industrial units and 3-storey office block when viewed from properties of Stapeley Gardens Estate.
- No justification for the extra storey of office space.
- Questionable logic behind the addition of retail units beyond a convenience store which and may remain/become vacant in the future.
- Proposals will result in Noise, light and air pollution.

- Development will exacerbate existing problems of traffic congestion on Peter Destapleigh Way, London Road and Newcastle Road Increase in traffic congestion at key/peak times.
- Detrimental to highway safety.
- Increased damage to road surfaces by large vehicles harmful to safety of other road users.
- Increased volume of traffic and HGVS close to local schools not compatible with safe routes to schools
- Inadequate highways infrastructure to support the increase volume and nature of traffic along Peter Destapleigh Way and feeder roads resulting in queuing to enter and exit the site, causing traffic congestion, increased noise, light and air pollution.
- Peter Destapleigh Way does not cope with existing the levels of traffic. In the morning and evening there can be very large queues of vehicles at the traffic lights at London Road and Newcastle Road junctions
- An up to date traffic survey should be conducted during school term times to better reflect the impact of increased traffic and its speed.
- Focus required on sustainability of all elements of the build and long term use of the site including more electric vehicle charging points, increased pedestrian and cycle access, and provision of public transport.
- Reduction of speed limit to 30mph along all of Peter Destapleigh Way
- Inadequate space for delivery vehicles to manoeuvre within the site. Restrictions required for parking and waiting on the access road, spine road and feeder roads.
- 24 hour use of commercial and industrial buildings. Tighter restrictions required for both times of use and deliveries.
- Prohibit waiting and parking along the access road and relevant parts of the spine road, to avoid the additional nuisance of HGVs loitering prior to premises opening or parking overnight.
- Noise from numerous HGV's using the access road on a daily basis and at night.
- Noise assessment inadequate and impact on Stapeley Gardens estate not addressed.
- Noise mitigation should be offered to all houses affected by the access road including installation of triple glazing and wall insulation.
- Suitable physical barriers required to mitigate noise light and air pollution to residential properties from access road and to prevent unauthorised pedestrian access into the Stapeley Gardens estate. A barrier hedge would have environmental benefits through reducing air pollution and supporting wildlife.
- Overlooking of properties from access road.
- Noise, vibration and disturbance resulting from construction of access road
- Adverse impact of construction work within mixed-use site.
- Office car park surrounded by oppressive and unnecessary 1.8m high wall and hidden car park will become a target for anti-social activity.
- lack of green space for outdoor recreational activity.
- Local infrastructure including health services, emergency services and schools already overly stretched, and roads need major upgrades if the town continues to expand.
- Inadequate local postal service, refuse collection and provision of bus stops.
- Adverse impact on wildlife from light pollution.
- Reduction in biodiversity.
- increased risk of flooding.
- Entrance wall feature proposed at junction of access road with Peter Destapleigh Way which was refused planning consent (22/0312N) is shown on drawings.
- Condition surveys for properties of Stapeley Gardens estate close to access/spine road not conducted in a timely fashion, or not completed by developer.

- Resident not informed when purchasing property at Stapeley Gardens estate that it would be close to an industrial units.

A Letter of objection has been received from Cllr John Priest also on behalf of Cllr Geoff Smith, as set out below;

"I am writing on behalf of Geoff Smith and I as Cheshire East Councillors for Nantwich South and Stapeley Ward. We are concerned about the plans for development on these referred matters due, primarily, to the proposals for the inclusion of warehousing and light industrial elements in the application. One of the key issues in the Ward, raised countless time by constituents, is the volume of traffic and the effect this is having in terms of pollution, noise and accelerated deterioration in the state of the roads. This development as it stands can only mean a significant increase in Heavy Goods Vehicle use of existing roads and the exacerbated consequences that will ensue on these issues. The building of warehousing and distribution facilities is also not in keeping with the character of the local area, which is currently primarily residential, and there is no precedent for a development of this nature. We object to the proposals on these aspects and would request that these concerns be taken into account on behalf of residents and invite the developer and the planning officers to seek alternative solutions to land usage in this section of the application."

OFFICER APPRAISAL

Key Issues

- Principle of development
- Design/Layout
- Landscape
- Amenity
- Highways
- Ecology
- Trees
- Air Quality
- Flood Risk/Drainage
- Energy Efficient Development

Principle of Development

The principle of the development for a mixed-use scheme on the site together with the associated access from Peter Destapleigh Way via a new road from the traffic light junction has been established under full planning approval 12/3746N (access road) and outline consent 12/3747N (mixed use scheme) which were granted on appeal by the Secretary of State in July 2020.

