

Application No: 14/5925C

Location: FORMER TEST TRACK SITE, FORMER FODEN FACTORY SITE,  
MOSS LANE, SANDBACH, CHESHIRE

Proposal: Replan and substitution of housetypes on plots 41-47, 82 and 100-102 of  
extant planning permission 12/0009C.

Applicant: Sean McBride, Persimmon Homes (North West)

Expiry Date: 06-Apr-2015

### **SUMMARY**

The principle of development is acceptable and the minor amendments proposed as part of this application will not have any significant amenity, design or ecology implications.

### **RECOMMENDATION**

**Approve subject to conditions and a deed of variation**

### **PROPOSAL**

12/0009C is a full planning application for a residential development of the former Foden Test Track site. The development would comprise 120 dwellings at a density of 40 dwellings per hectare. The proposed dwellings consist of 102 two and two and a half storey dwellings and 18 apartments in 2 three-storey blocks. The housing mix is as follows;

1 bed apartment – 6 units  
2 bed apartment – 12 units  
3 bed homes – 61 units  
4 bed homes – 41 units **(Total 120 units)**

One vehicular access point will serve the site and this will be taken from Moss Lane.

The Public Open space is situated centrally within the site. A footpath/cycleway is to be provided which will create a link through the Canal Fields site, the Test Track site and the Factory Site.

This application relates to the following amendments:

Plot 41 change from Cherryburn (4 bed house type) to Moseley house type (3 bed house type). Detached garage changed from a double garage to a single garage

Plot 42 change from Hanbury (3 bed house type) to Moseley house type (3 bed house type)

Plot 43 change from Hanbury (3 bed house type) to Moseley house type (3 bed house type)

Plot 44-47 change from two pairs of semi-detached of Souter house types to a terrace of four Souter house types (3 bed house type)

Plot 82 change from Barrington (4 bed house type) to Cherryburn (4 bed house type) house type

Plot 100 Roseberry house type handed

Plot 101 Alteration to parking area to the front of the dwelling

Plot 102 Alteration to parking area to the front of the dwelling

## **SITE DESCRIPTION**

The application relates to a small parcel of land on a wider 3.04ha development site, within the Sandbach Settlement Boundary. The site is bound by Moss Lane to the north, the Crewe-Manchester Railway line to the east, the Trent and Mersey Canal to the west and the Canal Fields site to the south. To the north of the site is the former factory site.

The site is relatively open and is currently undergoing redevelopment following the approval of application 12/0009C.

## **PLANNING HISTORY**

14/0333C - Substitution of house types on plots 31-34 of extant planning permission 12/0009C – Application undetermined

12/0009C - Residential Development Comprising 120 Dwellings, Access, Public Open Space and Associated Landscaping – Approved 28<sup>th</sup> August 2013

10/4660C – Site preparation, bulk earthworks and infilling operations to enable the future development of the sites for residential led purposes – Approved 9<sup>th</sup> February 2012

07/0912/OUT – Outline planning application for the redevelopment of the above site for residential development (between 142 and 149 dwellings) – Approved 11<sup>th</sup> March 2009

## **PLANNING POLICIES**

### **National Policy**

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

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.

50. Wide choice of quality homes

56-68. Requiring good design

### **Local Plan Policy**

The Development Plan for this area is the Congleton Borough Local Plan First Review 2005, which identifies that the site is within the Sandbach Settlement Zone Line.

GR1 New Development

GR2 Design

GR3 Residential Development  
GR4 Landscaping  
GR5 Landscaping  
GR6 Amenity and Health  
GR9 Accessibility, servicing and provision of parking  
GR14 Cycling Measures  
GR15 Pedestrian Measures  
GR17 Car parking  
GR18 Traffic Generation  
GR 22 Open Space Provision  
NR1 Trees and Woodland  
NR3 Habitats  
H2 Provision of New Housing Development  
H6 Residential Development in the Open countryside  
H13 Affordable Housing and Low Cost Housing  
DP1 Employment Allocation  
BH8 Conservation Areas  
BH9 Conservation Areas

### **Cheshire East Local Plan Strategy – Submission Version**

PG2 – Settlement Hierarchy  
PG6 – Spatial Distribution of Development  
SC4 – Residential Mix  
SC5 – Affordable Homes  
SD1 - Sustainable Development in Cheshire East  
SD2 - Sustainable Development Principles  
C01 – Sustainable Travel and Transport  
C04 – Travel Plans and Transport Assessments  
SE3 – Biodiversity and Geodiversity  
SE5 – Trees, Hedgerows and Woodland  
SE 1 - Design  
SE 2 - Efficient Use of Land  
SE 4 - The Landscape  
SE8 - Renewable and Low Carbon Energy  
SE9 - Energy Efficient Development  
SE 6 – Green Infrastructure  
IN1 - Infrastructure  
IN2 – Developer Contributions

### **CONSULTEES**

**CEC Strategic Housing Manager:** No objection.

**CEC Head of Strategic Infrastructure:** No objection

**CEC PROW:** The development does not affect a PROW.

**Network Rail:** No comments to make.

**Natural England:** Statutory sites – No objection. For advice on protected species refer to the standing advice.

**Environment Agency:** No objection

**Cheshire brine Subsidence Compensation Update:** No objections to the substitution of the house types as long as the foundation designs remain as previously approved.

