

Application No: 14/4212C

Location: Former ALBION CHEMICALS, BOOTH LANE, MOSTON, CHESHIRE, CW11 3PZ

Proposal: Detailed approval is now sought for access, appearance, landscaping, layout and scale in respect of the residential element of the scheme. The outline application 09/2083C was subject to an EIA therefore an Environmental Statement was submitted to the local authority as part of the outline submission.

Applicant: c/o Agent, Taylor Wimpey Manchester

Expiry Date: 08-Dec-2014

## **SUMMARY:**

The principle of development has already been accepted as part of the outline approvals on this site.

### Social Sustainability

The development will not have a detrimental impact upon residential amenity, it would provide benefits in terms of much needed affordable housing provision and would help in the Councils delivery of 5 year housing land supply.

The impact upon infrastructure would be neutral as the only impact would be upon education and this would be mitigated through the provision of a contribution secured as part of the outline application. The provision of public open space and the proposed play area is acceptable.

### Environmental Sustainability

The design, layout and landscaping of the scheme are considered to be of sufficient quality. Detailed aspects of the landscaping can be secured through the use of a planning condition.

The ecological impact is considered to be neutral as mitigation would be secured. An update will be provided in relation to the issue of the SSSI/wintering bird survey. Drainage/flood risk issues are expected to be acceptable (subject to final comment).

Although there are some tree conflicts on this site, the trees in question are not subject to TPO protection. It is considered that subject to the imposition of planning conditions that the development is acceptable in terms of its impact upon trees on this site.

### Economic Sustainability

The proposed access point is acceptable and the traffic impact as part of this development has already been accepted together with contributions for off-site highway works. The internal design of the highway layout/parking provision will be subject to an update report.

The site is largely brownfield and in this case the redevelopment of the site would provide a number of economic benefits in the re-use of the site.

It is considered that the planning balance weighs in favour of this development.

**RECOMMENDATION:**  
**APPROVE subject to conditions**

## **PROPOSAL:**

This is a reserved matters application for 371 dwellings (35.3 dwellings per hectare). The issues which are to be determined at this stage relate to the access, appearance, landscaping, layout and scale of the development.

The access would be via a single priority junction off Booth Lane with the provision of a right-turn lane on Booth Lane.

The development would consist of 1 to 4 bedroom units including some apartments. The height of the dwellings would vary from 2 – 2.5 stories in height with the apartments being 3 stories in height. The development would consist of the following mix:

- 12 x one bed units (in 2 apartment blocks)
- 17 x two bed units
- 250 x three bed units
- 92 x four bed units

## **SITE DESCRIPTION:**

This Reserved Matters application relates to approximately 10.5ha of land and is situated 3.6km north west of Sandbach Town Centre, and is 4.5km south east of Middlewich.

The site covered by the outline application comprises two distinct areas, an intensively developed chemical manufacturing facility extending to approximately 11.2ha, and a former sports ground affiliated to the chemicals factory extending to approximately 7.8ha. The factory site has now been cleared. This Reserved Matters application covers the southern part of the site the majority of which was covered by the sports ground with the remainder being part of the chemicals factory.

The former sports ground was predominantly undeveloped but does include the Grade II listed, Yew Tree Farm House, which dates from the 16<sup>th</sup> century, with 19<sup>th</sup> century additions. The predominantly two storey farmhouse was recently used as a club for Directors of the chemical works but has stood vacant for approximately 15 years. Constructed from an oak frame with plaster panels, the farmhouse was extended and partially rebuilt in brick. The listing description for the building notes that there is currently a clay roof in situ but concludes that this was probably formerly thatched.

The listed building and its curtilage structures which were formerly used as a staff social club are currently unoccupied and have been party to various degrees of damage due to relatively recent fire damage, criminal acts of both vandalism and theft. The buildings are secured in order to prevent further incidents. However, the complex does not benefit from any natural surveillance due to its isolation from the chemical plant and therefore there is a high probability of further criminal damage occurring in the future whilst the buildings remain undeveloped and unoccupied.

