

Application No: 12/0893C  
Location: LAND OFF, CREWE ROAD, ALSAGER  
Proposal: Erection of up to 65No. dwellings (Outline)  
Applicant: Hollins Strategic Land LLP  
Expiry Date: 04-Jun-2012

### **UPDATE 30<sup>th</sup> July 2012**

#### **Landscape Issues**

In response to the revised access plan, the Council's Landscape Officer has made the following comments.

We could accept the loss of Oak T8 as it is not a particular good tree. Nonetheless, we should try to secure the proposed access outside the root protection area (RPA) for retained Oak T9. The revised plan does not achieve this. In addition, because of the number of trees present, we would need special construction techniques for all areas where hard surfacing compromises RPAs, including the proposed new footway along Crewe Road.

Also the latest layout 1200 2 A does not show a TPO Oak tree on the site adjacent to 38 Goldfinch Drive. The layout as shown provides insufficient RPA for this tree.

Siting the access road outside the RPA of T9, would result in a slight reduction in the 40m separation distance between the proposed access and the junction of Cranberry Lane with Crewe Road Alsager which the Highways Department have requested. This is likely to be in the region of 3m to 4m. However, this would facilitate the retention of the tree, and the extent of the reduction is not considered to be sufficiently detrimental to highway safety that a result of planning permission could be sustained.

It is therefore recommended that delegated powers are granted to the Development and Building Control Manager to approve the application subject to the receipt of an amended layout plan showing the access relocated outside the RPA of Oak T9 the inclusion of TPO Oak tree on the site adjacent to 38 Goldfinch Drive, and the provision of sufficient RPA for this tree within the layout. .

#### **AMENDED RECOMMENDATION**

**GRANT** delegated powers to the Development and Building Control Manager to **APPROVE** the application subject to:

- **The receipt of an amended layout plan showing the access relocated outside the RPA of Oak T9 the inclusion of TPO Oak tree on the site adjacent to 38 Goldfinch Drive, and the provision of sufficient RPA for this tree within the layout.**
- **Section 106 Agreement and conditions as set out in the main report**

## **STRATEGIC PLANNING BOARD – 1<sup>ST</sup> AUGUST 2012**

### **WRITTEN UPDATE TO AGENDA**

#### **APPLICATION NO.**

12/1381N

#### **LOCATION**

Stapeley Water Gardens

#### **UPDATE PREPARED**

30<sup>th</sup> July 2012

#### **REPRESENTATIONS**

**Stapeley Parish Council** - The Clerk apologises that these were not sent in time for inclusion in the report. Make following comments:

- peak traffic in the area is of great concern and there are times when Peter de Stapleigh Way is grid-locked. Needs to be addressed
- Access from this Southern Area of Nantwich is already very congested and the two railway crossings can make movement very difficult .
- Concerns about the access to Angling Centre being via a housing estate. This mixture of commercial and domestic traffic on housing estate scale roads is not desirable.
- Concern that this would set a precedent for further development on the Angling Centre site should it close.
- The traffic surveys do not seem to reflect local experience of traffic.
- Broad Lane Primary School access is discussed but there are no plans to improve this or indeed any conclusion. We believe this proposal will exacerbate the traffic problems when pupils are dropped off/collected. Why are there no proposals for improvement?
- Whilst within planning guidelines, the density of housing looks high, offering poor amenity and visuals for existing and future residents. Is such a density needed in this heavily developed area?
- The proposal offers a children's play area but there is little detail. Given previous experience of developers, a more robust approach is needed to facilities of this type.

**Network Rail** - objecting to the above proposal.

Network Rail has three level crossings within the Nantwich town environment where we have issues of extremely heavy use, blocking back and crossing misuse,

especially at Nantwich MCB and Shrewbridge Rd. Whilst we accept that this development is not as large as a proposed 1000 dwellings and will probably have minimal affect on the crossings as it stands, if it forms part of a much larger development then we believe it will have a detrimental effect on all of the three crossings increasing the number of incidents we already have and import further risk to the railway in future.

**Local Residents** – Further comments received from one resident raising concern that Network Rail have not been consulted and the impact that development would have on level crossings.

## **KEY ISSUES**

The Committee report covers much of the points raised by Stapeley Parish Council, which predominantly relate to Highways issues. No objection has been raised by the Strategic Highways Manager subject to s.106 contributions and conditions.

With regard to the play area, there would be a requirement for details of equipment and detailed proposals to be submitted as part of the s.106 agreement.

Concern has been raised by Network Rail. These concerns appear to principally relate to wider development in southern Nantwich. This proposal doesn't relate to any application for "1000" dwellings. The level crossings, and capacity issues, in Nantwich has been highlighted by the Strategic Highway Manager response and have suggested a contribution towards improvements to the A51 bypass.

## **RECOMMENDATION**

**No change to recommendation.**

## **STRATEGIC PLANNING BOARD- 1<sup>st</sup> August 2012**

### **UPDATE TO AGENDA**

**APPLICATION NO: 11/2340M**

**LOCATION: RIETER SCRAGG / LANGLEY WORKS, LANGLEY ROAD, LANGLEY**

**PROPOSAL: Outline application for redevelopment of site for a mixed use, comprising residential development (Maximum 77 dwellings), Class B1 office/light industrial units, (Maximum 836sqm gross), Public Open Space and New Footpath links (REVISED SCHEME). All matters reserved.**

**UPDATE PREPARED: 30 July 2012**

### **ADDITIONAL CONSULTATION RESPONSE**

The Nature Conservation Officer advises that based on the results of the further barn owl survey he is satisfied that barn owls are unlikely to be roosting at this site.