This application is for the approval of reserved matters relating to details of proposals for the siting of commercial components within the eastern part of the wider of the mixed-use development site. These consist of retail (local centre), offices, light industrial and warehouse units with associated car parking, landscaping and associated infrastructure pursuant to outline approval 12/3747N.

The description of development of outline planning approval 12/3747N permits the provision of a Local Centre (Class A1 to A5 inclusive and D1 uses) of up to 1,800 sq m in floorspace and employment development (B1,B1c, B2 and B8 uses) of up to 3,700 sqm. No specific height parameters for buildings were specified as part of the outline planning permission.

The proposed development therefore falls within the overall quantum of development and mixed uses permitted under outline planning permission 12/3747N.

As a result, details of the Layout, Scale, Appearance and Landscaping are the principal considerations for the proposed development, and the details of all relevant technical matters are discussed within the report.

An indicative masterplan accompanies the outline approval and sets out the main components of the mixed-use development. However, this cannot be considered as the definitive layout or design of the development. In particular Condition 3 of outline planning approval (12/3747N) requires this reserved matters application to only “refer” to the submitted and indicative drawings.

As a result, it is therefore inevitable that these detailed proposals include changes to the indicative drawings of the outline approval and these changes are addressed below. Importantly highway access to the site via the traffic light-controlled junction on Peter Destapleigh Way was granted full planning approval (12/3746N) on appeal by the Secretary of State in July 2020. A further planning approval (21/1703N) was granted for an internal spine road leading from the southern end of the access road approved on appeal to serve the mixed-use development site, including the commercial parcels which are the subject of this reserved matters application.

Condition 21 of the outline approval (12/3747N) requires;

The first reserved matters applications shall include a Design Code for the site and all reserved matters application shall comply with provisions of the Masterplan submitted with the application and the approved Design Code.

In accordance with Condition 21, the application for the reserved matters application for the residential element of the mixed-use scheme (22/3170N) was supported by a Spatial Design Code (including a Masterplan), this design code included detailed information for the residential parcel (Phase 1) and high-level indicative information for the mixed-use parcels.

Reserved matters planning application 22/3170N was also supported by an overall Phasing Plan for the mixed-use development. The agreed Phasing Plan provided a flexible framework to ensure the delivery of the principal components of the mixed-use scheme for future phases and set out the phases as follows:

Phase 1 - Spine Road

Phase 2 - Residential development including public open space scheme.

Phase 3 - Flexible Use – commercial and/or site for primary school site

Phase 4 - Mixed Use - employment/ other outline approved end uses

Phase 5 - Mixed Use - employment/ employment/other outline approved end uses

This reserved matters application relates to the parts of the site subject to Phases 3, 4 and 5. The uses proposed fall within the flexible uses for these phases indicated on the Phasing Plan.

The outline planning permission allows for the future provision of a primary school site within the mixed-use development. Although approval of the primary school is not sought as part of this reserved matters application a site (1.2 ha) it is shown on the submitted site layout to the west of the proposed local centre. The supporting Design and Access Statement also includes an indicative layout for the primary school including access, parking, drop off and turning area.

It should also be noted that the overall mixed-use development approved on appeal is bound by the terms of the S106 agreement, to secure the following:

- Affordable housing provision (30%)
- Education contribution: Secondary £441,253 and SEN £91,000
- Highway contributions: including financial contribution towards a bus service, provision of new bus stops and for a pedestrian crossing on Peter Destapleigh Way (position to be agreed)
- Provision of NEAP, Open Space provision and management
- Provision and future management of Local Nature Conservation Area (LNCA)

In summary, it is considered that the inclusion within the mixed-use development of a local centre (retail use) and the proposed employment uses are acceptable in principle, and detailed design and technical issues relating to this reserved matters application are addressed below.

Layout / 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 also reflected in the CEC Design Guide, and also echoed by SNP Policy C3 which requires that new employment development must demonstrate good quality design through responding to and integrating with its local surroundings, landscape context and the built environment.

This application follows an earlier Reserved Matters application 22/3170N approved for the residential element of the site in May 2023. As a part of the earlier application a spatial design code was developed, and this has provided guidance to the proposals considered here.

The Council's Design Officer has undertaken an assessment of the application for each component of the scheme, and these comments are referred in the commentary below.

Residential Gateway (Local Centre)

A neighbourhood shopping centre consisting of 6 no retail units, including a convenience store, is located along the western edge of the approved spine road.

These two-storey buildings will provide an active frontage, with parking areas to front and rear incorporating dedicated pedestrian link between the two to provide connectivity and permeability.

The Design Officer considers that the design and layout of the local centre buildings achieve an appropriate transition between this commercial element and adjacent residential development. The rhythm of the distinctive, front-gabled design of retail units satisfactorily turns the corner to open up the residential area. A limited and consistent palette of materials together with a gradation in its scale and height further ensures an acceptable visual relationship is achieved between the local centre and the approved residential element.

