

Application No: 22/1930C

Location: MOUNT PLEASANT FARM, GIANTSWOOD LANE, HULME  
WALFIELD, CHESHIRE, CW12 2JJ

Proposal: The demolition of certain existing buildings and the erection of residential dwellings (Use Class C3) with access, car parking, landscaping, public open space and associated infrastructure.

Applicant: Mr Stuart Andrew, Castle Green Homes

Expiry Date: 12-Sep-2022

## **SUMMARY**

This is a full planning application for residential development of this site. The principle of residential development is in line with Local Plan allocation Site LPS 27 and is therefore accepted.

Highways have no objections, subject to a number of conditions and financial contributions. The Public Rights of Way team have now confirmed they have no objections subject to condition/informative, but highlight the PROW will need to be formally diverted.

The Council's Landscape Officer has requested a number of amendments which have largely been achieved, and the Tree Officer, whilst seeking some clarification regarding conflicting plans, is raising no significant concerns.

The Council's Ecologist has raised the issue of harm to a Local wildlife Site caused by the construction of an internal access route linking two parts of the site, which is noted, however this needs to be looked at in the overall planning balance. Clarification was sought on the Biodiversity Net Gain (BNG) calculations which have now been resolved.

Extensive discussions have taken place in relation to urban design. Revised plans have been received and the Council's Urban Design Officer is now largely supportive of the scheme. Some additional amendments have been made to address some (relatively minor) outstanding matters, and it is hoped that the Design Officer can confirm that these changes largely address outstanding matters.

Perhaps the main issue outstanding on this application is in relation to drainage/flooding. The LLFA have indicated that the applicant has shown the site can be adequately drained, but that SuDs is not accommodated as well as it should – a point made by UU. Members will need to be updated on this matter.

ANSA have raised in number of detailed comments on POS provision which the applicant has sought to address. Members will be updated accordingly when revised ANSA comments are received.

Following the receipt of an Affordable Housing Statement, with clarification of the tenure mix and that all properties meet the NDSS standards, Housing have now confirmed that they raise no objections.

Jodrell Bank have objected on the grounds of harm to the Observatory, however this needs to be seen in the overall planning balance.

Finally other matters such as Education, Healthcare, Archaeology, Contaminated land/Air quality/Amenity can be addressed by contributions/conditions.

Whilst there is some harm to Ecology and Jodrell Bank, this is considered to be outweighed by developing this allocated site and the benefits this brings.

## **RECOMMENDATION**

**Approve subject to a Section 106 agreement and conditions**

## **SITE DESCRIPTION**

This application relates to what in effect are two separate sites either side of Viking Way/Barn Road south of the Congleton Link Road (CLR). These sizable sites amount to some 22.90 hectares, understood to have last been used for grazing.

The site to the west of Barn Road/Viking Way slopes away from the road frontage, but then slopes gradually down to the west and south where it is bordered by the River Dane. There are some more significant changes in level towards the river floodplain. Whilst most of the site is open there is a woodland belt following a water course along the northern boundary, with the water course being at a much lower level. In addition, the River frontage is heavily wooded. The site is separated from the CLR by another allocated site which was approved by Members for commercial uses (Classes B2/B8).

The site to the east of Barn Road/Viking Way starts at a lower level than the road frontage, rising gradually until there is a short steep slope marked by a tree line approximately halfway across the site. The remainder of the site running east to Giantswood Lane again slopes gradually upwards. Currently there is a newly created agricultural access point to the land from Giantswood Lane adjacent to the bridge over the CLR.

There are trees and hedgerows to the site boundaries, and important hedgerows crossing the centre of the site, particularly following a water course and around the Local Wildlife Site. Including a newly planted hedge line fronting the Congleton Link Road which forms the northern boundary of this part of the site, and Barn Road/Viking Way to the west. The southern boundary adjoins the Bloor Homes site to the south (separated by a water course – again in a depression) with a hedge line with trees. As you progress eastwards, upslope there is an area of woodland – part in and part outside the site boundary, and finally at the eastern end the southern boundary is marked by the unadopted access leading to the fishing lake and properties off Westlow Mere.

Mount Pleasant Farm after which the site is named fronts Giantswood Lane and does not form part of the development site but was under the control of the applicant.

A public footpath runs along the unadopted road and then crosses the site running south north to the Link Road.

A Site of Special Scientific Interest (SSSI) lies downstream (some distance away) from the western part of the site on the River Dane, and the river frontage is a Local Wildlife Site, finally part of the site, towards the centre at the foot of the slope referenced above is a Local Wildlife Site simply titled “Field at Hulme Walfield”.

Whilst the majority of the site falls with Flood Zone 1, the river corridor falls within Flood Zones 2 & 3.

National Cycle Route - Ref NCN 55/537 runs down Giantwood Lane.

There are no listed buildings on nor adjacent to the site, and no conservation areas in the vicinity.

## PROPOSAL

The application title reads:

“The demolition of certain existing buildings and the erection of residential dwellings (Use Class C3) with access, car parking, landscaping, public open space and associated infrastructure.”

The proposal (in its revised form) is to build 4 phases of development (Phases A-D) amounting to some 396 dwellings, 313 market and 83 affordable, with the following mix:

- 1 bed – 4 (All affordable)
- 2 bed – 55 (16 market: 39 affordable)
- 3 bed – 223 (183 market: 40 affordable)
- 4 bed – 114 (All market)

The levels above represent 30% policy compliant provision, however the applicant is seeking to provide some 70% affordable housing (grant aided by Homes England) although only the 30% would be secured by a Section 106 Agreement. The tenure mix also varies across the site, with some parcels providing policy required housing and others in excess of the requirement. This also impacts which parcels will contribute to the Congleton Link Road and is picked up in the highway comments below.

Parcel A to the west of Barn Road/Viking Way amounts to some 10 ha and 160 dwellings with a single access off the road frontage. The dwellings are set off the river frontage with a footpath/cycleway and areas of public open space in the buffer zone. A more formal LEAP is located more centrally within the site with a community orchard and SUDS features alongside.

Parcel B immediately to the east of Barn Road/Viking Way, and west of the Local Wildlife Site (LWS) consists of some 7 ha and 126 dwellings. Two access points are proposed, one serving Parcels B, C & D, whereas the other is a cul-de-sac only serving properties in Parcel B. Parcel B is divided into two by an existing watercourse and along this route a LAP is proposed. Attenuation ponds are proposed on the site frontage.

The Local Wildlife Site separates Parcels B & C and although it remains largely undeveloped – with existing hedge lines forming boundaries, the main east west link road is located along its northern edge of the site and an attenuation pond is proposed alongside.

Parcels C & D located between the LWS & Giantswood Lane amounts to over 5 ha and 110 dwellings. Access to the site is only being provided via the route to the north of the LWS, with the original proposal to access onto Giantswood Lane which formed part of the original proposals now having been removed. Only an emergency access is now proposed as approved on the Redrow Homes site on the other side of Giantswood Lane. Pedestrian/Cycle links would still be provided through this link, and on the upgraded and extended PROW link re-enforcing the east west link across North Congleton. A centrally located LEAP and smaller areas of POS are proposed in these parcels, mainly located buffering the retained woodland on the southern boundary.

An Environmental Statement (ES) has been submitted with the application.

## **RELEVANT PLANNING HISTORY**

Whilst there are no planning approvals on the site relevant to the determination of this application (Application 20/5859C for housing on part of the site was not pursued), the following applications are relevant on adjacent sites:

### Congleton Link Road:

15/4480C - The proposed Congleton Link Road - a 5.7 km single carriageway link road between the A534 Sandbach Road and the A536 Macclesfield Road. APPROVED July 2016

### To the west of the site:

21/4440C - Outline application with details of access (details of appearance, landscaping, layout, and scale are reserved for future determination) for the erection of flexible Use Class B2/B8 employment units (including ancillary offices), vehicle and pedestrian access, parking, landscaping and associated works. Land to the west of Viking Way, Congleton - APPROVED by Committee awaiting signing of 106

### To the south of the site off Barn Road/Viking Way:

19/5596C Outline planning application with all matters reserved except for the principal means of access for the erection of a residential development (Use Class C3), employment and commercial floorspace (Use Classes B1/B2/B8/C1/D2) and a local centre (Use Classes A1/A2/A3/A4/A5/D1) with associated landscaping, drainage and other infrastructure. Land off Viking Way, Congleton - APPROVED 2 Feb 2022

In addition, there are the following applications submitted to-date (excluding discharge of condition applications) for other parts of the site included within the outline area:

22/0670C Reserved matters application proposing details for the appearance, scale, layout and landscaping for a residential development at Viking Way, Congleton. An Environmental Impact Assessment was submitted to the Local Planning Authority as part of the outline. Land East of VIKING WAY, CONGLETON APPROVED Dec 2022

22/2338C Full planning application proposing enabling works at Viking Way comprising the erection of site hoardings, removal of existing trees, site clearance, cut and fill excavation, and watercourse realignment. Land to the East and West of Viking Way, Congleton APPROVED Feb 2023

22/2350C Details of reserved matters (Access, Appearance, Landscaping, Layout and Scale) in respect of Phase 2 (commercial floorspace in Use Classes B2/B8/E(g)) of outline planning permission 19/5596C. Land to the West of Viking Way, Congleton APPROVED Feb 2023

22/3338C Full planning application proposing the erection of an employment building (Use Class B2, B8 and ancillary E(g)) with associated infrastructure, including landscaping, drainage, and car, HGV and cycle parking, and access from Viking Way. Land to the East of, Viking Way, Congleton APPROVED By SPB March 2023 awaiting S106

