

APPLICATION NO: 14/0282M

LOCATION: Land off Congleton Road, Macclesfield

CONSULTEES

The Nature Conservation Officer had previously requested that a bat survey for the pavilion building be submitted prior to the application being determined. A survey of this building has been carried out and the Nature Conservation Officer has confirmed that roosting bats are unlikely to be present, or affected by the proposed demolition of the pavilion building.

The Environmental Health Contaminated Land Officer has provided updated comments with regards land affected by contamination. To recap, the following reports have been submitted: -

- Land at Congleton Road, Macclesfield, Phase 1 Ge-environmental Desk Top Study, White Young Green, May 2014
- South Macclesfield Development Area, Geo-environmental Appraisal, 321692-R (01), RSK, October 2014
- Contaminated land assessment: South Macclesfield Development Area (SMDA), 63336R1D1, ESI, March 2015

The ESI report was commissioned following the review of the RSK report by the Council's Environmental Protection team, which concluded that the RSK assessment did not demonstrate that the site could be developed safely for a residential use. The scope of the ESI report was to undertake a preliminary assessment, to try and gain a more detailed appreciation of the ground gas regime at the site. As such, it is acknowledged that the site investigation is limited in both its coverage and length of ground gas monitoring period. However, the resulting information was felt to be sufficient to be able to recommend conditions for the site with regards to further (extensive) site investigation with a subsequent appropriate ground gas monitoring programme, risk assessment, remedial proposals and ultimately remedial works and validation. Any such, works should be provided in proposal form prior to their undertaking, to allow the Council's Environmental Protection team to assess and advise if necessary. Such works would also require thorough site clearance and the use of appropriate site investigation equipment and techniques given the ground conditions.

The limitations of the assessment as raised in the representations are correct. It is agreed that considerably more ground gas monitoring installations with monitoring carried out for a sufficient time period are required across the site to enable a thorough ground gas risk assessment, in line with current best practice, to be undertaken. This should allow accurate characterisation of the site to identify the most appropriate remedial measures and if necessary, the locations for residential development within the development area.

With regards potential risks to controlled waters, the Environment Agency have reviewed the Phase I desk study and recommend that a condition for a site investigation be placed on the application due. As such, any further investigation works will need to include an appropriate and thorough investigation and assessment of the risks to controlled waters.

It is acknowledged that the adjacent site, application 15/2010M has identified very high concentrations of methane at the boundary of this application site. Subsequent investigation and assessment is ongoing at this site and it would appear that this may be a localised issue. Recommendations have been put forward for further investigation and a remedial strategy. The Council's Environmental Protection team are in agreement with this approach and have recommended appropriate conditions.

In accordance with the NPPF, outline applications should have “...*sufficient information to be confident that it will be able to grant permission in full at a later stage bearing in mind the need for the necessary remediation to be viable and practicable*”. Whilst the risks associated with this site may not have been fully evaluated at this time, the Council is satisfied that sufficient information has been provided to date to demonstrate that residential development could be undertaken safely within the development area with remedial measures, as appropriate.

The Greenspaces / Public Open Space Officer has provided some comments with regards to the proposals. The sports pitch provision should enable sufficient space for the activity to take place and include appropriate areas for landscaping. Jog trails should also be included. When the reserved matters application comes forward, thought should be given to allowing opportunities for further expansion of the sports pitches, as further recreation outdoor space is likely to be required as a result of further proposals for phase 2. More information will be required to be submitted at Reserved Matters stage for the pavilion building and it will be important to ensure that sufficient car parking space is provided. A MUGA will also be required.

Macclesfield Civic Society comments relate solely to the revised layout plan as notified in the letter of 8 October 2015. The Society note and endorse the relocation of playing fields and retention of an increased area of grassland habitat. Retention of the 325 units appears to have been achieved by revisions to the layout of the housing area. The Civic Society note the revised alignment of the main site access/link road. The Civic Society's earlier comments set out in our letter of 26 May still stand in relation to the mix of development, the retail element and the way in which the site should stand in relation to its wider context as envisaged in the emerging local plan. However, the Civic Society do have some concerns regarding pre-emption, as with other sites in and around Macclesfield.

Highways England note that a voluntary Environmental Statement has now been received. As there appears to be no change to the quantum of development in this case, Highways England raise no objection.

REPRESENTATIONS

3 further letters of representation have been received on behalf of residents. The comments made are similar to those previously received, namely on traffic, air quality, location of access and impact on the countryside and wildlife.

CONCLUSION

The views of consultees and residents are noted. It is considered that the requirements of the Greenspaces Officer can be brought forward at the reserved matters stage should permission be granted. The comments from the Environmental Health Contaminated Land Officer give confidence that sufficient information has been provided to be able to grant permission and that residential development could be undertaken safely within the development area with remedial measures, as appropriate.

RECOMMENDATION

The recommendation remains as per the main agenda report as approval subject to a S111 Agreement.