**Canals and Rivers Trust:** No comments to make.

**CEC Environmental Health:** Condition suggested in relation to contaminated land.

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

**Sandbach Town Council:** No objection

## **REPRESENTATIONS**

No representations received.

## **OFFICER APPRAISAL**

### **Principal of Development**

The principal of residential development has already been accepted on this site following the approval of application 12/0009C and construction works are now underway.

### **Amenity**

There are no existing dwellings in close proximity to the site. The substitution of house types would have no greater impact upon the adjoining dwellings on the approved scheme or the Bellway development directly to the south of the site. This is due to the orientation of the dwellings on the approved Bellway scheme and the separation distances involved.

### **Ecology**

#### **Sandbach Flashes Site of Special Scientific Interest (SSSI)**

Sandbach Flashes is a site of physiographical and biological importance. It consists of a series of pools formed as a result of subsidence due to the solution of underlying salt deposits. The water varies from freshwater, chemically similar to other Cheshire meres, to highly saline. Inland saline habitats are extremely rare and are of considerable interest because of the unusual associations of plants and animals. Most of the flashes are surrounded by semi-improved or improved grassland. Fodens Flash is partly surrounded by an important area of wet woodland.

As well as the physiographical and biological interests of the flashes, the SSSI is notified for both its breeding bird assemblage and for its aggregations of non-breeding birds specifically

Curlew, Lapwing, Snipe, Teal and Widgeon. The site is also notified for its geological features resultant of the solution of underlying salt deposits.

In terms of the impact upon the SSSI, Natural England has been consulted and has advised that the proposed development would not materially or significantly affect the SSSI. The proposed development is therefore considered to be acceptable in terms of its impact upon the SSSI.

### Protected Species

The application for substitution of house types will not impact upon protected species.

### **Design**

The layout would be very similar to the approved scheme with the position of the access point, location of the public open space, internal access roads and location of the affordable housing all remaining unchanged.

The changes relate to amendments to the design of the approved house types with changes to the elevational design and the position of fenestration. The changes in house types would be consistent with those which have been approved on this site.

These minor changes would still respect the character and appearance of the area and would comply with Policy GR2 (Design) of the Congleton Borough Local Plan First Review 2005.

### **Landscape**

The amended layout involves a rear access footpath arrangement and a gabion retaining wall to the south of plots 41-47 where the site adjoins a water course. Additional plans have been requested in relation to how this would appear and an update will be provided in relation to this issue.

### **Highways**

The amendments proposed as part of this application would not have any greater highways impact and this view is supported by the Council's Head of Strategic Infrastructure who has raised no objection to this application.

### **Ground Conditions**

A consultation response has been received from the Cheshire Brine Board this will be incorporated as an informative on the decision notice.

### **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.

The provision of a contribution towards the highway works is required to help mitigate against the highways impact of the development. The proposed development cannot proceed without these improvements and the contribution is reasonably related in scale and kind to the development.

The development would result in increased pressures on local schools which are already at capacity. The contribution is required to increase the capacity of local schools which would serve this development. This is considered to be necessary and fair and reasonable in relation to the development.

The proposed foot/cycle bridge would provide a sustainable link between this site and the Canal Fields site and would enable a sustainable link to Sandbach Train Station. The provision of this link would allow the three sites to link together and encourage sustainable modes of transport. This is considered to be necessary and fair and reasonable in relation to the development.

As explained within the main report, POS is a requirement of the Interim Planning Policy; it is directly related to the development and is fair and reasonable.

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

## **CONCLUSIONS**

The principle of development is acceptable and these minor amendments will not have any significant amenity, design or ecology implications.