The application site has a plethora of identified constraints including a pedestrian footpath, which provides links through the site to the wider countryside to the north, an electricity substation and a series of mature trees. The character of the surrounding area is determined by its location within the Cheshire Plain and predominantly open countryside. However, there are additional industrial uses situated off Booth Lane, notably an electricity substation directly to the north-west and the British Salt Works complex located off Booth Lane, which affect the site's setting. An area of semi-national ancient woodland, Hollins Wood, comprises native tree species is located to the south east of the site beyond the railway line. In addition Sandbach Flashes Site of Special Scientific Interest (SSSI) is located to the west of the site beyond the Trent and Mersey Canal.

On the west, the site has a long frontage to the A533, and it is bounded by the Sandbach to Middlewich railway line to the south. The site also lies adjacent to the Trent and Mersey Canal which is a designated Conservation Area.

#### **RELEVANT HISTORY:**

14/4218C - Variation of conditions 6, 7, 25 and removal of condition 14 on application 09/2083C – Yet to be determined

09/2083C - The comprehensive redevelopment of the site for a mix of uses comprising of up to 375 residential units (Class C3); 12000sqm of office floorspace (Class B1); 3810sqm of general industrial (Class B2) and warehousing (Class B8) floorspace; 2600sqm of commercial uses incorporating pub (A4), hotel (C1), restaurant (A3), Health club (D2), retail (A1), car dealership (Sui-generis), fast food restaurant (A5) and offices (B1); retention and change of use of Yew Tree Farm complex for up to 920sqm of residential (Class C3) and non-residential (D1) uses; public open space together with access and associated infrastructure, with all matters reserved as set out in the application and described in drawings DMP6059/001 revision C and DMP6059/004 revision C – Approved 14<sup>th</sup> May 2014

#### **POLICIES**

##### **National Policy:**

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

##### **Development Plan:**

The Development Plan for this area is the Congleton Borough Council First Review 2005, which allocates part of the site within the settlement boundary and part of the site within the open countryside.

The relevant Saved Policies are: -

PS8 Open Countryside  
GR21 Flood Prevention  
NR4 Non-statutory sites  
GR1 New Development  
GR2 Design  
GR3 Residential Development  
GR5 Landscaping  
GR9 Accessibility, servicing and provision of parking  
GR14 Cycling Measures  
GR15 Pedestrian Measures  
GR16 Footpaths Bridleway and Cycleway Networks  
GR17 Car parking  
GR18 Traffic Generation  
NR1 Trees and Woodland  
NR3 Habitats  
NR5 Habitats  
H6 Residential Development in the Open Countryside  
H13 Affordable Housing and low cost housing  
E10 Re-use and redevelopment of existing employment sites

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

### **Cheshire East Local Plan Strategy – Submission Version (CELP)**

The following are considered relevant material considerations as indications of the emerging strategy:

PG2 – Settlement Hierarchy  
PG5 - Open Countryside  
PG6 – Spatial Distribution of Development  
SC4 – Residential Mix  
SC5 – Affordable Homes  
SD1 - Sustainable Development in Cheshire East  
SD2 - Sustainable Development Principles  
SE3 – Biodiversity and Geodiversity  
SE5 – Trees, Hedgerows and Woodland  
SE 1 - Design  
SE 2 - Efficient Use of Land  
SE 4 - The Landscape  
SE 5 - Trees, Hedgerows and Woodland  
SE 3 - Biodiversity and Geodiversity  
SE 13 - Flood Risk and Water Management  
SE 6 – Green Infrastructure  
IN1 – Infrastructure  
IN2 – Developer Contributions

### **Other Considerations:**

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  
North West Sustainability Checklist

## **CONSULTATIONS:**

**English Heritage:** Do not consider that it is necessary to notify English Heritage of this application.

**Environment Agency:** No further comments to add to the previous letter dated 3<sup>rd</sup> September 2009 regarding your consultation reference 09/2083C.

**Cheshire East PROW:** Public Footpath Moston No. 7 will be obstructed by the proposed development. The PROW unit wish to lodge a holding objection until a suitable diversion has been agreed with the developer.

One of the primary duties of the Cheshire East Borough Council's Public Rights of Way Unit is to keep public rights of way open and available for members of the public. The obstruction of a public right of way is a criminal offence.

