

Application No: 11/4109C

Location: TWYFORDS BATHROOMS, LAWTON ROAD, ALSAGER, ST7 2DF

Proposal: Outline Planning Permission with some Matters Reserved for up to 335 Residential Units and Access off Lawton Road and Linley Lane

Applicant: Lagan (Alsager) Limited

Expiry Date: 02-Mar-2012

SUMMARY RECOMMENDATION

Approve subject to conditions and completion of a S106 Agreement to secure the following:

- **Provision of affordable housing - 19% affordable housing (64 dwellings) based on 65% social/affordable rent and 35% intermediate tenure**
- **The provision of a LEAP and Public Open Space and a scheme for management**
- **Bus pas contribution £56,950**
- **Contribution to improve the PROW and informal path which links to Alsager Train Station £93,050**

MAIN ISSUES

**Planning Policy And Housing Land Supply
Loss of Employment Land
Development Viability
Affordable Housing
Amenity
Ecology
Landscape
Trees
Drainage And Flooding
Design
Open Space
Highway Safety And Traffic Generation
Infrastructure
Archaeology
Public Right of Way
Other Issues**

REFERRAL

The application has been referred to Strategic Planning Board because it is a major development.

1. SITE DESCRIPTION

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

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

The site is relatively flat and is well screened. The site includes a large factory and warehouse building which has a floor area of 64,095sq.m. An existing office building and a more modern warehouse building are located outside the red-edge for this planning application.

2. DETAILS OF PROPOSAL

This is an outline planning application with all matter reserved apart from access. The proposal relates to a residential development of up to 335 dwellings. The number of dwellings has been reduced as part of this application from 435. The proposed development would give a density of 34.7 dwellings per hectare.

The site area is 14.77 hectares although not all of the site would be developed. A developable area analysis for the site shows that the site would be divided as follows:

- 9.65ha – Residential development
- 1.21ha – Open space (Including open space and children and young person provision)
- 2.96ha – Retained woodland
- 0.95ha – Undevelopable land (roads, roundabout junction etc)

Access is proposed as part of this application and 80% would be taken via the existing access point on to Lawton Road with 20% via Linley Lane (details of this would be agreed at a later date).

The application is accompanied by an Environmental Statement.

A separate planning application (11/4390C) for a roundabout and access road onto Linley Lane has now been withdrawn.

3. RELEVANT PLANNING HISTORY

The site has no relevant planning history.

4. PLANNING POLICIES

National Policy

National Planning Policy Framework

Local Plan Policy

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

Other Material Planning Considerations

SPG1: Provision of Public Open Space in New Residential Development
SPD4: Sustainable Development
SPD6: Affordable Housing and Mixed Communities
'Planning for Growth'
'Presumption in Favour of Economic Development'
The EC Habitats Directive 1992
Conservation of Habitats & Species Regulations 2010
Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System
Interim Planning Statement Affordable Housing
Interim Planning Statement Release of Housing Land
Circular 02/99: Environmental Impact Assessment
Town and Country Planning (Environmental Impact Assessment) Regulations 2011
Community Infrastructure Levy (CIL) Regulations 2010
Alsager Town Strategy

5. OBSERVATIONS OF CONSULTEES

English Heritage

It is not necessary for this application to be notified to English Heritage

Environmental Health

Noise and Vibration

A construction programme is to be developed, detailing the proposed works, timescales and mitigation measures to control noise and vibration. This is to be implemented in order to reduce impact on the local residents. A noise and vibration monitoring is to be undertaken by the developer during periods of demolition and significant heavy vehicle movement.

The properties to be developed will be required to meet the guidance on acoustic design goals for residential development as set out in British Standard 8233:1999 'Sound insulation and noise reduction for buildings – Code of Practice' to the 'Good Standard' for living rooms and bedrooms.

A condition is required in relation to the timing of any pile driving and hours of construction.

Air Quality

In terms of site preparation and construction phase, it is recommended that the proposed mitigation measures are implemented to minimise any impact on air quality in addition to ensuring dust related complaints are kept to a minimum.

Contaminated Land

No objection to the application, subject to the following comments with regard to contaminated land:

- The application area has a history of use as a ceramics factory and therefore there is the potential for contamination of the site and the wider environment to have occurred.
- This site is within 250m of a known landfill site or area of ground that has the potential to create gas.
- The application is for new residential properties which are a sensitive end use and could be affected by any contamination present.
- The reports submitted in support of the application have identified limited contamination at the site, but these investigations were limited in scope. A further, more extensive investigation is required to fully investigate the site and this should be secured via a planning condition.

Strategic Highways Manager

Although the site access strategy is not considered ideal in capacity terms, it is considered to be a safe strategy. The main access is likely to suffer from queuing from the nearby traffic signals during the evening peak hour of operation and the inconvenience of traffic trying to access/egress site at such times.

The operation of the Linley Lane/Crewe Rd/Liverpool Rd traffic signals is not ideal currently. The site proposals will impact upon this junction and also the Sandbach Rd/Crewe Rd junction. The site will have had a traffic generation associated with the employment buildings that are to be demolished. The Strategic Highways Manager considers it correct to make allowance for the previous use in part only as a potential offset of the impact of the development – but not for any additional development planned on Twyford land or in the immediate locality.

Nevertheless, it is considered appropriate that this development provides a contribution to the improved pedestrian environment of Alsager because of

- the nature of the development
- its impact on the town centre
- the need to promote sustainable modes of transport
- increased traffic impact and pedestrian use of the town.

Having taken into consideration the planned level of residential and retail development in Alsager and the costs of the town centre improvement scheme, the required S106 contribution for the town centre improvements is £180,000.

It is also important that the applicant seeks to promote the use of public transport for residents of the development to promote use of public transport for longer distance trips. This could be done by means of providing public transport vouchers (one per household) equivalent to a 3-month bus pass for this area. The relevant S106 Contribution for this element is $335 \times £170$; £56,950.

HGV traffic will continue to access the Twyfords site. Inevitably this traffic will share the main site access with the proposed housing. However, the layout is such that there appears to be no reason for this HGV traffic to use roads intended solely for access to primarily residential areas of the site.

There have been safety concerns at the Linley Lane/Linley Road junction and CEC will be implementing a safety scheme at this location in the near future. As such, the Strategic Highways Manager does not consider that this proposal will adversely affect safety at this location.