23/2054C Reserved matters approval for 19/5596C: Outline planning application with all matters reserved except for the principal means of access for the erection of a residential development (Use Class C3), employment and commercial floorspace (Use Classes B1/B2/B8/C1/D2) and a local centre (Use Classes A1/A2/A3/A4/A5/D1) with associated landscaping, drainage and other infrastructure. UNIT 1, VIKING WAY, CONGLETON APPROVED Nov 2023

## **DEVELOPMENT PLAN POLICIES**

### **Cheshire East Local Plan Strategy – 2010-2030**

PG1 – Development Strategy  
PG6 – Open Countryside  
SD1 - Sustainable Development in Cheshire East  
SD2 - Sustainable Development Principles  
IN1 – Infrastructure  
IN2 – Developer Contributions  
SC1 – Leisure and recreation  
SC2 – Indoor and outdoor recreation  
SE 1 - Design  
SE 2 - Efficient Use of Land  
SE3 – Biodiversity and Geodiversity  
SE 4 - The Landscape  
SE 5 - Trees, Hedgerows and Woodland  
SE 6 - Green Infrastructure  
SE 13 - Flood Risk and Water Management  
CO1 – Sustainable Travel and Transportation

Site LPS 27: Congleton Business Park Extension

### **Site Allocations and Development Policies Document (“SADPD”)**

PG9 - Settlement Boundaries,  
GEN1 - Design principles,  
ENV1 -Ecological network,  
ENV2 - Ecological implementation,  
ENV3 - Landscape character,  
ENV4 – River Corridors,  
ENV5 - Landscaping,  
ENV6 - Trees, hedgerows and woodland implementation,  
ENV7 - Climate Change,  
ENV12 - Air quality,

ENV14 - Light pollution,  
ENV15 - New development and existing uses,  
ENV16 - Surface water management and flood risk,  
ENV17 - Protecting water resources,  
RUR6 - Outdoor sport, leisure and recreation outside of settlement boundaries,  
HOU1 – Housing Mix,  
HOU6 – Accessibility and Wheelchair housing standards,  
HOU10 - Amenity,  
HOU11 – Residential Standards,  
HOU12 – Housing density,  
HOU13 – Housing delivery,  
INF1 - Cycleways, bridleways and footpaths,  
INF3 - Highways safety and access,  
INF6 - Protection of existing and proposed infrastructure  
INF9 – Utilities.

### **Neighbourhood Plans:**

The Hulme Walfield and Somerford Booths Neighbourhood Plan referendum was held on the 15 February 2018. The plan was made on the 19 March 2018. Relevant policies include:

HOU2 Housing for Older People and People with Disabilities  
HOU3 Rural Character  
HOU4 Housing Design

ENV1 Wildlife Corridor and Areas of Habitat Distinctiveness  
ENV2 Trees and Hedgerows  
ENV3 Multi Use Routes

### **CONSULTATIONS (External to Planning)**

**Natural England** – Commenting on the original submission, they asked the applicant to demonstrate what the discharges from the development – together with other consented developments, would have on the SSSI downstream from the site. Updated comments are awaited, but it is noted that the SSSI is designated for its geomorphological features not for flora/fauna reasons, i.e. the issue is whether discharges to the river would cause harm. This is unlikely as no new outfalls are proposed and discharge rates should be limited to greenfield – i.e. existing rates.

**Environment Agency** – No objections but require a condition that fixes the finished floor levels above a datum point in accordance with the submitted FRA.

**United Utilities** – Following a review of the Flood Risk and Surface Water Drainage Strategy, there are concerns that they have not seen robust evidence that the drainage hierarchy has been thoroughly investigated and the proposals are not in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems. In addition details of foul drainage are required.

**NHS CCG** – Object to the application unless a contribution of some £515,950 is made to local GP Practices in the area.

**Jodrell Bank** - Oppose this development as it would impair the efficiency of the telescopes and ask that the planning authority take this in to account in reaching its decision on this development, noting that the cumulative impact of this and other developments is more significant than each development individually.

**CEC Head of Strategic Infrastructure:** No objections subject to conditions and contributions via a Section 106 Agreement.

**CEC Housing:** Still object to the application as a number of matters need to be clarified.

**CEC Education:** No objections subject to a Section 106 contribution of some £1,175,376.02 towards Secondary and SEN Education

**CEC Public Rights of Way (PROW):** The development, if granted consent, would affect Public Footpath No. 7, Hulme Walfield, and following clarification from the applicant that the route is to be diverted through the development, no objections are raised subject to a condition and informatives.

**CEC Environmental Health:** No objections subject to a number of conditions.

**CEC Flood Risk Manager:** The Flood Risk Team are currently raising objections to the proposals, as they are lacking in detail, and do not make the best use of SUDS. Following discussions revised proposals have been discussed and Members will be updated in the Update Report.

**ANSA:** Detailed comments were made on the original layout requesting a number of amendments. Update comments on revised proposals are awaited.

## **VIEWS OF THE TOWN/PARISH COUNCILS**

### **Hulme Walfield and Somerford Booths Parish Council:**

#### General

HWSB PC welcomes the modifications which have been made by the applicant. The applicant has maintained helpful and constructive dialogue with the Parishes during their planning phases.

The acceptance of the 'Emergency Access' off Giantswood Lane is something which provides consistency with the adjacent approved development by Redrow (Round Hill Gardens) and recognises the importance of Giantswood Lane as an important recreational route for residents linking with the proposed West East Greenway and part of the National Cycle Routes (NCN 55) .

It is also in accord with the wishes of a substantial number of residents on and adjacent to Giantswood Lane who already experience increase volumes and speed of traffic in adjacent residential areas and on Giantswood Lane.

#### Emergency Access: Design and Long Term Permanence: Giantswood Lane

The PC requests that the design of this barrier should be both robust, permanent and secure. It will welcome further discussions with the applicant to secure a design which is also acceptable to Cheshire East Highways.

It also seeks assurance from Cheshire East Planning that the proposal contained in the SADP Plan for a direct link between Viking Way/Barn Road and Manchester Road be formally withdrawn so that there is no prospect of a future direct link onto Giantswood Lane or through the proposed and current housing developments.

#### Construction Traffic and Noise

HWSB PC request a condition attached to preclude any access by construction traffic from Giantswood Lane in the same manner that Redrow have already complied with this request. This does not preclude the possibility that essential services may need to be laid on lengths of Giantswood Lane in accordance with current Highways procedures.

While the development does not affect local residents in the same way that they are affected by the Redrow development it requests the Planning Department to impose strict and effective restrictions on noise, hours of operation, and vibration during the construction phase.

#### East West Greenway

HWSB PC is supportive of this proposal and the extent to which it is being incorporated within adjacent housing schemes. It does however note that the length outside the applicants ownership runs over private land and access and therefore seeks clarification of how the link up with the Redrow scheme can be achieved.

To this effect it reminds CE Planning that it has made a formal request for the provision of a s106 contribution which will enable it to make improvements to link rights of way so that a comprehensive 'joined up' network can be achieved for the benefit of existing and new residents alike. The exclusion of this part of Hulme Walfield from the provisions of the Community Infrastructure Levy (by including it within the 0-rated area of Congleton) makes such a contribution of far greater importance.

#### Areas of Character

This is seen as a valuable modification of the original plan, particularly for the area adjacent to Mount Pleasant Farm where it should achieve a style more appropriate to a rural area.

#### 20 MPH Design Features

HWSB PC reiterates its strongly held view that the design features intended to slow the speed of estate traffic to 20mph should be supported by a comprehensive 20mph zone for the entire development.

## **OTHER REPRESENTATIONS**

A significant number of representations were received to the originally submitted proposals, and more recently to the revised scheme. The majority of the comments concern the proposed access onto Giantswood Lane, and now that has been amended to an emergency access only, the majority of residents are raising no objections to the proposals. However, the following issues have been raised:

- How will the emergency only access onto Giantswood Lane be maintained and kept robust/permanent?
- Is the in effect very long cul-de-sac acceptable as it is a long way to Barn Road. Are the roads a suitable width to serve the vehicle movements in the site?
- The Congleton & District Fly Fishers Ltd will not allow the cycleway access onto their private road as shown in the plans. Access should be via the emergency access only.
- Detailed comments made about the crossing over the main access off Barn Road for cyclists/pedestrians.
- Will local facilities/services (schools/Doctors etc) be able to cope with the increased housing numbers.?
- Congleton already has enough houses
- Will public transport be provided into Congleton Town Centre?
- Objection to the impact on wildlife and the countryside.
- Not clear if Mount Pleasant Farm is being retained – which it should be.
- Landscaping/open space must be managed to maintain the rural character of the site.
- How will wastewater be treated for such a large development?
- Impact on Jodrell Bank Observatory

## **OFFICER APPRAISAL**

### **Principal of Development**

The site forms one (but a significant element) of the following policy allocation:

Site LPS 27 - Congleton Business Park Extension

“The extension site at Congleton Business Park over the Local Plan Strategy period will be achieved through:

1. The delivery of, or a contribution towards, the Congleton Link Road;
2. The delivery of around 625 new homes (at approximately 30 dwellings per hectare) as set out in Figure 15.32;
3. The delivery of around 10 hectares of land for employment and commercial uses adjacent to Congleton Business Park as set out in Figure 15.32;
4. The delivery of around 3 hectares of land for employment and commercial uses adjacent to the Congleton Link Road junction as set out in Figure 15.32;
5. The provision of appropriate retail space to meet local needs;
6. The provision of children's play facilities;

7. Pedestrian and cycle links set in green infrastructure to new and existing employment, residential areas, shops, schools, health facilities the town centre;
8. Contributions to health and education infrastructure; and
9. The provision of land required in connection with the Congleton Link Road as set out in Figure 15.32.”