In particular, the relationship between the house on Plot 188 and the adjacent retail unit, and more specifically the potential impact of noise associated with the service yard/car park to the rear has been addressed. An acoustic barrier fence and trees planting is provided between the rear garden of Plot 188 (and also Plot 175) and the service yard/car park to the north.

An accessway off the spine road will serve the rear car park of the local centre but also provide access to the primary school site (not subject to approval under this reserved matters application). The school site and its proposed access is addressed below.

Office Building

The Design Officer considers that the freestanding 3-storey, office building is of siting and design which will act as an appropriate 'gateway' building to the development at the entrance to the mixed-use scheme. It is sited on eastern side of the spine road leading from Peter Destapleigh Way and positioned in accordance with key focal viewpoints identified by the design code.

Parking areas to the south of the building, are screened from the spine road through a combination of soft landscaping and a brick boundary wall. Amended plans have however been received which reduces its height to 1.5m and whilst still providing necessary enclosure, it will not be an unduly dominant feature in the street scene.

The architectural design and proposed materiality of this contemporary building is of a robust yet simply articulated form. This use of masonry walls punctuated by tall, narrow window openings combined with the use of large areas of glazed curtain walling is considered to be successful in design terms.

Overall, the Design Officer considers office block to be a well-designed building which will successfully act as an appropriate gateway feature to the mixed use scheme.

Light Industrial and Warehouse Units

The proposed light industrial units (Units E & F) and warehouse unit (Unit (D) have been located to the southern part of the site in a more position further from the residential element of the mixed use scheme. The indicative masterplan and phasing plan originally sited Employment Units in a central position within the scheme immediately adjacent to dwellings and POS.

The ridge heights of the industrial and warehouse units are between 9.11m and 11m, with eaves heights between 7.18m and 9.07m. However, the heights of these units, reflect those typically required for the operation of these uses, including storage. As a result the

warehouse unit is required to be of 8m height to the haunches of its steel frame, while 6m is required for the operation of the light industrial units.

The elevations of these units facing the spine road have been designed to visually break down their massing. This includes staggered frontages, ensuring they are of an appearance which achieves an appropriate visual relationship with the domestic scale buildings on the opposite side of the spine road.

A significant distance is maintained with properties to be sited opposite, given the provision of green verges, tree planting and landscape buffer treatment on each site of the spine road. Furthermore, frontage parking further off-sets the industrial units from the spine road which will incorporate soft landscaping with parking separated into a number of discrete areas, with landscape breaks between them. Servicing and loading bays are sited and contained to the rear of the industrial and warehouse units.

The Council's Design Officer has advised that the location of this element is considered to be the most appropriate on the site. However, whilst this siting and elevational design detailing reduces their visual impact of these units, these are recognised to be relatively large, buildings within the scheme, and the combination of hedgerows and the boulevard trees are key to softening their appearance commercial units.

The visual impact of these light industrial units from distant views, including from Broad Lane to the south and existing residential properties of the Stapeley Gardens estate to the east, has been addressed by an updated LVIA. This landscape assessment concludes that the site remains relatively well screened either by adjoining urban areas, (including the Stapeley Water Gardens site); the other built development to the north east and south by vegetation that lines footpaths, field boundaries and road routes.

Future Primary School Site

Whilst not part of this Reserved Matters application the site layout plan indicates the future provision of a primary school site to the west of the local centre. The proposed location has changed from that shown on the indicative masterplan and also the spatial design code supporting the previous reserved matters application. However, the Design Officer considers the alternative site to be more suitable as the school is located closer to the housing, on the same side of the access road, and provides potential additional surveillance of the POS and play space (NEAP) to the west of the site.

It is recognised that the vehicular access from the Spine Road to the school site is via a shared access road also serving rear parking and service areas of retail units of the Local Centre, and this may have the potential to cause issues at school drop-off and collection times. However as set out in the in the highways section of this report, the Council's Highway Engineer advises that the design of this access in terms of width is acceptable with footways on both sides of the road. It is considered that the site allocated for the school (1.2 ha) is large enough to provide for drop-off facilities and parking within it, and such facilities would need to be provided should the school site come forward. In addition, although a service lay-by for the local centre is also proposed along this access road, a TRO would be applied to ensure it is used for loading purposes only.

Streets

The specification of hard surfacing materials should be in line with the materials set out in the design code accompanying planning approval 22/3170N, and the Cheshire East Borough Design Guide, 'Market Towns and Estate Villages' character area hard surfacing materials palette. The Design Officer considers that the continuity of surfacing materials through the entirety of the development, including residential and commercial elements will have the effect of unifying of the varied uses across the site, A condition is therefore recommended requiring the submission and approval of hard-surfacing materials.