It is important that the site is permeable to sustainable modes of transport. Although this development must be treated strictly on its own merits, allowance needs to be made within the masterplan for the potential for pedestrians and cyclists to move between the residential areas and also to allow the site to be bus permeable should the future retail development and potential supporting bus service come forward.

The dwellings should all provide suitable storage space for bicycles, whether this is within a garage or another covered and secured facility as part of the dwelling.

It is important that a scheme provides the improvement of the proposed pedestrian route to the railway station as indicated within the TA, including the upgrade of the existing route.

There are no highway objections to the application, subject to:

- conditions and the Applicant entering into suitable S106 and S278 Agreements to provide
- improved pedestrians links to the railway station
- contributions towards a pedestrian environment enhancement scheme within Alsager to ensure the safe and convenient movement of pedestrians and cyclists, to promote use of public transport,
- to partly mitigate against the potential traffic impact of the development,
- to provide a safe access from Lawton Road.

Highways Agency

No objection

Education

No contribution will be required for this development.

Network Rail

No objection in principle but due to the site being adjacent to Network Rail land, a number of conditions are suggested.

As the proposal is for a large residential development in close proximity to Alsager Railway Station S106/CIL funds should be sought to improve station facilities at Alsager Station. These works would include shelters, benches improved level access and lighting

Environment Agency

No objection subject to planning conditions for surface water run-off, a scheme for the construction of the river channel/corridor, surface water drainage and three conditions relating to contaminated land being attached to any planning permission.

United Utilities

No comments received

Public Rights of Way

The property is adjacent to public footpath Alsager No. 26 as recorded on the Definitive Map. It appears unlikely, however, that the proposal would affect the public right of way

Mid Cheshire Footpath Society

No comments received

Amenity Greenspace

Following an assessment of the existing provision of POS accessible to the proposed development, if the development were to be granted planning permission, there would be a

deficiency in the quantity of provision, having regard to the adopted local standards for both amenity greenspace and children and young persons provision.

Therefore, there is a need to provide green spaces within the boundary of the new site. In the absence of a housing schedule, the amount of Public Open Space that would be expected is based on 335 dwellings with 2.4 persons per dwelling. This would equate to 10,440sq.m. The proposed provision on site is 16,400sq.m thus making an over provision of 8,040sq.m.

However the amenity greenspace appears to be made up of a landscaped linear park running centrally north to south. The area to the north of the proposed play facility shows a watercourse known as Day Green Stream running through it. The area to the south is split by pathways. There are two areas east and west of the play facility which are useable for kick about and informal recreation, but more detail is required. There is also an area to the north east containing the proposed SUDs and an existing archaeological feature. There are smaller pockets of open space, located throughout the site.

While these pockets and buffers are aesthetically pleasing, Streetscape question the quality and value in connection to useful informal play space consequently they should not be included as Amenity Green Space.

Supplementary Planning Guidance Note 1.7 states

“It is important to stress that only usable POS will count against the defined requirement. The provision of any incidental or ornamental open space, roadside and walkway verges will be addition to the minimum open space requirement and will not be considered as POS for the purpose of this guidance note”

In these circumstances, treetscape request careful consideration is given to amenity greenspace by eliminating obstacles and reducing planting to create informal recreation areas.

The proposed SUDS area sits on an area identified on the plan as amenity green space. Whilst it is appreciated this promotes bio-diversity and complies with regulatory requirements it is not the Council's policy to take areas of POS that have water bodies located in, around or running through them due to the additional liabilities and maintenance implications associated with such areas. This also applies to the linear park with Day Green Stream running through it. Therefore it is suggested that consideration is made for these areas of POS to be transferred to a management company.

The natural & semi natural urban greenspace, comprising of existing woodland belts which extend around much of the boundary and new buffer planting could raise future maintenance implications. Again, for liability and maintenance implications, Streetscape would look to a management company to undertake the maintenance.

The linear park (including the play facility) and area to the south of it, plus the remaining amenity greenspace, requires further details before consideration is given for the Council to adopt. The maintenance contribution cannot be determined until further details of the areas of usable amenity greenspace are given.

Following an assessment of the existing provision of Children and Young Persons Provision accessible to the proposed development, there would be a deficiency in the quantity of provision having regard to the adopted local standards set out in the Council's Open Space Study for Children and Young Persons Provision. Consequently there is a requirement for new Children and Young Persons provision to meet the future needs arising from the development

The plan indicates the inclusion of a LEAP sized play area located centrally within linear park. This should include at least 5 items incorporating DDA inclusive equipment, using play companies approved by the Council. We would request that the final layout and choice of play equipment be agreed with CEC. The construction should be to the Council's satisfaction. A buffer zone of at least 20m from residential properties facing the play area should be allowed for with low level planting to assist in the safety of the site.

Providing the LEAP standard play area is provided on site, a commuted sum only for a 25-year maintenance period would be required based on the Council's Guidance Note on Public Open Space Requirements for New Residential Development. The financial contributions sought from the developer would be £239,994.

Cheshire Brine Board

No comment

Natural England

Natural England do not consider that this application poses any likely or significant risk to those features of the natural environment for which would otherwise provide a more detailed consultation response and so do not wish to make specific comment on the details of this consultation.

Archaeology

A report on the programme of pre-determination trial trenching has been carried out at the site, where it is proposed to conduct a SUDS system in the event that planning permission for the redevelopment of the site is granted. The work was carried out by archaeological contractors (GUARD) on behalf of the applicants.

It is advised that some limited mitigation (to be secured by condition) would be appropriate in the event that planning permission were to be granted and would be focussed on any works in the vicinity of the stream. In view of the fact that the extant barrow to the north of the recently-evaluated area will be vulnerable to disturbance during any future development, it would be appropriate to separate the barrow from the SUDS working area with temporary fencing as part of the archaeological mitigation required by condition. This would be helpful in this instance as the masterplan shows that the developers intend to preserve the barrow as open space and.

6. VIEWS OF TOWN/PARISH COUNCIL

Alsager Town Council: Alsager Town Council would like to make the following points in relation to the above application:

- The number of houses be kept to a maximum of 335, with integrated affordable, low cost, rented and general market sale properties with a target of 30% affordable and 25% low cost to be met of those 300 houses.
- Other than the 335 houses, it is essential that part of the site be retained for light industry and commerce to create employment in the local area, separate to that retained by Twyfords on a 5 year lease.