Essentially the site forms the largest housing element of this allocation, with the Bloor Homes development (Ref: 22/0670C) to the south making up the other major part.

The development of this site for housing fully complies with the Local Plan allocation LPS 27 and as such is acceptable in principle – subject to it meeting the relevant elements of the Site Specific Principles of Development, and other relevant Local Plan policies which are examined below.

## **Highway Implications**

### **Access**

The residential development on the west side of Viking Way has a single priority access off Viking Way access to serve 160 dwellings. There are two access points on the east side of Viking Way, the southern access is a priority junction that serves 59 dwellings, and the northern access has a ghost right turn lane on Viking Way that serves 177 dwellings. This ties-in to the right turn lane for the approved employment land and includes an uncontrolled crossing point with a central island.

The revised layout includes an emergency access only to Giantswood Lane, allowing also for pedestrian and cyclist access.

### **Internal Design**

The main access roads for all of the parcels are 5.5m wide with 2m footways on each side of the road, the secondary roads will be a minimum of 4.8m wide with footway provision on one side, there are also a number of private drives within the layout. The internal layout has been designed in order to keep vehicular speed low (20mph) although there are sections where the alignment is straight (crossing the wildlife site), a traffic calming measure has been provided in this location to control vehicle speeds in this straight section of road. Overall, the internal design is acceptable and suitable for adoption. A 20mph Speed Limit will be included in the developer adoption agreement when the road is adopted.

Public Footpath No. 7 is proposed to be converted to a 3m pedestrian/cyclist shared use route, connecting to the CLR.

The level of car parking provision for all of the plots is in accordance with the CEC parking standards.

## Traffic Impact

It is important to note that the traffic impact capacity assessments have been undertaken with the CLR in place which is now open to traffic. A number of junctions have been modelled to assess the whether the additional traffic generation from the proposed development would result in capacity problems at the junctions. The junctions assessed are:

Viking Way/CLR roundabout  
Barn Road/ Clayton Bypass/Belgrave roundabout  
Rood Hill/A54 signal junction  
Clayton Bypass/West St/Davenport St

The results of the capacity assessments indicate that all of the junctions operate within capacity levels with the exception of Rood Hill where the junction is at capacity. However, the increase in queue length is minimal and is not significant to warrant objection.

In summary, the introduction of the CLR has (as intended) improved matters within Congleton by re-assigning through traffic away from the previously congested junctions thereby providing enough capacity to cater for the allocations in the Local Plan.

Policy 5.235a of the Council's Local Plan states: "The Council's stated aims for the delivery of the sites to the north of Congleton are that they should be delivered on a comprehensive basis in line with the North Congleton Masterplan. The site cannot be comprehensively delivered without additional highways capacity provided by the proposed Congleton Link Road." The Transport Assessment submitted for this development confirms this is the case.

This Policy then goes on to state the need to be mindful of the costs of bringing the site forward in such circumstances and will consider alternative affordable housing provision where it is demonstrated through robust viability evidence that 30% affordable housing would render the development of the site unviable (in line with paragraph 7 of LPS policy SC5 (Affordable Homes)."

In June 2016, at its Cabinet Meeting, the Council agreed to underwrite the funding of the Congleton Link Road. The level of any funding shortfall depends on the scale of contributions achieved from developments in the North Congleton Area.

A recent independent assessment of the viability of the sites in the North Congleton Area to deliver the requested contributions has been undertaken as part of the Delivery Strategy for the CLR. Negotiations with the developer have agreed that a contribution of £15,000 per dwelling will be made available (index linked) subject to a reduction in the provision of Affordable Housing to 17.5%. This level of contribution is considered acceptable and is in line with the recommendations of the independent viability work and previous resolutions of the planning committee. This site would form the last of the five large developments originally earmarked to make a significant financial contribution to the link road.

It has been agreed that the Link Road contribution will be limited to plots A&B (which formed the larger original strategic site allocation) this has been agreed that 286 houses will contribute £15,000 each to the Congleton Link Road: generating a total contribution of £4,290,000.

## Accessibility

The proposals indicate that the development on the eastern side of Viking Way will be served by a 3m shared ped/cycle facility and the western side would have a 2m footway.

The revised plans now indicate that the requested shared pedestrian/cycle facility has been provided that runs alongside the main road alignment within the site and connects with the Greenway and also links the developments at the southern end of the site adjacent to plot 204.

To improve accessibility it is important that both sides of Viking Way has a 3m shared pedestrian/cycle facility and this should be provided as part of this application. There is already a shared 3m wide cycleway on the eastern side of Viking way built as part of the link road. It will be necessary for the development to provide a similar facility on the western side of Viking Way along the frontage of this application connecting to the path being provided by the adjacent site to the north (application 21/4440C) and then connect to the Greenway to the south of the site.

Revised proposals to deliver cycle priority crossings have also been agreed with the applicant at the new accesses. These will need to be included in the S278 agreement for the construction of the new accesses.

The site should be developed comprehensively consistent with the allocation of uses as set out in Figure 15.30 and the principles of the North Congleton Masterplan. Development should integrate with the adjacent existing and proposed uses, particularly through sustainable transport, pedestrian and cycle links. The site benefits from the Greenway link that is being delivered by the adjacent development. The Council has a longer-term ambition, as included in the North Congleton Masterplan to cross the river Dane with a new bridge, joining, completing the Greenway across the site. The adjacent development has made a financial contribution towards this link of c£1000 per dwelling and it is considered that this development should also make a proportionate contribution. Contributions secured for Active Travel should be broadly described to ensure that they can be used for the benefit of the site.

The adjacent development sites on Viking Way (and off the A34) have provided contributions to a new bus service that will operate along Viking Way / Barn Road and also serve the A34 developments, it is expected that this development also provides a contribution to fund this service along with the delivery of two Bus Stops (The Bus stops provided as part of the adjacent application are some c400m away and are at the limit of acceptability)

In order to provide the site with access to public transport a new bus service is required, and it is reasonable for this site to provide a contribution to a service with other planned housing sites providing similar (proportional) contributions.

The additional bus could serve the new estates in the north of the town (not served by the commercial 38 or the current Beartown network) linking to the town centre and railway station. A cost estimate of £200,000 per annum has been supplied for this provision.

Based upon a 4-year contribution of 50% of the cost of running a bus service a contribution of £400,000 is required. The remaining 50% of the costs have been secured from the other developments within the North Congleton Local Plan allocations.

It is expected that given the level of development coming forward along the CLR the bus service would become a financially viable service in the future.

#### Summary

There are three points of access to the development off Viking Way which are designed to an appropriate standard and provides adequate visibility. The northern access that serves the highest number of dwellings has a ghost right turn lane, this would be secured by condition and delivered via a S278 Agreement. There will be no vehicular access to Giantswood Lane from the development, although an emergency access will be provided, and the construction details are required to be submitted for this proposed access.

A number of junction capacity assessments have been undertaken on the road network, the results indicate that there are no significant capacity problems that will cause long queues and congestion. It is important to note that the capacity assessments were undertaken with the CLR in place which has provided additional capacity and reassigned some of the traffic away from the A34. This development should make a contribution to the CLR as required in the policy. The Council will seek contributions to be made on a retrospective basis due to having to fund the CLR scheme.

Ensuring accessibility is provided to development sites is important and the applicant should provide a Shared footway / cycleway along the frontage of the site on the western side that links to the adjacent site ped/cycle facility and also to the Greenway.

In principle the application is acceptable subject to the provision of a frontage 3m footway/cycleway on the western side of Viking Way, introduction of an emergency access only to Giantswood Lane and contributions to the Congleton Link Road, Active Travel improvements and Public Transport support.

Developer contributions towards the Congleton Link Road: Congleton Green way Link and / or wider Active Travel measures; the bus service and 2 bus stops are required, together with a number of conditions/informatives. All are set out at the end of the report.

#### **Public Rights of Way/Cycle routes**

The Public Rights of Way Team originally objected to the application due to the proposed changes to Hulme Walfield (Foot Path) FP 7 which appeared to be being amended on the plans.

The applicant has subsequently submitted a Footpath Diversion Overlay Plan and have confirmed they want to seek a formal diversion on this amended route which follows a similar line and is largely accommodated in areas of open space. The PROW Team have now confirmed they withdraw their objection but have recommended a condition and informative.

On a more general level, footpath/cycle ways have been incorporated into the design, as picked up in the Highway comments. In Parcel A west of Barn Road the route runs along the river frontage and runs along the southern boundary linking into the site, and into the cycleway approved in developments to the south. With the parcels to the east the route follows the water course in the centre of the site, then running along the areas of open space and along the southern boundary linking into the existing footpath (FP 7) referenced above. The routes logically link all parts of the site and re-enforce the east west linkages across North Congleton. The comments of the Fishing Club are noted about not allowing cycle access onto the private road, and although this is disappointing, this can be addressed through detailed design which can be conditioned.

The comments of the Parish Council about a S106 contribution towards footpath improvements to the south are acknowledged (and understood), however as they are some distance from the site boundary, they would be difficult to justify, and are unlikely to meet the CIL Regulations. It is not therefore recommended that this is included.

## **Landscape**

The proposed areas of development are sited within land designated for development in the Local Plan Strategy as LPS 27 Congleton Business Park Extension. The applicant has submitted a Landscape and Visual Impact Assessment (Chapter 6 Landscape and Visual), Landscape Strategy Masterplan, Design and Access Statement and Design Code, and a Arboricultural Impact Assessment.