Architecture and Materials

The Design Officer considers that the influence of the design coding approach is clear, with the continuation of the materials palette and proposed detailing is welcomed, as in design terms it ties in together the residential and commercial phases of this mixed- use development. A condition is however recommended requiring details of facing materials to be submitted for approval.

Overall

In summary, the Design Officer considers that the overall masterplan/coding approach has ensure that the commercial elements of the mixed use scheme will achieve a reasonably harmonious relationship with the residential development already approved within the site. It is recognised that the consistent use of materials throughout the scheme, and the transition from retail/commercial to residential is handled sensitively and well.

Overall, it is considered that the scheme provides well designed buildings which integrate well with the context of the site, and accord with the approved quantum and uses permitted through the outline planning permission and the principles of the design code supporting reserved matters approval 22/3170N .

It is considered that in design terms the proposals comply with Policies; SE1, SD1 and SD2 of the CELPS, GEN1 of the SADPD, Policy C3 of the SNP and the Cheshire East Design Guide SPD.

Landscape

The layout for this commercial phase is set within a strong landscape framework for the wider mixed-use site. The landscape proposals have been devised to complement the landscaping scheme already approved for the spine road which includes a tree lined avenue, green verges and landscaped buffers. It will provide additional green infrastructure between the road and the proposed local centre, industrial units and office building.

In particular, areas of parking will be either broken up or screened with landscape breaks including native hedge, shrub and tree planting along with ornamental shrubs and wildflower planting to minimise the visual impact of frontage car parking.

The Council's Landscape Officer advised the overall, the proposed planting and landscape plans for the scheme are of good quality in most places. However, some relatively minor amendments were necessary to address issues including;

- replacement of some awkward/small areas of amenity grass next to parking areas with ornamental shrub planting
- additional native trees to soften the site boundary and feature trees in selected locations
- an adjustment to the landscape scheme to ensure the provision of a footpath along the frontage of retail unit 1 to provide pedestrian access directly to the local centre from the spine road to the north .

Amended landscape layout and planting details have been submitted, and the Landscape Officer has advised that the changes satisfactorily address these issues.

The submitted Landscape Management Plan is considered broadly acceptable but with regards to failing/dead trees, a condition is recommended to ensure that the life of the management contract is for at least 30 years.

The siting of the proposed commercial components within the mixed-use scheme vary considerably from the indicative masterplan considered at the outline stage. This includes the siting of employment uses (warehouse and industrial units) adjacent to the southern boundary of the mixed-use site with open countryside and adjacent to the eastern boundary with the Great Crested Newt compensation area of the Stapeley Water Gardens redevelopment.

As a result the Landscape Officer requested that an updated Landscape Visual Impact Assessment (LVIA) be provided to assess whether proposed boundary/screening landscape will be effective in softening the impact of the layout now proposed.

An updated LVIA has been submitted. This considers the original Tyler Grange assessment supporting the outline application and the additional viewpoints now provided to reflect the layout /design of the development now proposed by this application. The updated LVIA concludes that there “remains a low level of landscape impact within an area already identified for development (spine road and Phase 1 residential development already consented).”

The LVIA considers that “the site remains relatively well screened either by adjoining urban areas, (including the newly developed Stapeley Watergardens site); the other built development to the north, east and south; or by vegetation that lines footpaths, field boundaries and road routes”. It consequently concludes that the visual effects of the development will not change materially from those identified when the outline application on (12/3747N) was considered.

The Landscape Officer considers the updated LVIA to be satisfactory and concurs with findings and conclusions concerning the proposed development of the site.

It is considered that the development includes satisfactory landscaping and planting, and also integrates well with its landscape context, in accordance with CELPS Policy SE4, SADPD Policy ENV5, SNP Policies GS1 and GS3, and the principles of design code.

Amenity

SADPD Policy HOU 12 (Amenity) that new development should not be permitted if it is deemed to cause unacceptable harm upon neighbouring amenity such as from visual intrusion or noise and disturbance. SNP Policy C3 (Scale, Design and Amenity) requires that all new employment development responding to and integrating with local surroundings and should not therefore have an adverse amenity of adjoining properties. SNP Policy C1 also requires that proposal

for new community facilities will be supported provided they would not have significant harmful impacts on the amenities of residents or on other neighbouring uses.

Existing Properties - Stapeley Gardens Estate

The nearest residential property to the site is a freestanding, 3-storey apartment block within the Stapeley Gardens estate located on the southern side off Thalia Drive and 43m from the northernmost application site boundary. This apartment block is consequently located 50m from the northern elevation of the proposed office building, although it is set at oblique angle towards this elevation.