The Town Council reserves the right to request Section 106 contributions from this development and a detailed schedule of suggested schemes would follow in due course.

Church Lawton Parish Council: The Parish Council's initial concerns on this application are about the loss of a major employment site. It would like the Borough Council to ensure that all avenues to keep the site for employment use have been explored. The site would seem to be ideal for small businesses and whilst it is acknowledged that there is need for housing there is a very great need for employment in the area.

That said, if this factor has been thoroughly investigated to no avail, the Parish Council has the following comments on the application.

The Parish Council notes that the part of the site which is within the Green Belt is not to be physically developed. Assume that the openness of the Green Belt would not be compromised. This is welcomed in view of the importance of continued Green Belt protection in this sensitive location.

Whilst not wishing to stray into matters of detail which would normally be considered at a later stage in the planning process, it is noted that on the submitted design analysis plan the distances between the proposed residential development at its western end and the warehouse unit (which is indicated as continuing in operation) and its service areas are of modest dimensions. It is questionable if such a limited width of structure planting/tree belt would perform its intended function of adequately protecting the amenity of the occupants of the new dwellings from the noise and disturbance likely to be generated by the use of the warehouse, especially at unsocial hours.

Should the principle of the proposed scheme be found acceptable, the Parish Council would wish to see a minimum of 30% of the total number of proposed houses to be affordable dwellings, in accordance with the Borough Council's Interim Policy on the Release of Housing Land. The Parish Council would also wish to ensure that sufficient funding is secured by way of a Section 106 Agreement to pay for the necessary increase in the capacity of local schools to accept the number of pupils likely to be generated by the new development. In terms of local educational provision, it is noted that reference is made to the Church Lawton Primary School in the documentation supporting the planning application, though the school has closed and would not therefore be available to absorb any pupil intake from the new development.

Similarly, the Parish Council would wish to see some funding secured for necessary improvements to local community facilities in recognition of the additional pressures likely to be generated by the increase in population as a result of the development. Appropriate funding for off-site infrastructure improvements to the local highway network, which would arise from the implementation of the development proposed is also required.

Whilst the Parish Council notes that the Highway Agency has submitted a letter to the Borough Council advising that it has no objections to the proposals in terms of their impact on the strategic highway network, there remain concerns about the Linley Lane roundabout junction and the flows of traffic into, out of, and through the application site.

Of concern is the prospect of a rat run being established by the arrangement whereby traffic may be able to travel through the proposed residential area, from Linley Lane to Crewe Road and vice versa. It is understood that traffic calming and engineering would be used to slow traffic down so that the primary route via the traffic light controlled junction at Lawton would be quicker and more attractive. But if the road were to be blocked at that junction, this would no longer be the case. In any event, there are always drivers who will see traffic calming measures as a challenge rather than a deterrent to taking a short cut. Perhaps consideration could be given to physically severing the residential road through the site to avoid such problems.

Finally, the Parish Council notes that the information submitted with the application concerning the phasing of the proposed development is vague and there are a number of references to market forces as being the determinant factor. This is a large site and the timing and duration of each phase of the development will have implications not the least for those living close to and also those who would actually live on what would be a very large construction site. The Council is urged to give careful consideration to the issue of phasing so that the impact of construction work on the residential amenity is properly taken into account and also so that the necessary infrastructure (highways/education and community facilities) can be provided.

7. OTHER REPRESENTATIONS

Letters of objection have been received from the occupants of 10 properties raising the following points;

- Object to the Sainsburys Supermarket
- The supermarket would result in the overprovision food outlets harming Alsager town
- There would be little pedestrian flow to the site
- Increased noise and pollution
- The infrastructure in Alsager could not deal with the extra traffic
- The position of the new roundabout would be dangerous
- The supermarket would make other independent businesses unviable
- The supermarket is outside the town centre
- The applications should not have been split
- More affordable homes are required
- Adversely impact residents of Edwards Way/Moorhouse Avenue
- Potentially exacerbate flooding on Linley Lane
- Lack of notification
- Disruption caused during construction works

- Support for the Sainsburys Supermarket
- The new roundabout should be built first and all construction traffic should enter the site via Linley Lane
- Increased vehicular movements
- The red edge plan is incorrect
- Increased difficulties crossing Lawton Road
- Careful consideration needs to be given to the traffic improvements

A letter or representation has been received from Alsager Sustainability Group this is summarised as follows;

- There is a need for more paths, wider paths to allow multi-use, and improvements such as resurfacing, dog-bins and lighting. Additionally, in some areas ramps need to be provided to allow use by prams, wheelchairs and cycles.

A letter of representation has been received from the Alsager Partnership raising the following points;

- The application is premature ahead of the new local plan
- Piecemeal approach to the development of this site
- Loss of employment land
- The concept plan depicts 300 homes and the application is for 435 units. This raises concerns over the density of the site
- Highway safety as a rat run will be created through the site to avoid the traffic lights at the junction of Linley Lane and Lawton Road
- The development is on the edge of Alsager, between the railway line and the retained Twfords office/warehouse. As a result the development would appear detached from the town centre and local schools
- The archaeological features, wildlife and trees should be retained. The site boundary should be formed with white Cheshire railings

A letter of representation has been received from the Alsager Chamber of Trade raising the following points;

- The application is premature ahead of the new local plan
- Piecemeal approach to the development of this site
- Loss of employment land
- The concept plan depicts 300 homes and the application is for 435 units. This raises concerns over the density of the site
- Highway safety as a rat run will be created through the site to avoid the traffic lights at the junction of Linley Lane and Lawton Road
- No provision has been made for business or leisure within the site
- The expense and disruption caused to the A5011 is disproportionate
- The development is on the edge of Alsager, between the railway line and the retained Twfords office/warehouse. As a result, the development would appear detached from the town centre and local schools
- The archaeological features, wildlife and trees should be retained. The site boundary should be formed with white Cheshire railings

8. APPLICANT'S SUPPORTING INFORMATION:

Environmental Impact Assessment (Produced by White Young Green)

Addendum to Environmental Impact Assessment (Produced by K.C.C. Consulting Ltd)

Design and Access Statement (Produced by White Young Green)

Framework Site Waste Management (Produced by White Young Green)

Report into the Economic Viability of Affordable Housing Provision (Produced by Pioneer)

Sustainability Statement (Produced by Waterman Boreham Ltd)

Transport Assessment (Produced by Waterman Boreham Ltd)

Travel Plan Framework (Produced by Waterman Boreham Ltd)

Statement of Community Involvement (Produced by White Young Green)

These supporting documents are available to view on the application file

9. OFFICER APPRAISAL

Planning Policy and Housing Land Supply

The application is a brownfield site within the Alsager Settlement Boundary. One of the Core Principles of the National Planning Policy Framework (NPPF) is that planning should:

‘encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value’

The NPPF states at paragraph 47 there is a requirement to maintain a 5 year rolling supply of housing and states that Local Planning Authorities should:

“identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land”.