There are a number of inconsistencies between these documents which should be rectified and was recommended that the following amendments were made to the Landscape Strategy Masterplan prior to permission being granted.

1. Public rights of way proposals to be confirmed and included on the Landscape Strategy Masterplan to comply with CELP Policy SE1 - Design and the North Congleton Masterplan.
2. Adjust design proposals to allow for the retention of all of existing woodland W1 and Hedgerow H4 to comply with CELP Policy SE4 – The Landscape, and SE5 – Trees, Hedgerows and Woodland.
3. Buffer Zone along the northern boundary of the proposed development next to the A356. To comply with CELP Policy SE4 – The Landscape, a more substantial and continuous belt of native tree and shrub planting with individual trees, (including the section of the site boundary to the north of proposed attenuation ponds) would be preferable to the proposed areas of native tree planting and individual trees to soften, screen and integrate the proposed development's urban edge into the local landscape and complement the character of the adjacent Landscape Character Areas.

A number of minor updates are required to the Management and Maintenance Plan.

The applicant has sought to address these comments in revised proposals and the Landscape officer's comments are awaited.

If the application is approved, it is recommended that landscape conditions are applied.

## **Trees**

The application was supported by an updated Arboricultural Impact Assessment and Method Statement dated 28th September 2023 (and subsequently updated). The updated plans reflected amendments which seem to provide for the retention of an increased number of moderate quality trees, and the diversion of the footpath around woodland W1 which reduces impacts.

Hedgerow losses remain unchanged, and it is considered that for completeness in the assessment and determination of this planning application, as hedge loss is involved the hedgerows should be assessed against the criteria in the Hedgerow Regulations 1997 in order to ascertain if they qualify as 'Important'. The Regulations require assessment on various criteria including ecological and historic value. Should the hedgerow be found to be 'Important' under any of the criteria in the Regulations, this would be a significant material consideration in the determination of the application. Hedgerows are also a habitat subject of a Biodiversity Action Plan. Notwithstanding this, should the hedgerows be found to be 'important', while retention where possible should be the default position, should it be demonstrated that hedge losses are unavoidable, then it's accepted that appropriate levels of mitigation appear to have been provided within the metric provided.

There were concerns regards some of the detail on the drainage strategy plan by Castle Green (Rev A dated 23/8/23) which didn't seem to have been considered within the Arboricultural Impact Assessment and Method Statement. Proposed Surface Water drainage is shown to pass through the RPAs of Trees T1 - T5 and the northern end of group G10 where it appears to pass through closed canopy cover discharging into the River Dane. No detail was provided to demonstrate the technical feasibility of installing drainage in close proximity to retained trees.

Clarification was required as to whether the dashed light blue line described as Culvert/Pipe in the key on the drainage strategy plan is existing or newly installed as this would also present additional and unconsidered conflicts. The Plan was annotated to suggest that the dashed line represents 'existing culvert to be diverted'. If this is the case, what works are likely to be required in close proximity to trees and woodland presently shown for retention.

Consideration should be given to appraising the drainage strategy plan within the AIA and AMS to confirm whether any additional impacts are likely to arise which are not presently obvious.

Revised submissions have recently been received, including confirmation that levels do not need to amended in the proximity of retained trees, and drainage should not impact on the RPA's, and as such there no objections are raised to the development with regards to tree impacts. A number of conditions are recommended, that could be reduced if the AIA/AMS is updated accordingly.

## Ecology

### Statutory designated Sites

The application site falls within Natural England's SSSI impact risk zones. It is therefore advised that Natural England must be consulted on this application to advise on the potential impacts of the proposed development upon statutory designated sites. They have been consulted and updated comments are awaited.

### Non-statutory Sites

The 'Field at Hulme Walfield' Local Wildlife Site (LWS)

The 'Field at Hulme Walfield' Local Wildlife Site is present within the red line boundary of the application site. Sites of this type receive protection through Local Plan Core Strategy Policy SE3. This local wildlife site may potentially be affected by; direct habitat loss, hydrological changes, and inappropriate access and usage resulting from the proposed development.

A hydrogeological Impact Assessment has been undertaken which includes consideration of the potential hydrological impacts of the proposed development upon the Field at Hulme Walfield Local Wildlife Site. The assessment concludes that any dewatering during the construction phase within 66m of the boundary of the Local Wildlife Site will result in a reduction in the water table beneath it, which would have an adverse impact on the habitats for which the LWS was selected.

In order to mitigate this impact the Environmental Statement (ES) recommends that no dewatering is to be undertaken during construction within a 66m easement from the boundary of the LWS. The applicant has confirmed that no dewatering within 66m of the Field at Hulme Walfield LWS is proposed. It is recommended that this be made a condition in the event that planning permission is granted.

The ES advises that 3,300 square meters of this LWS would be lost to the access road that passes through it and the construction of the attenuation basin also now proposed within the LWS. It is advised that this loss of habitat would result in a significant direct adverse impact upon the Local Wildlife Site.

There may also be construction phase impacts relating to noise and air and water pollution. The LWS may also be degraded through inappropriate access, artificial lighting and dog fouling during the occupational phase.

It is advised that the proposed development is likely to result in a significant adverse impact upon this LWS. Local Plan policy SE3 (4) applies to the determination of this application.

The Council's Ecologist has advised that impacts on the LWS should be avoided through the redesign of the scheme to avoid the routing of the proposed access road through it. This harm

regrettably is unavoidable, as the LWS divides parcels B from parcels C & D and if the layout were to be amended to remove this link there are two major consequences:

- Permeability across the site would be removed, contrary to the Local Plan and Masterplan aspirations to improve connectivity east west in North Congleton.
- Access to parcels C & D would have to come from Giantswood Lane which is strongly opposed by local residents and the Parish Council as Giantswood Lane is considered (by them) totally unsuitable to accommodate further traffic on the scale proposed.

The access road has been located at the northern end of the LWS, adjacent to the CLR to minimise any harm.

There should be no lighting proposed within the vicinity of the LWS. The application proposes to limit public access to the LWS. If planning consent is granted proposals should also be secured for the provision of interpretation boards detailing the value of the LWS and the provision of dog waste bins.

The submitted landscape plans include tree planting within the LWS. Tree planting would have a detrimental effect upon the marsh grassland for which the LWS was selected and so it is advised that this tree planting should be removed from the submitted landscape plans. The applicant has amended the plans accordingly.

#### The River Dane (Radnor Bridge to Congleton) Local Wildlife Site (LWS)

The River Dane (Radnor Bridge to Congleton) LWS is located adjacent to the site's western boundary. The ES Addendum advises that no outfalls to the River are required as part of the proposed development.

Regardless of the location of the outfalls there remains a risk of damage to the River Dane LWS occurring during the construction phase. The ES proposes the installation of Heras fencing to safeguard the LWS during the construction phase together with measures to reduce construction phase pollution risks. If planning consent is granted these measures could be secured by means of a condition that requires measures to safeguard the LWS to be incorporated into a Construction Environmental Management Plan.

There are a number of other Local Wildlife Sites located further from the boundary of the application site. The ES concludes that the proposed development may result in an adverse impact upon these as a result of dust, pollution, noise during the construction process. Impacts on these more distant LWS could be mitigated through the submission and implementation of a Construction Environmental Management Plan. This matter may be dealt with by means of a condition if planning consent is granted.

#### Priority Woodland Habitats

The proposed cycle way route has been revised to avoid any impacts upon the existing priority woodland habitat.

## Hedgerows

Native hedgerows are a priority habitat and hence a material consideration. The ES advises that the proposed development would result in the loss of 256m of existing hedgerow. It is advised that this would result in a significant loss of hedgerow biodiversity. In order to avoid this loss, it is advised that the development proposals must look to maximise the retention of existing hedgerows.

If hedgerow loss is considered unavoidable, then the loss must be compensated for through replacement native species hedgerow planting. The extent of replacement hedgerow planting required can be assessed through the use of the biodiversity metric discussed below. The metric shows that the proposed landscaping scheme would result in a substantial gain for hedgerows.

## Great Crested Newts

A number of ponds are located within 250m of the proposed development and the presence of a population of great crested newts has been confirmed at one pond some distance from the application site. The proposed development will mainly affect habitat of low value for great crested newts.

Considering the distance between the pond and the application site, the nature of the intervening habitats and the extent of habitats affected by the development it is advised that the potential impacts of the proposed development are limited to the low risk of any newts that venture onto the site being killed or injured during the construction process. In order to address this risk the Environmental Statement has recommended a suite of 'reasonable avoidance measures'. Provided these measures are implemented the proposed development would be highly unlikely to result in a breach of the Habitat Regulations. Consequently, it is not necessary for the Council to have regard to the Habitat Regulations during the determination of this application.

If planning consent is granted a condition should be attached to ensure the proposed development proceeds in strict accordance with the Great Crested Newt Reasonable Avoidance measures detailed in the submitted Environmental Statement.

## Common Toad

This priority species was recorded on site during reptile surveys undertaken on site. It is advised that the proposed development would result in a low-level adverse effect on this species as a result of the loss of terrestrial habitat and the risk of animals being killed as a result of site clearance and construction works.

The implementation of the great crested newt avoidance measures detailed above would also reduce the risk of toads being killed during works. The incorporation of a wildlife pond designed to hold permanent water would provide additional breeding habitat for this species as a means of compensating for the loss of terrestrial habitat. The applicant has however advised that they are unable to provide such a pond as part of the proposals. The incorporation of hibernacula for

toads could however be secured through the ecological enhancement condition recommended below.