Properties of the Stapeley Gardens estate (Thalia Drive and Snowcrest Place) also face towards the mixed-use site across a substantial parcel of undeveloped land which is retained for ecological mitigation in association with the redevelopment of Stapeley Water Gardens site. As a result, significant distances of between 80 -100m remain between these properties and the northern and eastern boundaries of the mixed-use site.

Furthermore, an ecological mitigation area will also be provided within the mixed use site, running alongside its entire eastern boundary and adjoining the substantial GCN compensation area of the Stapeley Gardens estate. As a result, the office building is set 19m into the mixed-use site, and at its nearest point the warehouse unit (Unit D) is sited 38m from the eastern boundary.

It is also important to note that the eastern boundary of the mixed-use site is defined by existing hedgerows and protected, field boundary trees, which will filter views of the site from nearby properties and help soften the appearance of the development.

It is therefore considered that given the relationship between the development and existing properties of the Stapeley Gardens estate, the siting or operation of the development will not result in unacceptable harm upon neighbouring amenity such as from visual intrusion noise and disturbance, or result in any over-dominating or overbearing impact.

The concerns raised by local residents of the Stapeley Gardens are understood as regards the use of the access road which passes their properties to serve the mixed- use site from Peter Destaplegh Way. However, the impact of the approved access road (12/3746N) serving the mixed-use scheme on the amenities of nearby properties or the wider locality in terms of noise, light pollution or air quality arising from traffic movements, were not issues considered by the Secretary of State as reasons to withhold planning permission.

Furthermore, the approved access road lies outside of the site of this reserved matters application, and consequently only detailed matters relating to this defined part of the mixed-use scheme can be addressed. Therefore this application cannot require the provision of further measures, such as the provision of a physical barrier between the access road and adjacent properties of the Stapeley Gardens estate for noise attenuation , additional security or to reduce light pollution.

Approved dwellings - Maylands Park

As referred to by the design/layout section above, the siting of the industrial and warehouse units within the southern part of the site which maximises their distance from dwellings of the approved residential element of the mixed-use scheme.

In support of this application, the applicant has submitted a noise impact assessment (NIA) which relates to the proposed site layout as commercial and retail properties are located in close proximity to approved residential properties of Maylands Park.

The Council's Environmental Officer has advised that the impact of the noise from road traffic and the commercial units of the proposed development has been assessed in accordance with:

- BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings
- BS4142:2014 Methods for rating and assessing industrial and commercial sound

An agreed methodology for the assessment of the noise source.

The report recommends noise mitigation measures (at section 5) designed to achieve BS8233: 2014 and WHO guidelines to ensure that future occupants of the properties / occupants of nearby properties are not adversely affected by noise from the commercial units / noise from the development/ transportation noise sources. These include;

- 3m high, acoustic fencing to the southern and western edges of the service yard of the Local Centre (adjacent plots 118 and 175)
- sound insulation requirements for building envelopes of light industrial units to be determined by a specific operator/at detailed design stage.
- detailed specification of equipment and plant to be installed for retail units shall be provided for approval to ensure there is no disturbance from noise.

The Environmental Health Officer (EHO) has advised the report's methodology, conclusion and recommendations are accepted. In addition the EHO has considered that the mitigation measures recommended by the NIA are acceptable in safeguarding the amenities of future residents of Maylands Park from noise, and planning conditions to secure the following are recommended to ensure;

- The mitigation recommended in the acoustic report 14432A-20-R01-03-F dated June 2023 shall be implemented in full prior to the occupation of each unit / dwelling / phase
- Operations / Opening Hours/Deliveries to be restricted to within the following hours for all retail units:

Monday – Friday	0700 hrs	2300 hrs
Saturday	0700 hrs	2300 hrs
Sunday	0700 hrs	2300 hrs

To further safeguard residential amenity, the EHO recommends that further conditions are necessary requiring details of an odour abatement scheme for any units providing cooked food and the approval of details of external lighting. Condition 19 of the outline approval (12/3747N) already requires the approval of the lighting scheme for each phase of the mixed-use scheme prior to the commencement of development.

It is therefore considered that the proposed commercial mixed-uses can satisfactorily assimilate with the approved residential development (22/3170N) at Maylands park site and safeguard the amenities of future residents in terms of visual intrusion, noise and disturbance.

Highways & Accessibility

Background

It was established under full planning approval 12/3746N (access road) that the access to the mixed-use development will be via the traffic light-controlled junction of Peter Destapleigh Way and Pear Tree Field. The detailed junction arrangements for the access road with Peter Destapleigh Way were approved under full planning approval 12/3746N. In addition, Condition 12 of the outline approval requires that no development is to commence until MOVA traffic signal control systems have been installed at the site access junction from Peter Destapleigh Way and at the Audlem Road/Peter Destapleigh Way traffic signal junction.