The NPPF states that, Local Planning Authorities should have a clear understanding of housing needs in their area. This should take account of various factors including:

- housing need and demand,
- latest published household projections,
- evidence of the availability of suitable housing land,
- the Government’s overall ambitions for affordability.

The figures contained within the Regional Spatial Strategy proposed a dwelling requirement of 20,700 dwellings for Cheshire East as a whole, for the period 2003 to 2021, which equates to an average annual housing figure of 1,150 dwellings per annum. In February 2011 a full meeting of the Council resolved to maintain this housing requirement until such time that the new Local Plan was approved.

It is considered that the most up-to-date information about housing land supply in Cheshire East is contained within the Strategic Housing Land Availability Assessment (SHLAA) which was adopted in March 2012.

The SHLAA has put forward a figure of 3.94 years housing land supply.

Paragraph 47 of the NPPF requires that there is a five year supply of housing plus a buffer of 5% to improve choice and competition. The NPPF advocates a greater 20% buffer where there is a persistent record of under delivery of housing. However for the reasons set out in the report which was considered and approved by Strategic Planning Board at its meeting on 30th May 2012, these circumstances do not apply to Cheshire East. Accordingly once the 5% buffer is added, the Borough has an identified deliverable housing supply of 3.75 years.

The NPPF clearly states at paragraph 49 that:

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

This must be read in conjunction with the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF which for decision taking means:

“Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- *specific policies in the Framework indicate development should be restricted.”*

The forthcoming Cheshire East Local Plan will set new housing numbers for the area and identify sufficient land and areas of growth to meet that requirement up to 2030. The Submission Draft Core Strategy will be published for consultation in the spring of 2013.

In this case the site is a brownfield site located within the Alsager Settlement Boundary and as a result the development is considered to be acceptable in principal. Alsager has also produced a town strategy. The Alsager Town Strategy underwent a four week consultation between the 2nd March and 2nd April 2012. The Town Council approved the final version of the Town Strategy on 31st July 2012.

The Strategy states that in terms of housing Alsager should deliver in the region of 1,000 new homes by 2030 and that *'priority will be given to development located on previously developed land, in particular at the former Manchester Metropolitan University Campus and Twyford's'*

Members should also be aware of the recent appeal decision at Loachbrook Farm Congleton. In this case the inspector gave significant weight to the lack of a 5-year housing land supply and approved the development for up to 200 dwellings on a Greenfield site. The Inspector found that the need to secure a 5-year supply of deliverable housing land that would also contribute to providing affordable and low cost housing outweighed any concerns over agricultural land and landscape impact.

In terms of prematurity the Inspector found that it would not be premature or prejudice the development of other sites. The Inspector stated that;

'General Principles also indicates that applications should not be refused on the sole ground of prematurity and, taking account of Government advice, there is little justification for delaying a decision or, as the Council suggest, for considering other sites that the Council contend offer increased levels of sustainability'

From the above, it can be concluded that:

- The Council does not have a five year supply of housing – and the presumption in favour of sustainable development should apply.
- The site is a brownfield site within the Alsager Settlement Boundary
- The site is being prioritised for residential development within the Alsager Town Strategy
- The Cuddington Appeal in Cheshire West and Chester and the Loachbrook Farm Appeal at Congleton and elsewhere indicate that significant weight should be applied to housing supply arguments.
- The NPPF is clear that, where a Council does not have a five year housing land supply, its housing supply relevant policies cannot be considered up to date. Where policies are out of date planning permission should be granted unless:
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
 - *specific policies in the Framework indicate development should be restricted."*

Overall, housing supply is a very important consideration in the determination of this application and must be given considerable weight. It is considered that the principle of the scheme is acceptable given its location within the Alsager Settlement Boundary on a brownfield site. The application turns, therefore on whether there are any significant and demonstrable adverse effects, that indicate that the presumption in favor of the development should not apply and this is considered in more detail below.

Loss of Employment Site

The proposed development would result in the loss of an employment site and policy E.10 applies. This policy states that proposals to redevelop existing employment sites will not be

permitted unless it can be shown that the site is no longer suitable for employment uses or there would be substantial benefit in permitting alternative uses that would outweigh the loss of the employment site.

The NPPF gives less protection for employment sites and states that *'planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose'*.

In this case, the applicant has provided an employment land statement within the Environmental Statement. The main points raised are as follows:

- The building was purpose built, for Twyfords in 1958 with a large floor plate of 64,095sq.m. As it was purpose built the building cannot be readily sub-divided to provide smaller units.
- Alsager is not a target for large employment occupiers, nor is it a target for investment. There is no market for a very large industrial unit in the town
- A marketing report has been provided by Matthews & Goodman who has been marketing the site since 2007.
- The site has almost 5 years market experience and there have only been five enquiries received.
- The only tenant that has taken space has been Capricorn Wholesale which has taken 30,000sq.ft and it is understood that this tenant does not pay rent but just covers rates and utility bills
- The site has inadequate access for HGVs onto the M6 corridor
- The building specification is a problem with low eaves (6m as opposed to industrial minimum of 12m), a number of internal columns, the inability to provide dock level loading, inconsistent flooring, no sprinklers and insufficient yard area
- There is restrictive, if not nil demand in the current market for a building of this size, age and specification

The applicant argues that both elements of the 'either/or' test of Policy E.10 have been met. This accepted and it is considered that the significant housing land supply benefits and the emphasis within the NPPF also add significant weight against the loss of this employment site.

Development Viability

The application site is subject to a viability assessment which has been provided by the applicant. This has been produced to support a reduced element of affordable housing provision and has been appraised using the Homes and Communities Agency Development Toolkit.

The application site was purchased by the applicant in 2006 and since that time the price of the land has fallen.

The abnormal costs identified within the financial viability report are site preparation/demolition, roads and sewers, strategic landscaping and piled foundations.