**Natural England:** This application is in close proximity to Sandbach Flashes Site of Special Scientific Interest (SSSI). The application, as submitted, does not contain sufficient information to conclude that the development is not likely to damage or destroy the interest features for which Sandbach Flashes SSSI has been notified.

The development site has the potential to provide suitable habitat for snipe, curlew, and lapwing. These are notified features of the SSSI. Therefore Natural England request that wintering bird surveys are conducted to assess the use of the development site and adjacent fields for presence and level use by the SSSI birds.

For advice on Protected Species refer to the Natural England standing advice.

**Cheshire East Countryside Access:** Destination signage should be sought at appropriate locations where links are made both to the public rights of way network and walking and cycling route to the town facilities. The developer would be requested to supply new residents with information on local walking and cycling routes and public transport options, for both transport and leisure purposes.

**Canals and Rivers Trust:** No objection.

**Strategic Highways Manager:** There is a high proportion of frontage parking which does precious little for place making and would create a high proportion of reversing maneuvers onto, in many cases, shared surface streets which does not put an emphasis on pedestrian priority.

**CEC Flood Risk Manager:** No comments received at the time of writing this report.

**Environmental Health:** No objection. An informative suggested in relation to hours of construction, conditions suggested in relation to a construction method statement and dust control.

**Cheshire Brine Board:** This site is just outside the Board's Consultation Area (the boundary runs down Booth Lane at this point) and therefore the Brine Board would not normally comment. However, the Brine Board would raise the matter of concern, regarding stability, of the potential for natural dissolution of the rock salt. The site is in a wet rockhead area, which would be the highest risk for natural dissolution, and it becomes paramount not to introduce point sources of drainage into the strata which could exacerbate the situation. However, the applicant does not appear to have addressed the issue of natural dissolution.

**Ansa Open Space:** 11,460sq.m of amenity green space is required on this site. The proposal is acceptable apart from to climbing unit for young children which is unimaginative. The Tottlebank Little Hamlet should be changed for a Brill plus.

#### **VIEWS OF THE PARISH/TOWN COUNCIL:**

**Moston Parish Council:** No comments received

**Middlewich Town Council:** Middlewich Town Council has now considered the above application and has the following comments:

- The previous contribution to Middlewich by the applicant should not be diminished by any alterations to the original scheme;
- A contribution should be made by the applicants to education facilities in Middlewich on the grounds that children occupying the houses on the development may attend schools in Middlewich; and
- An up to date traffic survey is carried out to ensure the contribution to highways is appropriate to the current traffic situation.

**Sandbach Town Council:** This site is not within Sandbach boundary, therefore Members were unable to consider however, as this proposal will significantly increase traffic through Sandbach, the Committee would like to know what provision has been made by CEC for the increased traffic.

**Bradwall Parish Council:** No comments received.

#### **REPRESENTATIONS:**

Neighbour notification letters were sent to all adjoining occupants and a site notice erected.

A letter of objection has been received from 1 household raising the following points:

- There was a former sewage treatment plant on the site and it will be subject to contamination
- Contaminated land on this site
- Mercury on the site

A letter of representation has been received from CTC the national cycling charity raising the following points:

- The S106 contribution. I believe this is £640.000. Some of the £38.000 contribution for the Travel Plan might benefit cycling but the remainder of £602.000 will not and most schemes, like the £197.000 contribution for the 'Waitrose' roundabout in Sandbach. will worsen conditions for cyclists.
- The site is located around 3.5 km away from Sandbach town centre and this makes it by far the remotest site among the numerous developments in Sandbach. It can only be reached via the busy A534, Booth Lane. Still, the developer's Travel Plan confidently states that the site is '... highly accessible by cycle'.
- Existing public footpath immediately to the north of the proposed site access' I believe this is Moston FP7Y and Bradwall FP4 and access for cyclists should be considered. Furthermore it could be developed for cyclists to the east to reach Wood Lane and the excellent network of quiet lanes there. However, this probably involves third party land.
- Trent and Mersey Canal. This would provide a good connection to both Sandbach and Middlewich. Cycling is permitted here but the surface is unsuitable for cycling. Any upgrade would be welcome. There is no pedestrian/cycle crossing to reach the canal.
- Speed limit I am pleased about the proposed extension of the 30 mph speed limit from Elworth up to the site. Relevant measures should be taken so drivers adhere to the speed limit.