The S106 agreement accompanying 12/3747N requires the payment of a financial contributions towards the provision of a new pedestrian crossing facility on Peter Destapleigh Way, provision/upgrading of bus stops in the vicinity and towards the funding of a bus service to the site.

In addition, there is a separate approval (21/1703N) for the main internal spine road serving the mixed-use site which connects with the southern end of the approved access road leading to the junction with Peter Destapleigh Way (12/3746N). This route incorporates a cycle way/ footway which provides reasonably direct access from the mixed-use site to the primary school located off Pear Tree Field via pedestrian crossing facilities at the traffic light-controlled crossroads junction which will be improved in accordance with planning approval 12/3746N.

However, this reserved matters application only considers the internal design and road layout of the application site, as access via the access/spine road has already been approved.

Highway Assessment

This is a reserved matters application for the local centre and employment elements of the mixed-use site only. Details regarding access to the site from Peter Destapleigh Way and off-site traffic impact was addressed by the outline application 12/3747N and full approval 12/3746N as set out above.

Two accesses from the spine road serve the parking areas of retail units within the proposed local centre. The office building and industrial/warehouse units are served from a single access from the spine road.

All the junctions off the spine road are priority junctions, the retail access width is 5.5m and the commercial width is 6.75m which is an acceptable standard. Swept paths have been submitted for both refuse and commercial vehicles entering the access road and being able to turn within the site.

The proposed parking provision is 58 spaces (Office), 52 spaces (light industrial/warehouse units) and 84 spaces (Retail). Accessible parking spaces have been provided for each of the separate units together with cycle parking provision. The Council's Highway Officer advises that the level of parking provided is acceptable, being consistent with the requirements of the CELPS.

Whilst not part of this application, allocation has been made for a school site to the rear of the retail site which would be likely served by the same access. The design of the access in terms of width is acceptable and there are footways on both sides of the road. There is a service lay-by proposed and this would need a TRO applied to ensure it used for loading purposes only. The allocated site for the school is large enough to provide for drop off facilities and parking within it and these facilities would need to be provided should the school site come forward.

In summary, the Council's Highway Officer raises no objections to the proposals as all of the new junction access points are acceptable in regards to their capacity for the level of trips expected, However the road junction design should include for LTN 1/20 cycle crossings, and a condition is required to ensure these are provided. Sufficient visibility is available in both directions at each access point. The level of parking provision is acceptable.

The sites are connected to the footway and cycle via the facilities provided along the new spine road and also through to the adjoining housing component of the mixed -use scheme through the network of public footpaths passing through POS and alongside the northern site boundary.

The Highway Officer notes that there are likely to be parking issues at drop-off /collection time should the school site come forward as parking may occur in the retail scheme and also along the access road, and for this reason parking restrictions should be considered along the access road. The effect of the parking impact can however be mitigated through securing sufficient parking space within the school site.

Therefore, the Highway Officer concludes that there are no technical reasons to object to the proposals as submitted. The traffic impact of the mixed- use proposals have already been dealt with in the outline stage and it is not therefore necessary for further assessment at this stage.

Ecology

There are various ecology matters to consider and these are broken down into the following subsections and assessed accordingly. A number of conditions of the outline approval concerning ecological issues are relevant to the consideration of this application as follows;

Condition 18 - Reserved matters application shall be accompanied by a detailed Ecological Mitigation strategy including a great crested newt mitigation.

An updated ecological assessment and mitigation strategy have been submitted as required by this condition.

Great Crested Newts are known to be present in a number of ponds in close vicinity to the application site and the application site supports suitable terrestrial habitat for this species. The proposed development would result in the loss of suitable terrestrial habitat and pose the risk of killing or injuring any newts present on site. The applicant has however already obtained a Natural England protected species license and great crested newts have been removed and excluded from the proposed development site. The Council's Ecologist therefore advises that based upon the current status of the species on site, the proposed reserved matters application would not result in a breach of the habitat regulations in respect of this species.

Two inactive badgers setts have been closed on site in advance of development commencing. A third sett was also recorded during surveys of the wider site, but this is considered to be sufficiently far away to not be affected by the development proposed by this reserved matters application.

The Council's Ecologist considers that the submitted mitigation strategy (version 6) is acceptable to fulfil the requirements of this condition.

Condition 20 All trees with bat roost potential shall be retained.

The identified trees are retained under the submitted arboricultural report and landscape plan as required by this condition.

Additional conditions

The Council's Ecologist recommends a condition should be attached to secure the implementation of the submitted landscape management plan (June 2023) for a period of 30 years.

Trees

The Forestry Officer has noted that the area to the east of this application site and up to the mixed-use site boundary will be part of the Great Crested Newt compensation area, the details of which were approved as part reserved matters approval 22/3170N.