The report submitted to support the applicant's case was prepared on behalf of Pioneer Housing and Development solutions. The report reaches the conclusion that the scheme could provide 10% affordable housing with no other contributions.

Given the significance of this site in Alsager and the viability issues in this case, it was considered necessary to have the viability report assessed by an independent consultant. This assessment shows that there is a difference of opinion regarding some of the variables used in the viability reports, but the majority of these were not considered to be significant.

The main difference of opinion relates to the input land value with a significant difference between the applicant and the Councils own consultant. The applicant argues that the input land value should be based on the 2006 purchase price deducting the investment value of the warehouse and offices. The Councils own consultant argues that the site value should equate to the market value as per a RICS Guidance Note. This gives a difference of £7.5m between the two parties with the Councils own consultant advising that based on their land value assumption that 30% affordable housing could be provided.

In response to this, the appellant has revisited the viability report and has revised the affordable housing offer based on a reduction in the cost of off-site works, alterations to weekly rental values for social rented dwellings and assumptions regarding operational costs of the shared ownership dwellings. This has resulted in the affordable housing offer being modified with the following options given by the developer:

- 19% affordable housing (64 dwellings) based on a 65:35 split rent to intermediate dwellings
- 21% affordable housing (70 dwellings) based on a 50:50 split rent to intermediate dwellings
- 18% affordable housing (61 dwellings) based on a 65:35 split rent to intermediate dwellings with a highways contribution of £150,000
- 20% affordable housing (67 dwellings) based on a 50:50 split rent to intermediate dwellings with a highways contribution of £150,000

In this case, given the importance of the site for housing delivery in Alsager, it is considered that there is a need to see the development brought forward to assist the regeneration of the site and to help with the 5-year housing land position. The applicant has indicated that they are willing to bring the site forward as soon as possible.

In order to take a pragmatic approach and bring the site forward it is considered that the amended viability report is a reasonable compromise and that the reduced level of affordable housing is acceptable on this brownfield site.

Affordable Housing

The SHMA 2010 shows that for Alsager there is a net requirement for 36 new affordable units per year, this is made up of need for 13 x 2 beds, 12 x 3 beds, 12 x 4/5 beds and 10 x 1/2 bed older persons accommodation.

In addition to the information taken from the SHMA 2010, Cheshire Homechoice is used as the choice based lettings method of allocating social rented accommodation across Cheshire

East. There are currently 130 applicants who have selected Alsager or Alsager Town Centre as their first choices, the type of units these applicants require are – 47 x 1 beds, 40 x 2 beds, 19 x 3 beds and 3 x 4 beds. 21 applicants have not specified what type of property they require.

The Affordable Housing IPS states that on all sites over 15 units the affordable housing requirement will be 30% of the total units with tenure split of 65% social rent, 35% intermediate tenure.

Based on the viability section above and the higher need for rented units in Alsager the Affordable Housing Officer has stated that the preferred option would be based on a 65:35 split rent to immediate dwellings. This would give 18% affordable housing (61 dwellings) will form part of the heads of terms.

Amenity

The surrounding residential properties are well screened by the existing tree cover and the retained office and warehouse building. To the south of the site, the residential properties are located on the opposite side of the railway line. As a result, the proposal would not have a detrimental impact upon residential amenity.

In terms of the amenity of the future occupiers, a noise report has been submitted as part of the ES. This states that small areas adjacent to the northern, eastern and southern boundaries of the site fall into Noise Exposure Category C (Planning permission should not normally be granted) with the rest of the site falling within Noise Exposure Categories A (noise need not be considered) and B (noise should be taken into account). In this case, the preliminary concept masterplan shows that no dwellings would be located within the areas subject to NEC C and that all residential properties would be subject to NEC A & B. This is accepted by the Councils Environmental Health Officer who has requested conditions to be attached to any planning permission.

One of the letters of objection refers to the noise impact of the increased traffic movements on this site. The submitted ES indicates that there would be an increase in noise levels along the modelled highways. However, the noise level increase would be by less than 3dB(A) and such an increase would be imperceptible and as such would have negligible impact.

In terms of air quality, an Air Quality Assessment has been carried out and the conclusions are accepted by the Environmental Health Officer.

In terms of land contamination, the Environmental Health Officer requested a Phase 2 Contaminated Land Assessment and this has been provided as part of an addendum to the ES. The Environmental Health Officer is satisfied with the findings of this report and has suggested the imposition of a condition in relation to contaminated land.

Ecology

Habitats

The submitted ecological assessment identifies the site as being of local value due to the presence of woodland and scrub habitats. The indicative layout shows that these habitats would be retained as part of the proposed development. The impact of the development upon these habitats is unlikely to be significant.

It should be noted that an area of semi-improved grassland has been identified during the assessment which is worthy of retention. This area is shown as woodland on the indicative site plan and this should be retained and managed as a grassland habitat rather than planted with trees.

Other Protected Species

Protected species setts have been recorded within the woodland on the site. The proposed development is unlikely to result in a direct impact on the setts. However the submitted ES identified potential for the setts to be disturbed during the construction and operational phase of the development and also the potential for increased road casualties to occur during the operational phase.

Indicative proposals for the mitigation of the adverse impact on the protected species have been provided within the Environmental Statement. The Councils Ecologist is satisfied that it will be possible to appropriately mitigate and/or compensate for any adverse impact on badgers at the reserved matters application stage and these will be secured by condition.

Breeding birds

No detailed breeding bird survey has been undertaken as part of the Environmental Statement. The Councils Ecologist advises that it is likely that the woodland and scrub habitats on site support a breeding bird assemblage of local nature conservation value, potentially including more widespread Biodiversity Action Plan priority species.

The majority of habitats likely to be used by breeding birds appear to be retained as part of the indicative layout. However, the submitted ES concludes that some disturbance may occur during the construction and operational phases.

The submitted ES concludes that any adverse impacts on breeding birds resulting from the development could be compensated through management of the retained woodland, the erection of bird boxes and use of berry bearing species in the landscaping scheme for the site. This approach is reasonable and conditions will be attached to secure this.

Bats

Common and widespread bat species were recorded as being active on site during the surveys undertaken to inform the ES. It appears unlikely that there will be any loss of roost sites associated with the proposed development. However there may be some potential fragmentation of foraging habitat associated with the scheme. The Councils Ecologist advises that this is likely to be compensated for through the creation of the linear park and the opening up of the existing culvert. There should though be no illumination of trees or boundary woodlands that could be used by foraging commuting bats.