### Badgers

Two badger setts were recorded as part of the submitted surveys. An outlier sett is present within the application site and a main sett is present some distance from the boundary of the site.

In order to avoid badgers being harmed during the proposed works the outlier sett will be temporary closed during the construction phase. There will be a loss of suitable foraging habitat for badgers as a result of the proposed development that will result in a minor adverse impact on this species.

As the status of badgers on a site can change in a short timescale, it is recommended that if planning consent is granted a condition be attached which requires the submission of an updated badger survey and mitigation strategy prior to commencement.

### Hedgehog and Polecat

There two priority species have previously been recorded in general area of the application site and may occur on the application site on at least an intermittent basis. It is advised that the proposed development would result in a minor adverse effect on these species through the loss of habitat and the risk of animals being killed or injured during the site clearance and construction phase.

The implementation of the great crested newt avoidance measures detailed above would reduce the risk of these species being harmed during the construction phase. Features for hedgehog can be secured through the ecological enhancement condition detailed below.

### Bats

#### Roosts associated with buildings

A bat roost was previously identified as being associated with one of the buildings on site. This building is now outside the red line of the application. No impacts on roosting bats associated with the buildings on site are therefore anticipated.

#### Roosts associated with trees

The ES states that no trees with potential to support roosting bats will be affected by the proposed development. Further information on the surveys undertaken of the trees on site has been provided. It is advised that the proposed development is unlikely to affect roosting bats associated with trees.

## Bat activity

The submitted bat survey report highlights the River Dane corridor, the hedge line north of the 'Field at Hulme Walfield' LWS and its links to the adjacent woodland, and static location 1v1 as bat activity hot spots.

These bat activity hot spots would not be directly affected by the proposed development; however it must be ensured that these parts of the site are no subject to light pollution as detailed below.

## Lighting

To avoid any adverse impacts on bats, and other ecological receptors, resulting from any lighting associated with the development it is recommended that a detailed lighting scheme be submitted in support of this application.

## Barn owls

No evidence of this species recorded on site. Consequently, this species is not reasonably likely to be present or affected by the proposed development.

## Otter and water vole

Otter field signs were recorded on the Dane during the submitted surveys, but no holts were identified. It is advised that the proposed development may result in increased disturbance of this species, but this is unlikely to be sufficient to amount to an offence.

No evidence of Water voles was recorded. Consequently, this species is not reasonable likely to be present or affected by the proposed development.

## Birds

A number of breeding birds were recorded on site including a number which are priority species and hence a material consideration.

The proposed development will result in a minor adverse impact upon birds as a result of the loss of habitat and increased disturbance.

The loss of habitat for nesting birds can be compensated for through the provision of replacement habitat on site which can be assessed through the biodiversity metric discussed below. If planning consent is granted a condition would be required to safeguard nesting birds:

## Reptiles

No evidence of reptiles was recorded during the submitted survey. This species group if therefore unlikely to be present or affected by the proposed development.

### Invasive non-native species

Himalayan balsam and Japanese knotweed are present on site. These species could be controlled through the implementation of a management plan. This matter may be dealt with by means of a condition if planning consent is granted.

### Biodiversity Net Gain

In accordance with Local Plan policy SE3(5) all development proposals must seek to lead to an overall enhancement for biodiversity. In order to assess the overall loss/gains of biodiversity the applicant has undertaken and submitted an assessment undertaken in accordance with the Defra Biodiversity 'Metric'.

The previous iteration of the submitted Biodiversity Net Gain metric showed that the metric 'trading rules' were not satisfied, this occurs when there is failure to replace lost habitats with replacement habitats of the required quality. The metric has been re-run, replacing 0.05ha of neutral grassland with broad-leaved woodland planting, this is sufficient to overcome the down-trading issue and the metric shows that the proposed development would result in a 5.34% net gain for area based habitats and 123.6% for hedgerows.

The substitution of the previously proposed grassland for woodland planting is not however reflected on the submitted landscape plans, therefore revised landscape plans would be required prior to the commencement of development. This can be dealt with by condition.

Notwithstanding the submitted management plan, if the planning consent is granted a condition would be required to secure the submission and implementation of a habitat creation method statement, 30 year habitat and monitoring plan which demonstrates how the habitat creation targets in the metric would be delivered.

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with Local Plan Policy SE3.

It is therefore recommended that the applicant submits an ecological enhancement strategy prior to the determination of the application or if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

A list of some 10 conditions are recommended.

## Urban Design

Integrating into the Neighbourhood				Distinctive Places				Streets for All			
1 Natural Connections	2 Walking, cycling public transport	3 Facilities and services	4 Homes for everyone	5 Making most of what's there	6 Memorable character	7 Well defined streets/spaces	8 Easy to find your way around	9 Healthy streets	10 Cycle and car parking	11 Green and blue infrastructure	12 Back of pavement, front of home
*1	*1	*2									

\*1 subject to satisfactory connection to greenway/addressing concerns of PRoW team

\*2 subject to Local centre coming forward

## Summary

The scheme has been further refined and has the potential to deliver a high-quality development on this significant site within the North Congleton development area. The improvement is reflected in the outcome of the latest design evaluation, summarised above.

Notwithstanding, there are certain considerations that remain amber or are caveated green due to the level of information provided, potential limitations due to matters beyond the direct control of the applicant (e.g. pedestrian connectivity beyond the site boundary), and where there is still scope for improvement in respect to the design itself. Whilst there has been considerable strengthening of the scheme since the application was first submitted, addressing these would help secure more greens and an even stronger proposal.

A more detailed analysis for each consideration has been provided below.

### 1 Natural Connections

- For the eastern part of the site, within the site boundary, connection points are now indicated by foot/cycle to the east/west greenway in the south of parcel B, toward the Congleton link road footpath/cycleway to the north from parcel C and through the open space area to the east of the woodland, south of parcel D. intended to connect to the Fishing Club access and the route of the east/west greenway. As these are indicated as potential links on drawings, notwithstanding land ownership, then there needs to be concerted effort to secure these connections. Connecting with the fishing club access would connect to Hulme Walfield FP4 and the intended route of the east/west greenway on the Bloor and Redrow schemes.
- Connection points are now shown to the north and southeast in Parcel A, providing future potential connectivity to the riverside and employment area in the north and to the east/west greenway to the southeast.
- Strong internal connectivity is included between parcels B, C and D. Parcel A is a little disconnected from the other parcels by Viking Way
- Hulme Walfield FP7 is accommodated within a more purposeful space, providing connectivity to the eastern, Woodland LEAP and other informal trim trail play. However, the (original) concerns of the Councils PRoW team are noted.

### 2 Walking, cycling and public transport

- Comments as above re: key strategic walking and cycling routes.

- More information could be provided re: public transport. It is assumed bus stops will be on Viking Way and in association with the proposed nearby local centre, but the northern part of the site off Giantswood Lane is quite isolated from this likely route.

### 3 Facilities and services

- The scheme includes 2 LEAPS and 2 LAPS, whilst further informal play is provided within areas of open space including trim trails in several areas alongside pedestrian routes.
- A variety of amenities are proposed as part of the wider site allocation, including a local centre. There is also a proposed new junior school site and local retail to the north-east of the Redrow scheme off Manchester Road. There are a number of existing amenities/facilities within a 15-minute walk of the site, including primary schools, employment, and retail. The land to the north of the southern parcel is allocated for future employment.

### 4 Homes for everyone

- There are a variety of property types and tenures within the scheme. The DAS sets out the affordable housing provision and its compliance with policy net of contributions toward the Link Road. A total of 83 (21%) affordable homes are to be provided, ranging from 1 bed Maisonettes to 3 bed houses.
- A plan showing the distribution of affordable housing would be beneficial.
- The number of private 2 bed units is quite modest for a scheme of this size.
- It is unclear what the provision is for the elderly/infirm within the private housing proposed.
- Unit floor areas are provided, and the scheme meet NDSS standards.

### 5 Making the most of what's there.

- Mount Pleasant Farm is being retained and the latest design seeks to create a more characterful layout adjacent, with detailing more reflective of the relationship to the retained farm buildings. It is unclear however what the proposed dividing boundary is to the farmhouse garden, especially where adjacent to the emergency access, as it could potentially undermine if inappropriate.
- SuDS in the form of swales and basins are proposed along the southwestern edge of parcel B, and elsewhere to help achieve the wetland characterisation of the Viking Way Corridor and the gateways into the development off Viking Way, but as noted below, these are dry rather than wet features, which will limit their impact. The potential for inclusion of rain gardens within verges/open spaces is identified across the development at various points. This should be secured, as it will help further reinforce the wetland characterisation of the site.
- The SuDS feature adjacent to the local wildlife site seems quite engineered and dry when this should be a more natural wetland feature.
- Existing landscape features are being integrated e.g. the ditch/watercourse running through parcel B, and the scheme is laid out to form a positive relationship to it. However, the short section of open ditch in front of plots 284-6 is still proposed as being culverted, when daylighting would be a better approach.
- It is still unclear how the site topography might help foster a sense of place. What are the strategies for dealing with levels and how will that be handled at the plot level? Cross sections and other levels information would help to explain that. Stone walling/retention could be used to help achieve this as elsewhere in the town.

- Is the hedgerow to the south of parcel B being retained? The drawings seem a little unclear (i.e. the discrepancy between parcel B site layout, detailed landscape and landscape masterplan drawings – only the latter infers retention).
- There is still no real evidence of consideration of the passive environmental opportunities presented by the site and this influencing the design.