## **RECOMMENDATION**

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

### **Heads of terms**

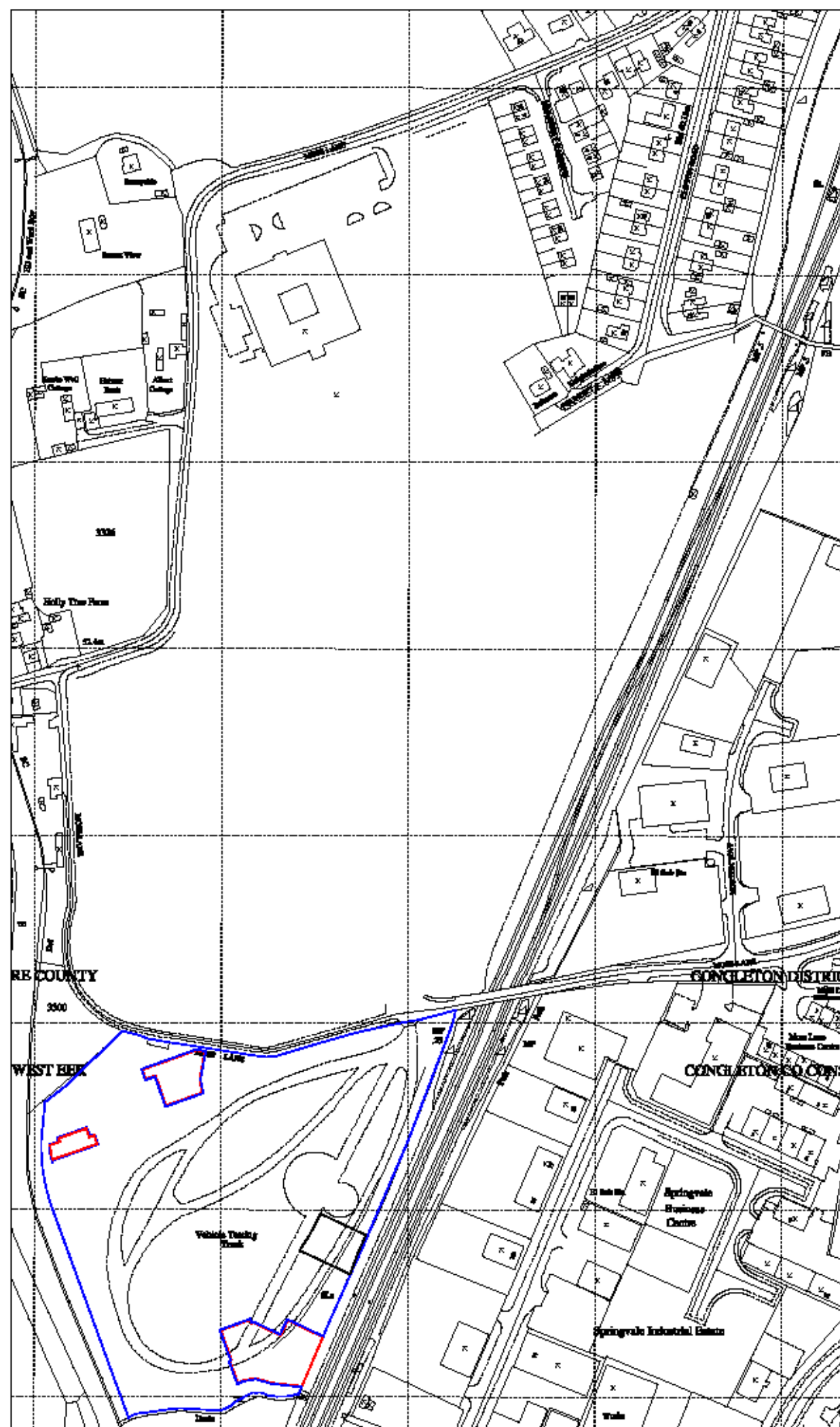
- A provision of 10% affordable housing (12 units) all of which are to be provided as Affordable Rent or Social Rent
- Overage provision to capture any uplift in value with any additional sums paid to the Council to invest back into affordable housing provision within the borough
- A contribution towards local education provision of £120,000
- The provision of a Public Open Space and footway/cycle link which should be retained in perpetuity and a scheme of management (the scheme of management shall include the bridge link)
- A provision of a foot/cycle bridge or a contribution to provide a foot/cycle bridge and secure the landing and access rights for any foot/cycle bridge and/or footpath and from the adjacent Canal Fields site
- An Interim Residential travel plan in accordance with DfT guidance document

- A commuted sum for the necessary Traffic Regulation Orders and local traffic management orders (£44,000)

**Conditions;**

1. Standard time – 3 years
2. Materials as application
3. Submission of a landscaping scheme to be approved in writing by the LPA
4. Implementation of the approved landscaping scheme
5. Boundary treatment details to be submitted to the LPA and approved in writing
6. Remove PD Rights for extensions and alterations to the approved dwellings
7. Prior to the commencement of development the applicant to submit detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds.
8. 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.
9. 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.
10. Acoustic mitigation measures to be submitted and agreed
11. The hours of construction shall be limited to 08:00 – 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays or Bank Holidays
12. Any piling works shall be limited to 08:30 – 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays or Bank Holidays
13. A Site Completion Report detailing the conclusions and actions taken at each stage of the works, including validation works, shall be submitted to, and approved in writing by, the LPA prior to the first use or occupation of any part of the development hereby approved.
14. Completion of the proposed off-site highway works
15. Approved Plans
16. Brine Board
17. Ground Levels

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 Head of Planning (Regulation), in consultation with the Chair (or in her absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.



**PERSIMMON**

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SITE

**FODEN TEST TRACK  
SANDBACH**

TITLE

**LOCATION PLAN**