Oakhanger Moss SSSI & Ramsar

No direct impacts are anticipated by the submitted ES on this SSSI and Ramsar site which is located some distance from the application site. Natural England has not raised any issue with the impact upon the SSSI.

Landscape

The findings of the Landscape and Visual Impact Assessment indicate that the proposals will have a degree of impact on the overall character of the landscape. However, it is considered that the proposal would have a beneficial overall impact and the new buildings forms and infrastructure will be seen within the context of the existing settlement form. Visual impacts resulting from the proposed development are assessed to range from negligible to minor beneficial.

The proposed:

- retention of the existing woodland areas
- provision of native species buffer planting to the retained industrial area and the railway
- opening up the watercourse
- providing a linear walkway and areas of POS are all to be welcomed.

The extent to which such proposals could be realised could only be determined by a full application and will also be influenced by remediation requirements.

Trees

The site has extensive tree cover much of which is likely to have been planted over a period of time either as screening for the factory site or enhancement of development within the site. There is little evidence of any recent management and the trees to the northern and eastern area of site are subject of a Tree Preservation Order (TPO).

In relation to the preliminary master plan, the survey report conclusion indicates that the implementation of the development would require the removal of mainly low value trees to the centre of the site, together with a section of boundary vegetation associated with the creation of a new access and to accommodate a linear waterside park. The view is expressed that the losses can be mitigated by new landscaping and woodland management.

In this case it is considered that the trees losses anticipated in the tree report are not unreasonable and the opportunities for new landscaping and woodland management are to be welcomed. Proposals for opening up the woodland to the public would need to be considered in greater detail to avoid conflict with any ecological interests and this would be dealt with at the reserved matters stage.

The application is outline and would have a density of 34.7 dwellings per hectare. It is considered that the principle of a scheme at this density is acceptable and the development would not have any significant impact upon the tree cover on the site.

Drainage and Flooding

The ES identifies that the application site is wholly located within Flood Zone 1 as defined by the Environment Agency and as a result there is a low probability of flooding.

The majority of the existing site is covered by structures and hardstanding with the remainder being dense vegetation. The plans for the existing site indicate that surface water from the existing site discharges into the watercourse which crosses the site (Day Green Stream) except small areas of the service yard which discharge into a combined sewer system. The discharge of surface water from the proposed site would mimic that which discharges from the existing site. As a result, no mitigation measures are required in terms of surface water runoff are predicated.

The ES submitted with the application has been forwarded to the Environment Agency who has raised no objection to the proposal. It is therefore considered that the development would not raise any significant flooding/drainage implications that would warrant the refusal of this application.

The stream which crosses the site is currently in culvert and the proposal would involve the culverted watercourse being opened up. This is welcomed and would provide ecological benefits on the site. Details of this would be controlled through the use of a planning condition.

Design

The application is outline with details of scale, layout, appearance and landscaping to be determined at a later date. In support of this planning application a preliminary concept masterplan has been provided.

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

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

The overall numbers of dwellings proposed has been reduced to a maximum of 335 units, some 100 below the original upper figure originally proposed. This density of 34.7 dwellings per hectare is considered to be appropriate on this site.

The key aspects of the preliminary concept masterplan are as follows:

- A neighbourhood green
- A linear park including the opening up of the culvert
- Structure planting to the western boundary of the site adjacent to the retained warehouse building
- Gateway feature at the entrance to the site
- Archaeological feature is to be retained
- Retained woodland

The key aspects of the preliminary concept masterplan above are considered to be acceptable and, at the reduced density, it is considered that an acceptable design solution can be agreed at the reserved matters stage.

Open space

If planning permission was granted for a development on this site there would be a deficiency in the quantity of POS in the area.

The indicative site plan shows that the public open space provision to serve the site would be centrally located and within the triangular area of land within the Green Belt.

The area of POS required on this site would be 8,040sq.m and this development would provide 12,100sq.m (excluding the retained woodland). As a result, the proposal would provide an adequate amount of public open space.

In terms of children and young person's provision there would be a deficit in provision if planning permission was granted. To serve a development of this size, a LEAP with a minimum of 5 pieces of equipment will be required. This will be secured as part of the S106 Agreement as part of this application.

In terms of the maintenance of the POS, this would be done via a management company which would be secured via a S106 Agreement. The Greenspace Officer stated that the Council would be prepared to adopt the LEAP subject to a 25 year maintenance contribution of £239,994. This contribution could not be secured due to issues of viability and, as a result, the LEAP will also be maintained by a management company which would be secured via a S106 Agreement.

Highway Safety and Traffic Generation

This site is currently in use by Twyfords Bathrooms for manufacturing and warehousing purposes. The manufacturing activity on site has decreased over recent years. The site currently comprises 74,954sqm of development. The level of car parking provision currently on site has been stated to be 560 vehicles. Access to the site for all uses is from a simple priority junction with Lawton Road, forming a staggered crossroads with Moorhouse Avenue opposite.

The current proposal, relates to the demolition of a significant proportion of existing buildings to leave 32,368sqm of employment development (warehousing and associated offices) and the new construction of 335 residential units.

The proposed access strategy is; 80% of residential development to be accessed from the (improved) Lawton Road access along with the remaining employment development, and in Phase 2 the remaining 20% to be accessed from Linley Lane.

It is likely that an application for a retail foodstore and a new 3-arm roundabout access off Linley Lane is likely to come forward in the very near future; the application for the standalone access having recently been withdrawn.

Access to the Phase 2 housing will either be from this roundabout access or from a priority junction should the retail development not come forward. The details of the access to Linley Lane will need to be secured as part of reserved matters application.

Key Issues

The following are considered the key issues to be addressed by this development proposal;

1. Achieving a safe and convenient site access strategy.
2. Addressing traffic impact at the nearby Crewe Rd/Linley La/Liverpool Rd traffic signals.
3. Addressing traffic impact at the nearby Crewe Rd/Sandbach Rd traffic signals.
4. Ensuring that proposed residential roads are not compromised by heavy vehicle traffic that may remain at the Twyfords development.
5. Potential impact on Linley La/Linley Rd with particular reference to safety.
6. Ensuring connectivity through the site for sustainable travel modes; in particular with relation to future development.
7. Ensuring that the site is well connected to local facilities and sustainable transport used on a day-to-day and weekly basis.