## 6 Memorable Character

- The natural features within and adjacent to the site will play a significant part in establishing its sense of place.
- Overlaying this, the character areas, now with a waterside character area in parcel A and small farmhouse character area in parcel D will help to reinforce a sense of distinctiveness. However, as discussed previously, the detailing of house types in the Farmhouse and adjacent Cheshire Rural character area are quite similar, and the Farmhouse character area could have been taken a little further to reinforce that relationship, including in the quality of materials.
- More could also have been done to create more distinct focal buildings in the scheme to reinforce character and legibility.
- Urban spaces in Parcel A could have been further strengthened by stronger enclosure, and perhaps stone could have been utilised within boundaries for some spaces/gateways (but not as stand along pillars at vehicular entrances as presently proposed).
- There remain a couple of areas where car parking could be overly dominant and successful, quality landscaping is crucial to mitigate this.
- There is still some concern re: roofscape. This is illustrated by example street scenes in the DAS where there are examples of hipped roof forms sitting a little awkwardly against gabled types. Chimneys have been incorporated into some areas/types to help punctuate roof lines. For longer terraced blocks more than one chimney stack is necessary to do this successfully.
- Whilst some plots in the Waterside character area now include Juliet balconies, this could have been more extensive and potentially expanded to other character areas with a strong relationship to natural features e.g. the woodland area and overlooking the retained watercourse. It is also unfortunate that balconies do not extend to walk/sit on types.
- the L shape house type adjacent to POS has been designed out, which is welcomed.

## 7 Well defined streets and spaces

- For the most part, the layout is outward looking, based around perimeter blocks. Whilst further improved, there remain a couple of weaker points in the layout where alignment of street/positioning of buildings creates more awkward, irregular areas of space at the street edge. The most noteworthy being plots 282 and 3.
- The DAS advises that corner turning designs have been included for all relevant locations but a plan identifying this would have further assisted evaluation. Bays on ground floor could be used to strengthen key corners.
- More landscaping information is included to indicate how landscape design contributes to defining the transition between public and private areas. Positive treatment of the space, between street and built edge, is essential and will further improve the scheme. As discussed above, as a stone town, natural stone could be utilised as part of the palette of boundary typologies and would help further reinforce local distinctiveness.

## 8 Easy to find your way around

- As noted in the previous assessment, the layout of the site is highly legible, and this has been further reinforced with a stronger character response.
- There are several memorable natural features within and adjoining the site that will help legibility, and the latest changes seek to exploit key views as part of the place creation, most notably long views toward the south and views through and out to the Dane.
- Whilst further work has been undertaken to develop a stronger approach to the character areas in terms of house types, perhaps this could extend to the treatment of the front garden space between house frontage and street edge, including use of natural stone walling in certain areas where properties define spaces or there is a change in level, as is typical in Congleton, particularly on its periphery.
- The amended approach to create a sub character area adjacent to the farmstead has strengthened the distinctiveness of the easternmost part of the site, but the detailing of properties could have been further developed.
- Public art and waymarking would help reinforce sense of place and navigation to key areas and routes, such as the riverside and east-west greenway, co-ordinating with the approach on neighbouring sites. It could also be expressed in the play provision on site. This could be dealt with by condition.

## 9 Healthy streets

- A street hierarchy plan is included in the DAS/code.
- The scheme includes speed control along the length of the Avenues, including feature spaces. The narrowing proposed between parcels B and C should be better detailed though, incorporating landscaping and a crossing point if the footpath on the northern side of the Avenue is retained (but perhaps it would be better to remove that section of pavement and relocate the trim elements to the southern verge?)
- The eastern Avenue has been extended on the northern side into parcel D but it breaks down a little in part. It would help if vehicular crossovers could be broken up a little more and a further tree included in verge to strengthen this section. It might also be possible to get a further tree in the square adjacent to plot 366. In relation to the emergency access to Giantswood Lane, the edge adjacent to the existing farm needs to be positively landscaped (the space available toward Giantswood Lane is quite limited).
- The avenues should be as heavily tree lined as possible, and there are locations where additional trees could be included. Where possible, street trees for this route should be in verge and not private gardens to reflect the Cheshire East Design Guide. Where trees are shown they need to be deliverable (i.e. not in service strips or in too small a space)
- The tree planting in avenues need to extend to the street edge of Viking Way, not start at the site boundary. The entrance post features should also be omitted.
- As with the Avenues, there are opportunities to locate some additional trees in secondary and tertiary street types.
- Street materiality is reflective of the CEC design guide, but some refinement is necessary and a hard landscape/materiality drawing separate from the landscape masterplan would have been of assistance. This could be finalised via planning condition if necessary.

## 10 Cycle and car parking

- Frontage car parking has improved compared to the earlier layout but there are still a couple of areas where the frontage parking could dominate, and strong frontage landscaping is essential to prevent that.
- Cycle parking is now indicated at the key spaces/nodes in the development e.g. at the major play spaces and cycle stores are indicated for smaller plots without garaging on the planning layout (presumably garages are designed to enable cycle storage?).
- Visitor parking has been integrated into the scheme across the site.

## 11 Green and blue infrastructure

• Play provision is provided as 2 LEAPs and 2 LAPs and is supplemented with trim trails in several locations adjacent to key footpath/cycle routes (see comment above about that between parcels B and C), however, it is still a little unclear whether the design of play elements is informed by the character of the site and for the western area especially, the relationship to the river. • The ditch/watercourse is positively addressed within parcel B. There is one direct crossing indicated but the landscape masterplan hints that it is not a definite connection describing it as “potential bridge crossing point to be implemented if required”. This bridge is important to promote connectivity and interaction with the watercourse. • SuDS have been enhanced within the scheme and potential rain garden locations have been included across the site. It is essential that these are designed as sympathetically as possible to help elevate the character and appearance of the development. So, it is disappointing that all of the larger SuDS are designed as detention basins rather than as water holding ponds, including that adjacent to the LWF site, which appears quite deep and engineered, rather than a more natural wetland area. More information on the SuDS design, their landscaping, profiles etc. is therefore considered necessary. and they should be designed to hold water if possible. • How is the LWS to be screened off to prevent public access? • The existing short ditch that runs through the site to the east of parcel B is still shown as being culverted, which is unfortunate. This could have been retained to help create a transition between character areas. • A management and maintenance plan has been provided, which confirms it will be in place for the lifetime of the development. There seems to be no specific management regime identified for rain gardens, which leads to concern as to whether rain gardens will be delivered within the scheme. • As commented previously, local food growing could be extended into different parts of the site (i.e. not just an orchard in parcel A), using this to help characterise parts of the scheme, for example the mini character area adjacent to the farmstead. • Landscape quality along the edges of the site is extremely important and needs to dovetail with that associated with the Link Road, Viking Way and Giantswood Lane. Whilst the planning layout shows off site landscaping, that seems quite schematic. How accurate is that? The combined landscape should be accurately presented to ensure off and on-site landscaping are adequate. There is potentially a pinch point in relation to the Link Road boundary adjacent to plot 364, but it is noted that the site is elevated above the link road at this point. • Who is going to be responsible for the pond area in the western part of the woodland? (as this seems to fall outside of this application site and that of Bloor). The entire woodland/pond area needs to be under positive management. It rests with the remainder of the woodland and the adjoining LWS and should be managed as such.

## 12 Back of Pavement Front of Home

- Bin storage positions aren't identified, although collection areas are shown on the latest revised site layout. Generally, gardens are large enough, even for smaller types, to store the required number of bins, however indicating this on the site layout would have been helpful to demonstrate this.
- Frontage boundary information is included on landscape drawings and in the DAS, although this could be enhanced by including stone boundary walling in certain locations, as part of the characterisation.

The applicant has sought to address some of these outstanding matters and the urban Design Officers comments on this are awaited. However, no significant issues are now raised, and some of the more detailed matters can be conditioned.

## **Noise / residential amenity**

In support of the application, the applicant has submitted an noise impact assessment (NIA).

The NIA relates to the proposed site layout and corresponds to the applicants planning layout. Any amendments to the planning layout must comply with the NIA or the NIA maybe required to be reviewed accordingly.

The impact of the noise from traffic and industrial process on the proposed development has been assessed in accordance with:

- BS4142:2014 Methods for rating and assessing industrial and commercial sound
- Department of Transport document 'Calculation of Road Traffic Noise' (CRTN), 1988

An agreed methodology for the assessment of the noise source.

The report recommends noise mitigation measures (at section 3) designed to achieve BS8233: 2014 and WHO guidelines; to ensure that future occupants of the properties are not adversely affected by noise from industrial activity / transportation noise sources.

The reports methodology, conclusion and recommendations are accepted.

With regards to the layout and relationships to adjoining land, the only neighbouring property (in close vicinity to the site) is Mount Pleasant Farm and there are no amenity concerns from the layout. Properties on the approved Bloor Homes development are separated by a tree-lined hedgerow and watercourse, and there are no amenity concerns here.

Internally there are a few instances where there is a slight shortfall in the required privacy distances, however these are considered acceptable to achieve a good housing layout. To ensure the situation is not exacerbated on site a levels condition is recommended to ensure that there are no level changes of significance between properties.

Highways have mentioned the agricultural stub off Giantswood Lane which if retained could lead to amenity problems as vehicles could access immediately to the rear of proposed properties. As

the land is outside the control of the applicant and is no longer required for access once the site is in use for residential, it should be closed off to prevent vehicle access. A Grampian style condition is recommended in this regard.

## **Air Quality**

The developer has submitted an air quality impact assessment that is acceptable to the Air Quality Team. However, there is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality.

Congleton has three Air Quality Management Areas and, as such, the cumulative impact of developments in the town is likely to make the situation worse, unless managed.