An objection has been received on behalf of E.ON UK plc raising the following points:

- E.ON UK plc owns and operates a gas turbine power station to the north part of the Albion Chemicals site which operates within consented noise limits and this will continue for the foreseeable future
- The supporting noise assessment notes the location of the CHP. However it makes no reference to the facility and the existing noise levels produced. This is a significant omission in the assessment
- E.ON UK plc must have clarification that the proposed noise limits would not effect the operation of the gas turbine power station as this would be contrary to guidance contained within the NPPF
- The applicant must consider the need to provide suitable noise attenuation between the proposed development and the power station

A letter of support has been received from 1 household raising the following points:

- Support the application but is interested in the commercial aspects of this development
- What provision is being made in terms of vehicular access to the site. Off-site highway works will be required
- Lack of consultation

An objection has been received from Cllr Corcoran raising the following points:

- At outline planning permission stage there was talk of cycling links to Elworth and Middlewich. Why have these plans been dropped? There could also be opportunities to link cycle routes to nearby country lanes.
- The design of the houses is poor in terms of orientation to benefit from passive solar gain and to allow retro-fitting of solar panels. Why not have south facing houses?
- The Lyons Housing Review recommends adopting the zero-carbon standard. These houses are a long way off that.
- Concerned about the contamination of this land, particularly by mercury. The report by WSP Environmental Ltd/Bluefield Sandbach Ltd states "Whilst contaminant impacts had been recorded in the cell room area, the presence of a clay-dominated geology beneath the site was considered likely to restrict groundwater movement

and hence lateral migration and spread of contamination. Monitoring of Small Brook, identified as the priority receptor for contaminants arising from the site, indicated an absence of mercury related impacts. 2.5.4 concludes Further investigation/validation would be required across the site and a detailed remediation plan should also be formulated and implemented. What further investigation/validation across the site has been carried out?

- Cannot find details of what monitoring of Small Brook was carried out, nor can I find a detailed remediation plan. Appendices A-I (dealing with remediation plans) are blank on the document on the website.

## **APPLICANT'S SUPPORTING INFORMATION:**

To support this application the application includes the following documents;

- Planning Statement (Produced by CBRE)
- Transport Statement (Produced by Croft transport Solutions)
- Residential Travel Plan Framework (Produced by Croft transport Solutions)
- Hedgerow Survey (Produced by Urban Green)
- Protected Species Survey and outline Mitigation Strategy (Produced by Urban Green)
- Site Waste Management Plan (Produced by Taylor Wimpey)
- Remediation Strategy (Produced by WSP)
- Ecological Appraisal (Produced by Urban Green)
- Affordable Housing Statement (Produced by Resolve S106)
- Arboricultural Report (Produced by Urban Green)
- Landscape Design Framework and Management Plan (Produced by Urban Green)
- Noise Assessment (Produced by RSK)
- Phase II Geo-Environmental Assessment (Produced by WSP)
- Design and Access Statement (Produced by Taylor Wimpey)
- Statement of Community Consultation (Produced by CBRE)

These documents are available to view on the application file.

## **APPRAISAL**

The principle of residential development has already been accepted following the approval of the outline application (09/2083C).

Following the determination of application 09/2083C the applicant has applied to vary/remove conditions attached to this outline consent. This Reserved Matters application will respond to the outline application as varied by 14/4218C (if approved).

### **Affordable Housing**

The S106 secured as part of the outline consent secures an affordable housing provision of 16% - to be provided on site (33% social rented and 67% intermediate/shared ownership), and an overage clause which provides for the viability calculations to be reviewed at appropriate intervals before completion of the development and for the figure of 16% to be increased if the economics of provision improve either by increased on site provision or by financial contribution in lieu.

The Affordable Housing Scheme has to be submitted and agreed prior to commencement of the development rather than at this point in time. However the Strategic Housing Manager states that



they have no objection to the scheme following the submission of amended plans/additional information.

## **Highways Implications**

The wider traffic congestion issues in Sandbach/Middlewich were considered as part of the outline application.