However, the arboricultural assessment focused on the residential element of the proposals of planning approval 22/3170N, and the implementation of landscape features (pond and swales) within the compensation area in close proximity to protected field boundary trees was not considered, and as a result no tree protection or methodology for implementing these works was accounted for. Although outside the boundary of this application, the impacts to trees will nevertheless need to be considered in any event prior to implementation stage to address excavation and landscape works close to Root Protection Areas (RPAs) of retained and protected trees.

The application has now been supported by an updated Arboricultural Impact Assessment (AIA/NCH/06/23 Rev A) and Boundary Treatments Plan (L030 Rev B) which confirms the position of a barrier between the eastern boundary and the development area. Subject to construction being implemented in strict accordance with the AIA and Tree Protection Plan, the Forestry Officer advises that the submitted information is acceptable in terms of confirming impacts and minimising the negative effects of construction to retained trees.

The Forestry Officer raises no objection to the proposals subject to a condition being attached requiring the development to be carried out in accordance with the tree protection and special construction measures identified in the Arboricultural Impact Assessment.

Air Quality

Policy SE12 of the CELPS states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. SNP Policy T5 (Improving Air Quality) echoes these objectives, and also set out the required details of Air Quality Assessments.

However, the impact on Air Quality from the mixed-use development was considered at the outline stage. To mitigate the impact on air quality, conditions were imposed on the outline approval requiring the provision of Electric Vehicle Infrastructure (Condition15).

To mitigate the impact on air quality, conditions were imposed on the outline approval requiring the approval of travel plan by the LPA prior to the first occupation of buildings (Condition 13) and also the provision of Electric Vehicle Infrastructure within the development on (Condition15).

As part of this reserved matters application the developer has stated that 5% of the car parking spaces will be for charging points but the Environmental Protection Officer has nevertheless advised that details of those charging points will need to be supplied to ensure they are fit for purpose. Details of an agreement to supply cabling for a further % will also need to be supplied.

However these details are required to be approved under Conditions 13 & 15 of the outline approval and therefore form no part of this application.

Flood Risk/Drainage

Drainage and flood risk issues were addressed at the outline stage. Condition 4 was imposed on the outline approval requiring that development shall not commence until details of a scheme for the disposal of foul and surface water from the development has been submitted to and approved in writing by the LPA.

Details of the drainage strategy for the mixed-use site were set out during the consideration of reserved matters approval 22/3170n for the residential phase of the scheme. The LLFA and United utilities raised no objections in principle to the Reserved Matters Application and the proposed Drainage Strategy.

The supporting drainage statement accompanying this application sets out that surface water will drain via the drainage system routed along the spine road and then running west to be contained within an attenuation basin located within POS of the approved residential area. A connection from the basin will then be made by gravity on a restricted basis to the United Utilities public surface water sewer system in Peter Destapleigh Way.

In terms of foul drainage it is proposed that the overall mixed-use development will drain to an adoptable pumping station located adjacent to the attenuation basin. A pumped connection will then be made to the United Utilities combined sewer system in Audlem Road to the west.

The supporting Drainage Statement also points out that with any greenfield site there are land drains which link into the drainage network, and here a drainage ditch runs from east to west along the northern boundary. Nevertheless, greenfield flows into this system will be substantially removed by the introduction of the development and the surface water drainage system described above.

The LLFA raises no objections to the proposals subject to the a condition requiring approval of a detailed surface water drainage scheme based on the principles set forward by the approved Flood Risk Assessment (FRA) and Drainage Strategy. United Utilities confirm that further to a review of the submitted Foul & Surface Water Drainage Design Drawing the proposals are acceptable.

Energy Efficient Development

SNP Policy GS5 (Environmental Sustainability of buildings and adapting to climate change) requires that new developments should seek to achieve the highest standards of sustainable development by incorporating, where practicable, features that improve environmental performance, including the use of new appropriate technologies.

The submitted Sustainability and Energy Statement sets out the overall approach to ensure the development optimises the use of decentralised, renewable and low carbon energy sources.

It is proposed that the development will be designed with a fabric first approach with U-Values, design air permeability and ventilation targets all aspiring to exceed Building Regulations Part L standards. High efficiency air source heat pumps are proposed to meet the heating and cooling demands of the development, alongside LED lighting with absence/presence control to minimise the electrical energy demand of the development.

An assessment of suitable technologies is made as regards their suitability to the site and development. The assessment determined that an air source heat pump system and PV arrays are the most suitable technologies for the development and will contribute to the CO2 emissions savings, measured against the building regulations L2A baseline emissions. It is stated that the promotion of the energy hierarchy and instillation of low and zero carbon technologies has achieved carbon neutrality for the units of the mixed-use scheme.