Main Site access

The existing site access is in a state of poor repair and this will need to be upgraded along with the provision of 2.0m footways along either side of the access road.

It is proposed to alter the existing layout at the site access to provide a ghost island layout to accommodate right turning traffic to Twyfords and to Moorhouse Avenue opposite. The site will continue to generate HGV movements and it is noted that the tracking of the turn of such vehicles from the site would take up both of the ghost island right turn lanes. However, the occurrence of such turns during peak periods on the network will be low and at other times passing traffic on the network will be relatively low. Therefore, it is considered that, although the proposed layout is not ideal, it is safe and sufficient. The proposed layout has been the subject of a safety audit and this issue was not raised as a safety matter.

Traffic modelling at this access indicates no capacity issues and, despite the issues with visibility and blocking back from the signalled junction, the development has an extant consent/lawful use. The level of employment development being demolished has the potential (perhaps in different ownership and operation) to generate a similar or slightly higher level of peak hour traffic.

Secondary Site access

The site is to be designed such that 80% of the housing (268 houses) will access via the Lawton Road access. The remaining 20% (67 houses) will access via Linley Lane. Depending on whether and when the retail development and its associated access comes forward, these houses will be accessed either via the proposed retail access junction or via a priority junction with Linley Lane – the retail junction being subject to a planning application and Road Safety Audits and the simple priority junction being the subject of Road Safety Audits if it is to be implemented.

Crewe Road/Linley Lane Traffic Signals

On-site observations indicate that there is the potential of interaction between the site access and these signals, with traffic queuing back during evening peak hours. Given the existing relatively low existing peak hour development traffic flows and use of the site access, the proposal for 335 dwellings will add to congestion issues at these signals.

The Applicant's TA indicates queue levels on the western arm of the signals of up to 21 vehicles in the PM peak hour. The Strategic Highways Manager has observed on site in an evening peak hour larger queues.

The TA prepared on behalf of the Applicant describes a total additional level of traffic of 131 vehicles AM peak hour, 109 in the PM peak hour, and 102 in a Saturday peak hour. The TA indicates that the additional traffic will not unduly impact upon the signals by increasing the cycle time of the signals. This assertion is not accepted for the evening peak hour at the signals.

In this case, the NPPF states that the application should only be refused on transport grounds where the impact is severe. The impact from this development would not be classed as severe.

Sandbach Road/Crewe Road/Lawton Road

This traffic signal junction operates on a three-stage basis, with single lane approaches on all arms. The applicant has suggested that the pedestrian (all-red for traffic) stage of the signal operation is called relatively infrequently in peak hours.

The modelling presented for the Saturday peak hour is such that the junction would be operating beyond its capacity with the addition of traffic growth and, in particular, with the pedestrian stage called on a more frequent basis than every other cycle – which we would fully expect on a busy Saturday hour.

It is anticipated that the proposed development will generate an additional level of traffic through this junction in the order of:

AM peak hour	139 vehicles
PM peak hour	132 vehicles
Sat peak hour	120 vehicles

It is not considered that this development would have a severe impact upon this junction. The highways officer has requested a contribution of £180,000 towards town centre improvements would not meet the CIL tests and greater weight is given to affordable housing need in Alsager.

Radway Green Traffic Signals

The proposed development is anticipated to generate an additional level of traffic at this location as follows;

AM peak hour	82 vehicles
PM peak hour	67 vehicles

Sat peak hour 66 vehicles

The Strategic Highways Manager does not consider that such a level of impact is likely to unduly harm the operation of these signals.

Pedestrian accessibility

Parts of the town centre are accessible within 500m walking distance of the site and most of it within a 1,000m walk. The rail station is indicated by the applicant as being within a 1,000m walk of the centre of the site via a pedestrian only route. This route is not pedestrian-friendly. It is enclosed by railings on each side and is narrow, is unlit and has high vegetation on one or both sides along much of its length. The applicant has indicated a willingness to work with Cheshire East to provide an improved walk link to the station. This must include the existing link as well as the proposed link from just north of the railway to the station itself to be of any meaningful benefit. A contribution towards this upgrade would be secured as part of a S106 Agreement.

A non-signalled crossing of Lawton Road to the east of the site access is proposed. This facility may benefit those using the bus in the eastbound direction in crossing to and from site.

The applicant will need to provide a traffic island to the west of the site access and, in doing so, it will be appropriate to make such a facility useful for pedestrians to cross this busy road.

Public transport

Bus stops exist along the site frontage and within a reasonable walking distance of the centre of the site. These closest stops are served by services 20 and 78. Service number 20 provides a reasonably frequent (20 mins) daytime service on the Hanley – Alsager – Crewe – Leighton Hospital route. No specific bus based measures have been proposed to support the site.

The rail station is located just over 1,000m from the centre of the site via an existing pedestrian footway. As indicated the applicant is suggesting that they can work with Cheshire East Council to improve the quality of this link, although no specific measures have yet to be indicated.

No measures are proposed by the applicant to promote the use of public transport by residents of the proposed development.

In terms of the highways request for bus passes, greater weight is given to the affordable housing need and this contribution does not form part of the recommendation.

Infrastructure

As part of this planning application the education officer considers that there is sufficient capacity in the local schools. As a result, no education contribution is required.

Archaeology

The archaeological report correctly concludes that across much of the area, the scale of disturbance has been such that little of archaeological interest is likely to have survived and that, consequently, no further archaeological mitigation will be required in these areas.

Two restricted areas of archaeological potential are identified. The first lies in the extreme north-east corner of the site which is bounded by the disused railway and the junction of Crewe Road and Linley Lane. This contains a prehistoric burial mound overlying a small stone circle which is recorded in the Cheshire Historic Environment Record and forms one of a group formerly extending along the eastern bank of the now culverted stream. Although much altered, the stream still forms a parish boundary and the presence of a prehistoric barrow cemetery on its east bank suggests a boundary whose significance extends back into antiquity.

The barrow referenced above was largely excavated in the 1980s but the stone circle beneath the mound is still there and represents a rare and important survival in lowland Cheshire. The mound will be preserved within an area of open space, although care will need to be taken during any development to ensure that the feature is not damaged during landscaping or other works. The area of open space will also include a SUDS or surface water management area. This will not affect the known barrow but in view of the fact that two more barrows are known from the immediate area and the suggestion that a barrow cemetery is present along the east bank of the stream, it seems entirely possible that a further plough-flattened example may be present within the SUDS area. Sub-surface remains, including human remains, commonly survive on sites of this type, and these would be affected by any works.