To mitigate the congestion traffic impact of this development the following contributions have been secured as part of the S106 Agreement:

- A533/A54 Leadsmithy St, Middlewich:- £170,000
- A533/A534 The Hill/High St/Old Mill Rd/Brookhouse Rd roundabout, Sandbach £197,000
- £190,000 to be spent either on Junction 17 of the M6 or the Middlewich bypass whichever comes forward first (the decision regarding allocation of this contribution to be delegated to the Head of Planning and Housing, in consultation with the Chairman)
- Quality partnership bus shelters £25,000
- Real Time Information facility, Sandbach Rail Station £20,000
- Travel Plan facilities and targets £38,000

The access point into the site forms part of this application and the development would be accessed via a single priority access point with a right-turn lane into the site to be provided onto Booth Lane. The Strategic Highways Manager has not raised any objection to the point of access and this is considered to be acceptable.

In terms of the proposed layout/internal highways design and parking provision an amended plan has been submitted following negotiations with the Strategic Highways Manager. An update will be provided in relation to this issue when a formal consultation response has been received.

## **Amenity**

There are no residential properties in close proximity to this application site (the nearest properties are located on the opposite side of Booth Lane to the south of the site) and as such it is not considered that the development would have a detrimental impact upon the residential amenities of nearby dwellings.

## **Contaminated Land**

Given the previous use of the site as a chemical works there is land contamination issues associated with this site. This issue was subject to discussions at the outline stage by the Strategic Planning Board at the meetings on 16<sup>th</sup> February 2011 (where it was deferred for among other things further information in relation to land contamination) and 20<sup>th</sup> April 2011 (where members resolved to approve the outline application).

As stated within the report to Strategic Planning Board on 20<sup>th</sup> April 2011 the remedial works including the Mercury Plant decontamination and the remediation of the waste sludge lagoon, have been completed in accordance with statutory regulatory approval. Both the Environment Agency and the Council's Contaminated Land Officer confirmed as part of the outline application that they are satisfied with the works that have been carried out to date.

The additional remediation works that must be carried out in order to accommodate the proposed development is secured by planning condition attached to the outline application. The Council's Contaminated Land Officer and the Environment Agency indicated that they were happy with this approach.

### Noise

In terms of the impact upon the future occupiers of the development this issue is dealt with on the outline consent with a condition attached to secure a scheme of noise mitigation.

### Disturbance during the construction phase of the development

In this case there are the following conditions attached to the outline approval:

- Prior approval of external lighting details
- Hours of construction
- Pile driving details
- Method, timing and duration of floor floating
- Timing and phasing of the development

It is considered that these conditions attached to the outline consent would be adequate to protect residential amenity during the construction phase.

### **Trees and Hedgerows**

#### Trees

The application site includes a number of trees none of which are protected by a Tree Preservation Order. The submission is supported by an Arboricultural Statement which incorporates a tree survey, an Arboricultural Impact Assessment and an Arboricultural Method Statement (AMS).

No trees are to be retained to the north of the site and the layout proposes to retain existing trees shown which are afforded grades A and B in the submitted survey. Whilst several of these trees are retained in public open space areas, in many cases the trees and their root protection areas are likely to be compromised by hard standing within the root protection areas.

Given the scale of the site, and the relatively low number of trees identified for retention within the main body of the site, there is no justification for compromising grade A and B trees. Such trees have the potential to make a useful contribution to a new development. Condition will be attached to ensure that all work within the RPA's is subject to a method statement.

#### Hedgerows

The only loss of hedgerow on this site will be from the formation of the access point. This is considered to be acceptable.

### **Landscape**

As part of the application amended plans have been secured in terms of the landscaping for the site. These plans show an improved landscape provision within the site with the retention of hedgerows along the southern and eastern boundaries of the site and a greater degree of tree planting within the site. It is considered that the landscaping scheme is of an acceptable form but further information would be required in terms of the plot planting, as such a condition will be attached to secure further details.

## **Design**

This is a reserved matter application for 371 dwellings including apartments. Outline planning approval was granted under planning reference 09/2083C for up to 375 units.