Environmental Health would, therefore, recommend conditions requiring Low Emissions Boilers & Electric Vehicle Infrastructure.

## **Contaminated Land**

The application is for a proposed use that would be particularly vulnerable to the presence of contamination.

Residential developments are a sensitive end use and could be affected by any contamination present or brought onto the site.

It is noted that the farmhouse, Mount Pleasant, is no longer part of the application area.

The application area has been investigated in three phases with reports submitted for each:

1. Fields either side of Barn Road, dated March 2019 and dated July 2020
2. Land adjacent to Giantswood Lane dated November 2021
3. Land adjacent to Wolstenholme Elmy Way dated November 2020 and dated August 2021

Satisfactory Phase I Preliminary Risk Assessments (PRA) have been carried out for all three phases. Sufficient Phase II ground investigation and risk assessment has been carried out for phases 2 and 3.

With regards the phase 1 area, the report recommends further investigatory works. In addition, two photographs (location not detailed) in the PRA for this area indicated areas of potential contamination but were not mentioned in the subsequent ground investigation. These may need to be considered further and are:

- Plate 5 – construction waste and aggregate stockpiles
- Plate 14 – potential hydrocarbon impact in stream in centre of the site.

Given the above further investigation is recommended.

It is noted that no remedial measures are recommended for phases 2 and 3. A watching brief is recommended for made ground, potentially in areas such as former field boundaries or ponds. Environmental Protection are in agreement with this.

As such, and in accordance with paragraphs 174, 183 and 184 of the NPPF 2021, Environmental Protection recommend that conditions, reasons and notes be attached should planning permission be granted:

## **Education**

The development of 394 applicable dwellings is expected to generate:

73 - Primary children (394 x 0.19) (- 2 SEN)  
58 - Secondary children (394 x 0.15) (- 1 SEN)  
5 - SEN children (394 x 0.51 x 0.023%)

The development is expected to impact on primary and secondary school places in the locality. Contributions which have been negotiated on other developments are factored into the forecasts both in terms of the increased pupil numbers and the increased capacity at primary and secondary schools in the area because of agreed financial contributions.

The analysis undertaken has identified that a shortfall of secondary school places remains. The Service acknowledges that this is an existing concern, however the 58 secondary age children expected from the development will exacerbate the shortfall.

Special Education provision within Cheshire East Council currently has a shortage of places available with at present over 47% of pupils educated outside of the Borough. The service acknowledges that this is an existing concern, however the 5 children expected from the development will exacerbate the shortfall.

To alleviate forecast pressures, the following contributions would be required:

$58 \times £17,959.00 \times 0.91 = £ 947,876.02$  (Secondary)  
 $5 \times £50,000 \times 0.91 = £227,500.00$  (SEN)

Total education contribution: £1,175,376.02

Without a secured contribution of £1,175,376.02 Children's Services raise an objection to this application.

## **Flood Risk/Drainage**

The Flood risk Team have requested additional detailed information with regards to drainage and commented that the latest proposals do not appear to fully utilize the potential for the site to make full use of SuD's. The applicant is looking at revising the proposals and amended

proposals were anticipated shortly at the time of writing the report, which the LLFA will need to look at. Members will need to be updated on this in an Update Report.

## **Public Open space**

The Design & Access Statement Landscape Plan shows a network of open spaces connecting throughout the development area.

Through pre-application discussions the preferred locations for the two LEAPs have been achieved giving good natural surveillance. A couple of LAPs were proposed in Parcel B land however only one has materialised. The agreement of the two LEAPs were based on two LAPs being provided therefore a further LAP is required or one of the LEAPs increased to a NEAP.

All play space should collectively cater for all age ranges to Fields in Trust standards paying particular attention to accessibility, inclusivity with appropriate buffer zones. It is requested that each facility is themed appropriately to its location.

There are areas of open space, such as the local wildlife site which will not have public access however educational interpretation boards at pivotal points throughout the whole site would be most welcome. These areas should include woodland Green, wildlife site and open space in the south adjacent the River Dane.

SuDs systems need enough space to allow wildlife to enter and exit safely. SuDs should be permanently wet swales/ponds increasing the ecology of the development and not just form a SUDs function. These too could benefit from interpretation boards.

Any trees that need to be felled, as a result of the development which are suitable to be recycled on site for either sculpture, informal play or habitat creation should do so. Although the East-West Greenway is outside of the application site connections are proposed on the southern boundary. Developments along the Northern Congleton Masterplan area are helping to create a sense of place by incorporating nature-based art sculpture, rubbing posts and way markers to give the development a distinctive feel. To give continuity and create quality of place it is suggested these features could be incorporated into this development site.

Pathways should be ideally permeable resin bound gravel to maximise the accessibility with appropriate seating (some with arm rests and backs) along the route. A community orchard has been incorporated in Parcel A which is welcomed.

In terms of outdoor sports facilities, the proposal will increase demand on existing facilities and as such a financial contribution towards off site provision will be required. The financial contribution is required at a rate of £1,000 per family dwelling or £500 per 2 bed space plus apartment. The funds would be required on commencement of development and would be used in line with the Council's adopted Playing Pitch Strategy.

Additional information has been submitted to address ANSA's concerns and to clarify some matters in relation to play area buffers and which areas are proposed to be informal amenity

space (as opposed to SuDs features or wildlife protection areas, and ANSA's comments on this are awaited at the time of writing the report. It is however considered that any further amendments are capable of being addressed through conditions if needed.

## **Affordable Housing**

Policy SC 5 (Affordable Homes) in the Cheshire East Local Plan Strategy (CELPS) sets out the thresholds for affordable housing in the borough. In residential developments, affordable housing will be provided as follows: -

- i. In developments of 15 or more dwellings (or 0.4 hectares) in the Principal Towns and Key Service Centres at least 30% of all units are to be affordable;
- ii. In developments of 11 or more dwellings (or have a maximum combined gross floorspace of more than 1,000 sqm) in Local Service Centres and all other locations at least 30% of all units are to be affordable;
- iii. In future, where Cheshire East Council evidence, such as housing needs studies or housing market assessments, indicate a change in the borough's housing need the above thresholds and percentage requirements may be varied;

The National Planning Policy Framework (2019), in paragraph 63, states that the provision of affordable homes should not be sought for residential developments that are not major developments. Major developments are defined as housing sites of 10 or more homes, or the site has an area of 0.5 hectares or more. The CELPS states in the justification text of Policy SC5 (paragraph 12.44) that the Housing Development Study shows that there is the objectively assessed need for affordable housing for a minimum of 7,100 dwellings over the plan period, which equates to an average of 355 dwellings per year across the borough. This figure should be taken as a minimum.

This is a proposed development of 398 dwellings in the settlement boundary of the Key Service Centre of Congleton. Therefore, there is a requirement to provide 120 (119.4) affordable dwellings for this application.

The site is located in the area of the Local Plan Strategy (LPS) site LPS 27 (Congleton Business Park). The LPS states that the affordable housing should be in line with policy SC5 of the CELPS. The applicant mentions in their Supporting Planning Statement that a portion of this land, parcels A & B, come under the Congleton Link Road (CLR) of the LPS. The CLR requires developments to provide a contribution towards the building of the link road. Due to a confirmed viability case, developments on the CLR are required to provide 17.5% affordable housing, with these being all Discount for Sale intermediate tenure dwellings with a 20% discount off the market value.

The applicant in the Supporting Planning Statement, goes on further to say that on parcels C & D there will be a policy SC5 compliant 30% affordable housing.

The applicant in the Supporting Planning Statement advises that they are to provide 85 dwellings which equates to 21% affordable housing provision across the whole site.

The statement breaks down the split of the provision to parcels A & B being 17.5% of 290 dwellings and parcels C & D being 30% of 108 dwellings.

### Affordable Housing Mix

The current need for rented units show a total of 1028 on the Cheshire Homechoice register with Congleton as their first choice. From this data there is a need for 1, 2, 3, and 4-bedroom dwellings.

There is also a need for Intermediate Housing that will cater for those who cannot buy a property on the open market without the assistance of a discount scheme.

The applicant is proposing a mix of 1, 2 and 3- bedroom dwellings but does not provide information on the tenures proposed for these units. Housing would want to see a 4-bedroom rented provision as this is shown to be needed in the need data.

The Housing Supplementary Planning Document (HSPD) in paragraph 6.10, the Council's preferred split in tenures for Affordable Homes is 65% Rented and 35% Intermediate Tenures. From the 30% provision on parcels C & D the policy SC5 tenure mix equates to 22 Rented and 11 Intermediate.

The applicant has now advised that there will be 33 dwellings on parcels C&D which are to be affordable. This is now in line with CELPS policy SC5.

Of the 33 units the statement shows that the tenure split of the affordable dwellings is to be 21 rented and 12 intermediate. This now meets the HSPD policy requirement.

The applicant is now proposing to have 2no, 4-bedroom rented dwellings and so is now meeting the need for the rented accommodation.

The statement confirms that the affordable rented accommodation rates will be set at the level of the LHA. This meets the requirement in the HSPD.

### Nationally Designed Space Standards (NDSS)

In the Site Allocations and Development Policies Document (SADPD) policy HOU8 point 3, new residential development in the borough should meet the Nationally Described Space Standards. All the affordable units are now to meet or exceed the Nationally Designed Space Standards. This is now in line with the SADPD policy HOU8.

### Affordable Housing Statement

The HSPD states that all Full or Reserved Matters applications need to provide an Affordable Housing Statement. This statement will contain the elements required in paragraph 6.45 of the HSPD.