In view of the above, the Councils Archaeologist has advised that the small part of the site on the east bank of the stream where it is proposed to construct the SUDS facility should be subject to a programme of pre-determination archaeological trial trenching. This is to establish the nature of any surviving archaeological deposits and the need, if any, for further archaeological mitigation in this area.

A report on the programme of pre-determination trial trenching has been carried out where it is proposed to conduct a SUDS system. The report has demonstrated that significant archaeological deposits are not present within the proposed SUDS area and, consequently, no further pre-determination work is recommended with regard to this application. This is accepted by the Councils Archaeologist who recommends that some limited mitigation is secured via a planning condition.

Public Rights of Way

It is necessary to upgrade the existing PROW which links the site to Alsager Train Station. This will be secured via a planning condition.

Other Issues

Policy EM18 (Decentralised Energy Supply) of the RSS requires all residential developments comprising 10 or more units to secure at least 10% of their predicted energy requirements from decentralised and renewable or low-carbon sources. This will be controlled by the use of a planning condition.

CIL Regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now 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;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

As explained within the main report, affordable housing, POS and children's play space is a requirement of the Interim Planning Policy, the Congleton Borough Local Plan and the NPPF. It is directly related to the development and is fair and reasonable.

The bus passes contribution and the upgrade of the PROW to the train station would improve the sustainability of the site and would comply with the NPPF and meet the tests of CIL.

On this basis, the S106 recommendation is compliant with the CIL Regulations 2010.

9. CONCLUSIONS

It is acknowledged that the Council does not currently have a five year housing land supply and that, accordingly, in the light of the advice contained in NPPF it should consider favourably suitable planning applications for housing. In this case, the application site is a brownfield site within the Alsager Settlement Boundary. It is therefore considered that the principle of a residential development on this site is acceptable.

The proposed development would not have a detrimental impact upon highway safety and would not have a severe impact. The development is therefore considered to be acceptable.

The layout, design and scale of the proposed dwellings will be determined at the reserved matters stage.

The site is subject to viability constraints and on balance the level of affordable housing on site is considered to be acceptable.

The development is considered to be acceptable in terms of provision of Public Open Space and the provision of a LEAP which will be maintained by a management company.

The proposal is considered to be acceptable in terms of its impact upon residential amenity, drainage/flooding, protected species, SSSI, employment land, education provision and trees

10. RECOMMENDATION

APPROVE subject to the following conditions and the satisfactory completion of a S106 Agreement comprising;

Heads of terms

- Provision of affordable housing - 18% affordable housing (64 dwellings) based on 65% social/affordable rent and 35% intermediate tenure
- The provision of a LEAP and Public Open Space and a scheme for management
- Bus pas contribution £56,950
- Contribution to improve the PROW and informal path which links to Alsager Train Station £93,050

Conditions;

1. **Standard Outline**
2. **Submission of Reserved Matters**
3. **Time limit for submission of reserved matters**
4. **Prior to the submission of any reserved matter application a detailed masterplan and design code shall be submitted to the LPA for approval in writing – the dwellings shall not exceed 3 stories in height**
5. **Approved Plans**
6. **No development shall take place within the area until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved scheme.**
7. **Hours of construction limited to 08:00 to 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays**
8. **Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays**
9. **The properties shall meet the guidance on acoustic design goals for residential development as set out in British Standard 8233:1999 ‘Sound insulation and noise reduction for buildings – Code of Practice’ to the ‘Good Standard’ for living rooms and bedrooms.**
10. **The developer shall agree with the LPA an Environmental Management Plan (EMP) with respect to the construction phase of the development. The EMP shall identify all potential dust sources and outline suitable mitigation. The plan shall be implemented and enforced throughout the construction phase.**
11. **Prior to the commencement of development an additional Phase II Contaminated Land Assessment shall be submitted to the LPA for approval in writing.**
12. **The development hereby permitted shall not be commenced until such time as; a scheme to limit the surface water run-off generated by the proposed development, has been submitted to and approved in writing by the local planning authority.**
13. **The development hereby permitted shall not be commenced until such time as; a scheme to manage the risk of flooding from overland flow of surface water has been submitted to and approved in writing by the local planning authority.**
14. **The proposed river channel and corridor shall be constructed in accordance with the scheme to be submitted to and approved in writing by the local planning authority prior to the commencement of development.**
15. **No development shall take place until a scheme has been submitted to and approved in writing by the local planning authority showing how at least 10% of the predicted energy requirements of the development will be secured from decentralised**

and renewable or low-carbon sources. The scheme shall be implemented as approved and retained thereafter.

16.No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority.

17. No development to proceed within 30m of any identified badger sett unless agreed by the LPA.

18. Any reserved matters application for housing to include detailed proposals for the incorporation of features into the scheme suitable for use by roosting bats and breeding birds including swifts and house sparrows. Such proposals to be agreed by the LPA. The proposals shall be permanently installed in accordance with approved details.

19. Any reserved matters application to be supported by an updated badger survey undertaken by a suitably qualified and experienced ecological consultant in accordance with standard best practice methodologies. Mitigation/compensation proposals potentially including badger tunnels to reduce road casualties are also to be included to address any adverse impacts identified.

20.Works should commence outside the bird breeding season

21.No trees shall be removed without the prior approval of the LPA.

22.The first reserved matters application should include details of the access onto Linley Lane

23.The Applicant will provide visibility splays of a minimum 2.4m x 56m towards/from the eastbound traffic and 60m towards/from the westbound traffic at the main site access at Lawton Road. The visibility splays from/to eastbound traffic to be provided from/to the centre of the offside (eastbound) lane.

24.The Applicant provides an amended layout at the Lawton Road site access including the ghost island right turns (Drawing 210248/009/Rev C). The Applicant to provide an additional traffic island and dropped kerb crossings to the west of the site access suitable for use by pedestrians and to provide keep left guidance to motorists to prevent overtaking in this location.

25.The footway on the eastern side of the main site access to be amended to provide a minimum 2.0m width.

26.Details of the secondary access onto Linley Lane will be provided as part of the reserved matters applications

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 and Housing in consultation with the Chair of the Strategic Planning Board is delegated authority to do so, provided that he does not exceed the substantive nature of the Committee's decision.