In terms of height this development would be for mainly two-storey developments although there would be some taller units in the form of 72 two-and-a-half storey units and 2 apartment blocks of three-storeys in height.

The layout plan includes three character areas 'The Heritage Core' around the listed buildings at Yew Tree Farm, 'The Booth Lane Frontage' along the road frontage and 'The Lanes' to the remainder of the site.

It is considered that the design of the units is appropriate and that the development would not appear out of character with other housing that currently exists within the vicinity of the site. A Building for Life Assessment has been carried out by the Councils Urban Designer and this rates the site as mainly Amber.

Details of the proposed boundary treatment and proposed materials will be secured by condition to comply with the submitted plans.

Following negotiations with the applicant it is considered that the design of the scheme is appropriate and that it accords with Policy GR2 (Design) of the Congleton Borough Local Plan.

## **Impact upon the Setting of the Listed Buildings**

The Listed Building and barns at Yew Tree Farm would be retained and an application for their refurbishment/re-use will form part of a separate planning application.

As part of this application the taller units have been relocated away from the Listed Building and now only the two-storey units would be in close proximity to Yew Tree Farm.

An indicative plan has been provided to show how the Listed Buildings could be developed and to show that this Reserved Matters application would not compromise their re-use.

Based on the revised plans it is considered that the development would have a detrimental impact upon the setting of the listed buildings on this site.

## **Ecology**

### Impact upon the SSSI

In relation to this issue Natural England has raised an objection to the development and has requested wintering bird surveys are conducted to assess the use of the development site and adjacent fields for presence and level of use by the SSSI birds.

At the time of writing this report this wintering bird survey was awaited and an update will be provided in relation to this issue.

### Trees and roosting bats

A number of trees on site have been identified as having potential to support roosting bats. These trees appear to be retained as part of the proposed development. The Council's Ecologist advises that the proposed development is unlikely to have a direct impact upon roosting bats. There is however likely to be some loss of foraging and commuting habitat.

### Hedgerows

Hedgerows are a priority species. Apart from the loss of hedgerow required to facilitate the site entrance the hedgerow on Booths Lane would be retained.

### Ditches

There is a loss of ditch habitat associated with the proposed development. Condition 19 of the outline consent requires the submission of a scheme to compensate for the loss of these ditches prior to the commencement of development.

### Compensatory habitat

Condition 20 requires submission of details for habitat creation on the 'blue line' land on the east of the railway line prior to the commencement of development. The submitted landscape plan includes proposals for wet woodland planting adjacent to the brook.

The Council's Ecologist advises that the proposed woodland planting would be beneficial in compensating for the loss of breeding bird habitat and foraging opportunities for bats. However condition 20 was attached in order to secure compensatory habitat for Barn Owls. As a result the Council's Ecologist advises that the submitted proposals are inappropriate to discharge condition 20. In order to discharge this condition the submitted plans need to be amended to include the provision of extensive areas of rough grassland and the provision of a number of barn owl nest boxes.

The rough grassland sward provided must be maintained to a sward height of 20-30cm and a litter layer 7-10cm deep. The area must not be cut less than 125mm above ground level (i.e. topped not mown) not more than once a year and not before 15th July. Management prescriptions to reflect this treatment must be submitted in support of the habitat creation proposals.

Under condition 21 this area should also include proposals for habitat creation to compensate for the loss of the onsite ditches. Information submitted to discharge this condition should include a time table for the implementation of the proposed habitat creation.

### Breeding Birds

The application site has the potential to support a number of species of nesting birds including those priority species which are material consideration for planning. If planning consent is granted conditions should be attached to safeguard breeding birds.

### Other Protected Species

An outlying sett is located within the site that would be lost as a result of the proposed development. To avoid the risk of this protected species being killed or injured during the construction process the applicant is proposing to close the sett under the terms of a Natural England license. The Councils Ecologist confirms that in the event that planning consent is granted this approach is acceptable to mitigate the potential impact of the proposed development.

The proposed development will result in the loss of an area of foraging habitat utilised by this protected species. However it is unlikely that this loss would have a major adverse impact upon the local badger population. If planning consent is granted a condition is recommended to secure the measures set out in the submitted *Survey & Outline Mitigation strategy produced by Urban Green*.