A full Affordable Housing Statement has now been provided and Housing have now confirmed they raise no objections to the application.

It is also noted that the Housing Team at the Council has been provided a letter from Torus Housing who are the Registered Provider for the development, stating that the Homes England grant has been secured for the non S106 Shared Ownership dwellings. With is this in mind, Whilst housing would like all the policy required affordable housing to be secured via a S106, this is not being offered by the applicant and cannot be required as this exceeds the policy requirements. For clarity, the S106 will not include the Shared Ownership that is over and above that required under the Cheshire East Planning and Housing policies.

## **Healthcare**

The NHS have confirmed that the GP Practices affected by this large-scale housing development are: Meadowside Medical Centre, Lawton House Surgery, Readsmoor Medical Centre and the Holmes Chapel Health Centre. The GP Practices currently operate as part of a Primary Care Network (PCN) called CHOC. Overall, patient list sizes in the area have continued to increase without necessary provision to support the infrastructure of the Health Centres that service the population. Evidence is then provided showing the considerable strain in relation to capacity of premises the GP Practices are facing.

In order to mitigate that harm to local healthcare the NHS CCG are requesting a financial contribution of some £515,950 based on the number of houses proposed.

## **Archaeology**

The application seeks to demolish the extant buildings at Mount Pleasant, having reviewed the historical mapping of the area it is clear that the east range of Mount Pleasant is depicted on the 1840 Tithe Map of the area. The other buildings at the site are then depicted on the first edition OS Map of the area (1874) suggesting that while the other structures are not on the tithe, they were constructed between the two maps.

It is likely that these buildings may have remaining historical materials which may offer information and evidence for the construction of the structures which is of interest to archaeology and therefore would require recording prior to the demolition. This recording should take the form of a Level II Building Survey as outlined by Historic England in their document "Understanding Historic Buildings".

Furthermore, the proposed development seeks to construct houses on the site of Mount Pleasant and therefore it is likely that the construction of these will disturb or destroy below ground archaeological remains relating to the earliest uses of Mount Pleasant. There should be a programme of archaeological observation during these works in order to identify and record any of these below ground features.

It is advised that the archaeological mitigation for this proposed development should consist of a Level II building survey prior to demolition, followed by a developer funded watching brief during

key stages of the development. These key stages include removal of top soils, excavations for foundations and excavations for services. This work may be secured by condition.

## **Jodrell Bank**

Jodrell Bank have objected to the application, and indeed have objected to all the applications in North Congleton because of the impact on the radio telescope. However, this site was formally allocated in the Local Plan Strategy in full knowledge of the impacts on Jodrell Bank, and falls well within the outer zone of impacts. As such whilst this impact is regrettable it must be weighed in the planning balance with meeting the requirements of the Local Plan. Mitigation measures within properties to reduce the impact can be conditioned.

## **CONCLUSIONS**

This is a full planning application for residential development of this site. The principle of residential development is in line with Local Plan allocation Site LPS 27, and is therefore accepted.

Highways have no objections, subject to a number of conditions and financial contributions. The Public Rights of Way team have now confirmed they have no objections subject to a conditions/informative, but highlighted the PROW will need to be formally diverted.

The Council's Landscape Officer has requested a number of amendments which have largely been achieved, and the Tree Officer – whilst seeking some clarification regarding conflicting plans is raising no significant concerns.

The Council's Ecologist has raised the issue of harm to a Local wildlife Site caused by the construction of an internal access route linking two parts of the site, which is noted, however this needs to be looked at in the overall planning balance. Clarification was sought on the Biodiversity Net Gain (BNG) calculations which have now been resolved.

Extensive discussions have taken place in relation to urban design. Revised plans have been received and the Council's Urban Design Officer is now largely supportive of the scheme. Some additional amendments have been made to address some (relatively minor) outstanding matters, and it is hoped that the Design Officer can confirm that these changes largely address outstanding matters.

Perhaps the main issue outstanding on this application is in relation to drainage/flooding. The LLFA have indicated that the applicant has shown the site can be adequately drained, but that SuDs is not accommodated as well as it should – a point made by UU. Members will need to be updated on this matter.

ANSA have raised in number of detailed comments on POS provision which the applicant has sought to address. Members will be updated accordingly when revised ANSA comments are received.

Following the receipt of an Affordable Housing Statement, with clarification of the tenure mix and that all properties meet the NDSS standards, Housing have now confirmed that they raise no objections.

Jodrell Bank have objected on the grounds of harm to the Observatory, however this needs to be seen in the overall planning balance.

Finally other matters such as Education, Healthcare, Archaeology, Contaminated land/Air Quality/Amenity can be addressed by contributions/conditions.

Whilst there is some harm to Ecology and Jodrell Bank, this is considered to be outweighed by developing this allocated site and the benefits this brings.

## SECTION 106

A Section 106 Agreement is required to secure the following:

S106	Amount	Trigger
Affordable Housing – On site provision	<ul style="list-style-type: none"> <li>- 17.5% or 30% of total number of dwellings shall be affordable (rounded up) depending on parcels as Parcels A &amp; B make a CLR contribution</li> <li>- Affordable Housing split 65% and Affordable Rented Housing and 35% Intermediate Dwellings</li> <li>- Retained as Affordable</li> </ul>	To be completed before 50% of the market housing is sold or let
Education contribution	£1,175,376.02 towards Secondary and SEN provision	50% on first occupation, 50% on 50% occupation
NHS Healthcare contribution	£515,950 towards primary healthcare in local GP practices N/B Figure may need a slight revision as number of units has been revised downwards since submission.	50% on first occupation, 50% on 50% occupation
Congleton Link Road	£15,000 per dwelling (for Parcels A & B)	50% on first occupation, 50% on 50% occupation.
Congleton Greenway	£450,000	Prior to first occupation
Passenger transport Service	£400,000	50% on first occupation, 50% on 50% occupation
Bus Stops	£25,000	Prior to first occupation
Open Space – On site delivery	- Submission/approval of an Open Space Scheme in accordance with Parameters Plan/s	Prior to commencement

	- Provision of community orchard, management & maintenance	Prior to occupation of no more than 50% of the dwellings
Open Space – Management	- Submission/approval of Management and Maintenance Plan  - Establishment of a private management company to manage & maintain the relevant POS in perpetuity.	Prior to commencement  Prior to first occupation
Outdoor Sport contribution	£1000 per family dwelling and £500 per 2+ bed apartment towards additions, improvements and enhancements in line with the Council's Playing Field Strategy or subsequent adopted policies	Prior to first occupation

## **CIL REGULATIONS**

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010, it is necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following: a) Necessary to make the development acceptable in planning terms; a) Directly related to the development; and b) Fair and reasonably related in scale and kind to the development. It is considered that the contributions required as part of the application are justified meet the Council's requirement for policy compliance. All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development. The non-financial requirements ensure that the development will be delivered in full. On this basis the S106 the scheme is compliant with the CIL Regulations 2010.

## **RECOMMENDATION**

**Approve subject to the signing of a Section 106 Agreement and the following conditions;**

- 1. Standard 3 year consent**
- 2. Approved Plans**
- 3. Materials**
- 4. Landscaping**
- 5. Implementation of landscaping**
- 6. Submission of Landscape and Ecology Management Plan**
- 7. Tree protection and special construction measures as identified in the latest AIA/AMS**
- 8. No Dig - Non Standard for areas involving hard surfacing adjacent to retained trees**

9. Site Supervision – Non Standard following recommendations of AIA/AMS
- 10.Noise mitigation in accordance with the acoustic report
- 11.Electric Vehicle Infrastructure
- 12.Low Emissions Boilers
- 13.Submission of a Contaminated Land Phase II investigation.
- 14.Submission and approval of a Verification report
- 15.Control over imported soils
- 16.Requirement to inform LPA if unexpected contamination found
- 17.Submission of Construction and Environmental Management Plan to include hours of construction
- 18.10% renewable provision
- 19.No dewatering to take place within 66m of the Field at Hulme Walfield Local Wildlife Site.
- 20.Fencing to be erected on site prior to commencement of development in accordance with submitted plans.
- 21.Proposals for the interpretation of the retained Field at Hulme Walfield Local Wildlife Site and the provision and maintenance of dog waste bags to be submitted and agreed.
- 22.Submission and implementation of a CEMP including measures to safeguard all potentially affected Local Wildlife Sites identified in the ES.
- 23.Implementation of Great Crested Newt Reasonable Avoidance Measures.
- 24.Updated badger survey and mitigation method statement to be submitted prior to commencement of development.
- 25.Submission of wildlife friendly lighting scheme designed to safeguard bat foraging and commuting habitat and the retained Local Wildlife Site.
- 26.Safeguarding of nesting birds.
- 27.Submission and implementation of a habitat creation method statement, 30 year habitat and monitoring plan to deliver the BNG in the submitted BNG Report including control of non-native invasive species.
- 28.Strategy for the incorporation of features to enhance the biodiversity value of the proposed development.
- 29.Archaeological programme of works
- 30.Scheme of appropriate surface water drainage
- 31.Detailed design of surface water drainage
- 32.The development shall be carried out in accordance with the submitted Flood Risk Assessment
- 33.Finished floor levels
- 34.Details of Emergency Access onto Giantswood Lane to be submitted and approved
- 35.Street lighting scheme for Barn Road
- 36.Detailed design of the footpath/cycleways through the site to be submitted and approved
- 37.Details of the stopping up of the stub farm access from Giantswood Lane to be agreed (Grampian condition as off site)
- 38.Submission of a Public Right of Way Management Plan
- 39.Detailed design of play areas.

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

