

STRATEGIC PLANNING BOARD UPDATES 30th April 2014

APPLICATION NO: 13/4216C

PROPOSAL: Outline Planning for the Development of land to the West of Padgbury Lane, Congleton, for up to 150 dwellings, community facilities and associated infrastructure.

ADDRESS: Land West of Padgbury Lane, Padgbury Lane, Congleton, CW12 4LR

APPLICANT: Northern Property Investment Company Ltd

Erratum

The resolution concerning the delegation for charging/amending conditions referred to the Chairman of the Southern Planning Committee rather than the Chairman of Strategic Planning Board.

The following consultation response was omitted from the Officers report:

Cheshire Wildlife Trust – Make the following comments

The areas of notable grassland listed as TN6, TN7 and TN8, TN10 (in the fpcr report March 2014) were assessed by CWT against the criteria for Local Wildlife Sites in order to ascertain their value. A summary appears below:

- TN6 has 5 indicator species for BAP priority grassland (all listed as neutral indicators) and a further 6 semi-improved indicators.
- TN 7 and TN8 (combined) have 5 indicator species for BAP priority grassland (3 neutral indicators) and a further 6 from the list of semi-improved indicators.
- TN10 has 9 BAP priority grassland indicators (6 from the list of neutral, however one is confined to the peripheries) and a further 6 semi-improved indicators.

All the above areas exceed (by a significant margin) the minimum thresholds set out in the LWS criteria for neutral grassland (H7) and therefore all areas (TN 6, 7, 8 and 10) are deemed to be BAP priority habitat (Lowland meadows). Furthermore as the DAFOR assessments were undertaken in November (which is outside the recommended survey period for grasslands - June/July/August) their value is likely to have been underestimated.

CWT estimates that the proposed loss of Priority BAP habitat is at least 1.55 ha. This may be an underestimate as the retained BAP grassland areas are to be used for other purposes in addition to the grassland mitigation referred to in the report. These purposes include a Local Area of Play, a

footpath/cycleway and a habitat pond. Moreover as the development site abuts the grassland mitigation area (with no buffer area incorporated into the design) we consider that there is likely to be a significant detrimental impact on this habitat and the species it supports (including reptiles and amphibians) even if the grassland is managed.

The proposed newly created grassland areas will total 0.11 ha which we consider is insufficient to mitigate for the loss of 1.55ha of BAP priority habitat. We consider that the fact that the grassland is presently unmanaged immaterial to this evaluation which has been calculated on its current value. For the reasons stated above we do not believe the proposed grassland management will secure the remaining BAP habitat in the long term.

The loss of approximately 1.55 ha of UK Priority habitat without adequate mitigation and the significant loss of habitat on one of the last remaining sites in Cheshire for the slow worm (UK BAP species) indicates that this proposed development is unsustainable from an environmental perspective. This is contrary to the NPPF and the guidance set out in the NERC act 2006 (Biodiversity duty). If the council is minded to grant permission then the loss of the BAP habitat should be recorded for LDF monitoring purposes.

Tree Officer Comments: Hedgerow Report submitted indicates that 4 Hedgerows, (Hedgerows 1, 2, 3 and 4 including Hedgerow 4 which fronts Padgbury Lane) are categorised as Important Hedgerows under the Hedgerow Regulations.

RECOMMENDATION

Wording of resolution needs to be amended to incorporate the following -

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 Interim Planning and Place Shaping Manager 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.

APPLICATION NO: 13/4219C

PROPOSAL: Outline Planning for the Development of Land to the West of Padgbury Lane, Congleton, for up to 120 dwellings, up to 180 sq. m of health related development (Use Class D1), community facilities and associated infrastructure

ADDRESS: Land West of Padgbury Lane, Padgbury Lane, Congleton, CW12 4LR

APPLICANT: Louise Williams and Kathleen Ford

Erratum

The resolution concerning the delegation for charging/amending conditions referred to the Chairman of the Southern Planning Committee rather than the Chairman Of Strategic Planning Board.

Tree Officer Comments: Hedgerow Report submitted indicates that Hedgerows that are internal to the site are categorised as Important Hedgerows under the Hedgerow Regulations.

To retain the hedgerows status it would be important that the design incorporates the hedgerows in to public open space rather than forming the boundary of private gardens. This could be part of further assessment of any Reserved Matters application, so not a reason to refuse this application.

RECOMMENDATION

Wording of resolution needs to be amended to incorporate the following -

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 Interim Planning and Place Shaping Manager 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.