### **Public Open Space**

The Councils Public Open Space Officer has requested 11,640sqm of amenity green space on this site. In this case the development would provide 22,900sqm of amenity green space, wildlife mitigation and a NEAP (Neighbourhood Equipped Area of Play). Therefore the open space provision is considered to be acceptable.

The NEAP would have 8 items of equipment and would meet the requirements of Ansa.

### **Education**

This issue was dealt with as part of the outline application where a contribution of £100,000 was secured as part of the S106 Agreement.

### **Public Rights of Way**

The objection from the PROW team is noted. However the imposition of a planning condition to require the diversion of the PROW prior to the commencement of development would address any issue. Furthermore an informative could be attached to remind the developer of its responsibilities in relation to the PROW.

### **Flood Risk and Drainage**

The site covered by this Reserved Matters application is located within Flood Zone 1 according to the Environment Agency Flood Maps. This defines that the land has less than 1 in 1000 annual probability of flooding and all uses of land are appropriate in this location. As the application site exceeds 1 hectare, a Flood Risk Assessment was submitted as part of the outline application.

At the time of writing this report no comments had been received from the Councils Flood Risk Manager. This information will be provided as part of an update report.

## **Brine Board**

The Brine Board have noted that the site is outside the consultation zone. The case of structural stability will be dealt with at the Building Control stage but an informative can be added to the decision notice.

## **PLANNING BALANCE**

The principle of development has already been accepted as part of the outline approvals on this site.

### Social Sustainability

The development will not have a detrimental impact upon residential amenity, it would provide benefits in terms of much needed affordable housing provision and would help in the Councils delivery of 5 year housing land supply.

The impact upon infrastructure would be neutral as the only impact would be upon education and this would be mitigated through the provision of a contribution secured as part of the outline application.

In terms of the POS provision and the proposed NEAP this is considered to be acceptable.

### Environmental Sustainability

Design, layout and landscaping are considered to be acceptable. Further details of the proposed landscaping would be secured through the use of a planning condition. There is no reason to believe that an acceptable scheme could not be secured.

With regard to ecological impacts, the impact is considered to be neutral as mitigation would be secured. An update will be provided in relation to the issue of the SSSI/wintering bird survey.

An update will be provided in relation to the drainage/flood risk implications for this proposed development.

Although there are some tree conflicts on this site, the trees in question are not subject to TPO protection. It is considered that subject to the imposition of planning conditions that the development is acceptable in terms of its impact upon trees on this site.

### Economic Sustainability

The proposed access point is acceptable and the traffic impact as part of this development has already been accepted together with contributions for off-site highway works. The internal design of the highway layout/parking provision will be subject to an update report.

The site is largely brownfield and in this case the redevelopment of the site would provide a number of economic benefits in the re-use of the site.

Taking account of appropriate planning policies, the presumption in favour of sustainable development within the NPPF, it is considered that the planning balance weighs in favour of this development.

**RECOMMENDATION:**

**APPROVE** subject to the following conditions

- 1. Approved Plans**
- 2. Materials to be submitted and approved**
- 3. Landscaping details to be submitted to the LPA for approval in writing (including land levels for the proposed POS)**
- 4. Implementation of the approved landscape scheme**
- 5. Boundary treatment to be submitted and approved**
- 6. The proposed development to proceed in strict accordance with the submitted Survey & Outline Mitigation strategy produced by Urban Green.**
- 7. Breeding Birds Timing of Works**
- 8. Provision of Breeding Bird Nest Boxes**
- 9. Bin storage details for the apartments**
- 10. Cycle storage details for the apartments**
- 11. Submission of a revised tree protection scheme and arboricultural method statement**
- 12. Method Statement for works within the RPA's to be submitted and approved**
- 13. Details of surfacing materials within the RPA's to be submitted and approved**
- 14. Construction Site Management Plan for trees to be submitted and approved**
- 15. Construction Site Management Plan to be submitted and approved**
- 16. Existing and proposed land levels within the RPAs of the retained trees to be submitted and approved.**
- 17. Retention of existing hedgerows**

In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Principal Planning Manager in consultation with the Chair (or in his absence the Vice Chair) of Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