Whilst the impacts of the development are not likely to compromise the legal protection of barn owls, barn owls are a protected and biodiversity action plan priority species and hence a material consideration. It is the presence of barn owls foraging activity on the site that prompts the need for the species to be considering during the determination of this application.

The site currently supports unmanaged grassland and woodland edge habitats that are likely to support the small mammal prey of barn owls. The relative scarcity of this habitat type within the otherwise intensively farmed landscape of Cheshire is one of the main factors limiting the barn owl population in the County. The development of this site is in my view likely to result in a loss of suitable foraging habitat for the local barn owl population which can have nothing other than an adverse impact on the local status of the species. Any such adverse impact, if unmitigated, would render the proposal contrary to established local plan policy and advice in the NPPF in terms of protecting important species and their habitats, which would include foraging habitat. A commuted sum of £2000 towards compensation measures to off-set this impact is considered, therefore to be necessary to make the development acceptable in planning terms.

£2,000 would enable the barn owl group to purchase materials to create 50 barn owl boxes. These could be erected in those areas of the Borough where the barn owl population is limited by the available nesting habitat. Alternatively, the funds could be spent on undertaking radio tracking works to help establish the movements and territories of barn owls in the county, the commuted sum would enable the purchase of 100 temporary radio tags. The Barn Owl Group works closely with local landowners advising them on the creation and maintenance of suitable areas of rough grassland/foraging habitat part of the commuted sum could also assist with the groups expenses in undertaking such visits.

The commuted sum would allow the delivery of quite significant benefits for the species, and is an entirely appropriate means by which this material consideration can be addressed and is fully in accordance with the NPPF and the aspirations of the white paper in respect of biodiversity off-setting. The proposed payment is therefore fairly and reasonably related in scale and kind to the development and for the reasons stated above, it is considered that the proposed commuted sum, complies with the CIL regulations.

### **CONDITIONS**

As the Open Space Strategy and the Landscape and Habitat Management Plan are requirements of the legal agreement, conditions 12 &13 are no longer required, and are to be disregarded.

### **RECOMMENDATION**

There is no change to the recommendation of approval, subject to the completion of a s.106 agreement, with the requirements listed below.

### **COMMUTED SUMS**

Further to the drafting of the Committee report, we have reviewed the payment/repayment of the commuted sums.

Paragraph 205 of The Framework, advises that a greater degree of flexibility should be paid to prevent the development being stalled. Given that the commuted sums amount to £345,000 it is considered reasonable to allow 50% of the Open Space Contribution

(£95,500), the Community Facilities (£30,000), Public Art (£5000) is paid prior to the 1<sup>st</sup> occupation of the development, rather than on the commencement of development (or an alternative agreement).

Should the commuted sums not expended/committed for expenditure by the Council, then the POS monies shall be repaid to the developer after a 15 year period, and the other monies after a 7 year period.

## **HEADS OF TERMS**

**Affordable Housing** - 18% affordable housing - with a tenure split of 65% affordable rented and 35% intermediate tenure, this equates to 14 units, with a tenure split of 9 for rent and 5 for intermediate tenure.

**Community Facilities / Youth Support** - £30,000 to be spent on either Community Facilities and / or Youth Support as agreed between CEC and Sutton Parish Council

**Education** - £84,000 to be spent at Hollinhey Primary school, to accommodate the additional pupils the development will generate

**Highways** – £26,000 to provide a bus shelter, and 2 new bus stops

## **Landscape and Habitat management plan**

**Open Space** - £191,000 to provide £120,000 towards off site play, and £71,000 toward recreation and outdoor sport

**Open Space Strategy**, which includes the provision of a new footbridge and steps (Capped at £7000) on Public Footpath 15 adjacent to the reservoir

**Provision of Public Art** – Capped at £5000

**Public Open Space management company to maintain the POS in perpetuity**

**Barn Owl Habitat Creation Works - £2000**



## **STRETEGIC PLANNING BOARD – 1<sup>st</sup> August 2012**

### **UPDATE TO AGENDA**

**APPLICATION NO.** 11/4501M

#### **LOCATION**

KAY METZELER LTD, WELLINGTON ROAD, BOLLINGTON, SK10 5JJ

#### **UPDATE PREPARED**

30<sup>th</sup> July 2012

#### **OFFICER APPRAISAL**

The Councils Arboricultural Officer has commented on the submitted revised plans and documents which have been submitted. The revised Tree Survey, Tree Protection Plan, cross sectional detail and illustrative layout plan addresses the previously raised concerns.

The precise position of the protected group of trees (G15) have now been accurately plotted along the northern boundary of the site and the adjacent plots have been configured to provide a more acceptable relationship/social proximity to the northern group of trees.

The offsite protected group of Lime trees adjacent to Garden Street (G16 of the TPO) have now been plotted and whilst Plots 95 and 96 do not present an ideal relationship to these offsite trees, it is considered that future management can be adequately controlled, particularly as the trees lie outside the site ownership.

#### **CONCLUSION**

The principle of the development has been discussed within the main agenda report. The revised indicative layout plans are considered to be acceptable from both a layout, tree and landscape perspective. The recommendation remains as one of approval subject to a Section 106 Agreement.

#### **RECOMMENDATION**

Approve subject to conditions and a S106 Agreement.