The Energy Statement concludes that the use of decentralised, renewable and low carbon energy sources within the development will provide 10% of energy from renewable or low carbon sources in accordance with the requirements of CELPS Policy SE.9 (Energy Efficient

Development). Notwithstanding this conclusion, and the overall strategy which has been outlined, Condition 14 of the outline approval (12/3747M requires that;

“No development shall take place until a scheme (including a timetable for implementation) to secure at least 10% of the energy supply of the development from decentralised and renewable or low carbon energy sources shall be submitted to and approved in writing by the LPA. The approved scheme shall be implemented and retained as operational thereafter”.

Other Issues

The issues raised in representations that are material planning considerations have been considered by the relevant specialist officers of the Council, and in the preceding text.

Construction Method Statement

Representations raise concerns about the impact of the development during the construction phase including the need to mitigate the impact of construction traffic in the locality. A construction method statement including details of measures to manage construction traffic and protect the amenities local residents during the construction of the development is required to be approved under Condition 7 of outline approval 12/3747N.

CONCLUSIONS

The principle of the development for a mixed-use scheme including employment units, offices and retail units on this site together with the associated access from Peter Destapleigh Way via a new road from the traffic light junction has been established under full planning approval 12/3746N (access road) and outline consent 12/3747N (mixed-use scheme) which were granted on appeal by the Secretary of State in July 2020.

This application relates to the approval of reserved matters including layout, scale, appearance, and landscaping relating to details of proposals for the siting of commercial components within the eastern part of the wider mixed-use development site.

The proposed scheme provides well designed buildings which integrate well with the context of the site, and are designed in accordance with the approved quantum and uses permitted through the outline planning permission and the design code supporting reserved matters approval 22/3170N. The development subject to conditions is supported in design terms and the proposals accord with Policies; SE1, SD1 and SD2 of the CELPS, GEN1 of the SADPD , Policy C3 of the SNP and the Cheshire East Design Guide SPD.

The scheme achieves an acceptable relationship with the character of the locality, without material harm to neighbouring residential amenity and the proposed siting and design of commercial units would ensure acceptable levels of amenity for the occupants of ten approved residential development within Maylands Park. As a result the development would comply with Policies HOU12 of the SADPD and policies C1 and C3 of the SNP.

The impact on the wider highway network arising from the mixed-use development of this site was addressed with during the consideration of the outline application. The internal road

network meets relevant highways design standards, and adequate car parking is provided in accordance with parking standards identified in the CELPS.

Therefore, the proposed access arrangements for the development will not adversely affect highway safety or result in traffic management issues on the local highway network and as such complies with CELPS Policies CO2 & CO4, SADPD Policy INF 3, and Policies T1 and T2 of the SNP.

The development includes satisfactory landscaping and planting, and also integrates well with its landscape context, in accordance with CELPS Policy SE4, SADPD Policy ENV5, SNP Policies GS1 and GS3, and the principles of design code.

It is considered that the ecological impacts will be mitigated and as a result the proposal complies with Policy SE 3 of the CELPS. The impact on trees and hedgerow is acceptable and would be mitigated by the proposed landscaping of the site, and a condition attached to protect retained trees.

The Council's Flood Risk Officer considers that subject to technical details being addressed the proposed surface water drainage system will satisfactorily serve the development.

Air quality and contaminated land matters were addressed at the outline stage, and subject to planning conditions of the outline approval which are required to be formally discharged.

The proposals are therefore considered to be acceptable in the context of the relevant policies of the Cheshire East Local Plan Strategy, the SADPD, the Stapeley & Batherton Neighbourhood Plan and the advice of the NPPF.

RECOMMENDATION

APPROVE subject to the following Conditions:

- 1. In accordance with outline permission**
- 2. In accordance with approved plans**
- 3. Submission/approval of facing and roofing materials**
- 4. Submission/approval of details of hard surfacing treatments**
- 5. Submission/approval of ground level and finished floor levels**
- 6. Development in accordance with tree protection and special construction measures of AIA & Method Statement**
- 7. Implementation of landscape scheme**
- 8. Landscape Management Plan - 30 years**
- 9. Details of Cycle Storage provision**
- 10. Details of road junction cycle crossings**
- 11. Implementation of Noise mitigation in accordance with NIA**
- 12. Operations, Opening Hours and Deliveries for retail units to be restricted to 0700 -2300 hours (Sunday- Monday)**
- 13. Details of Odour Control**
- 14. Contaminated land – soil testing**
- 15. Measures to deal with unexpected contamination**

In order to give proper effect to the Strategic Planning Board's intent and without changing the substance of its decision, authority is delegated to the Head of Planning in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice



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