

Application No: 14/5880C

Location: LAND OFF, CREWE ROAD, ALSAGER, CHESHIRE, ST7 2JL

Proposal: Reserved Matters Application for 110 dwellings (33 affordable), the creation of an area of public open space and children's play area and associated works (pursuant to outline planning approval 13/3032C).

Applicant: Niall Mellan, Persimmon Homes North West

Expiry Date: 24-Mar-2015

## **REASON FOR REPORT**

The application is a major development, and therefore requires a committee decision.

The application was deferred from the Southern Planning Committee meeting on 28 October to secure revisions to the plans to increase separation of the dwellings from the pylons/power lines to a minimum of 13m.

### **SUMMARY**

The principle of the development has already been approved.

The proposed scheme provides an acceptable design and layout, the dwellings are appropriate to the character of the area, sufficient open space is provided and appropriate landscaping can be conditioned. It is also considered that the development would not have a detrimental impact upon neighbouring amenity, ecology, trees, or highway safety.

The scheme therefore represents a sustainable form of development providing sufficient quality of design and landscaping and open space. Matters of drainage and flooding have been considered to be acceptable, subject to the conditions, on the associated outline planning application.

The application is therefore recommended for approval, subject to conditions.

### **RECOMMENDATION**

Approve subject to conditions

## **PROPOSAL**

The application seeks approval for all reserved matters following the outline planning permission 13/3032C for a residential development comprising 110 homes, including 33 affordable homes and an area of public open space and children's play area.

## **SITE DESCRIPTION**

The application site covers an area of approximately 3.477 hectares, which is bounded to the south by Crewe Road, south of which is agricultural land. The east and north of the site is adjacent to the rear gardens of dwellings located along Close Lane, which lies on the westernmost edge of Alsager.

To the north west is agricultural land. White Moss quarry, a peat quarry, is located to the west of these. To the west of the southern field is Hollys House hotel.

The site itself consists of two fields with hedgerows along the southern, Crewe Road boundary, and along the western boundary. A hedge forms the boundary between the two fields, across the centre of the application site. The most significant feature on the site is the electricity pylon, located towards the southern part of the site and the overhead power lines that run across the southern field.

## **RELEVANT HISTORY**

13/3032C - Outline application for residential development, comprising 110 homes, including 33 affordable homes to include an area of public open space and children's play area – Approved 04.11.2014

## **NATIONAL & LOCAL POLICY**

### **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

69-78. Promoting healthy communities

### **Development Plan**

### **Congleton Borough Local Plan Policy**

PS8 (Open countryside)

GR1 (New Development)

GR2 (Design)

GR3 (Residential Development)

GR4 (Landscaping)

GR5 (Landscaping)

GR6 (Amenity and Health)

GR7 (Amenity and Health)

GR8 (Amenity and Health - pollution impact)  
GR9 (Accessibility, servicing and provision of parking)  
GR10 (Accessibility for proposals with significant travel needs)  
GR14 (Cycling Measures)  
GR15 (Pedestrian Measures)  
GR16 (Footpath, Bridleway and Cycleway networks)  
GR17 (Car parking)  
GR18 (Traffic Generation)  
GR19 (Infrastructure provision)  
GR20 (Utilities infrastructure provision)  
GR21 (Flood Prevention)  
GR 22 (Open Space Provision)  
NR1 (Trees and Woodland)  
NR2 (Statutory Sites)  
NR3 (Habitats)  
NR4 (Non-statutory sites)  
NR5 (Creation of habitats)  
H1 (Provision of new housing development)  
H6 (Residential development in the open countryside)  
H13 (Affordable Housing and Low Cost Housing)

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:

MP1 Presumption in favour of sustainable development  
PG1 Overall Development Strategy  
PG2 Settlement hierarchy  
PG6 Spatial Distribution of Development  
SD1 Sustainable Development in Cheshire East  
SD2 Sustainable Development Principles  
IN1 Infrastructure  
IN2 Developer contributions  
SC4 Residential Mix  
SC5 Affordable Homes  
SE1 Design  
SE2 Efficient use of land  
SE3 Biodiversity and geodiversity  
SE4 The Landscape  
SE5 Trees, Hedgerows and Woodland  
SE6 Green Infrastructure  
SE9 Energy Efficient Development  
SE12 Pollution, Land contamination and land instability  
SE13 Flood risk and water management  
CO1 Sustainable Travel and Transport  
CO4 Travel plans and transport assessments

### **Other material considerations**

Interim Planning Statement: Affordable Housing

Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994

Alsager Town Strategy

### **CONSULTATIONS**

Natural England – No objections

**HSE Explosives Inspectorate** – No objections

**United Utilities** – No comments received

**Environment Agency** – No formal response required. Responsibility for ordinary watercourses and surface and ground water flooding now with the Lead Local Flood Authorities.

**Flood Risk Manager** – No objections subject to condition relating to disposal of surface water

**Environmental Health** – No objections subject to conditions relating to piling, submission of environmental management plan, implementation of noise mitigation scheme, travel planning, electric vehicle infrastructure, and contaminated land.

**Streetscape** (open space) – No objections

**Head of Strategic Infrastructure** – No objections

**Alsager Town Council** - Concerned regarding the impact of this development when taking into consideration the cumulative effect of all new approved developments in the area.

### **REPRESENTATIONS**

Neighbour notification letters were sent to all adjoining occupants, a site notice erected and a press advert was placed in the Congleton Chronicle.

15 letters of representation have been received objecting to the proposal on the following grounds:

- Other available brownfield sites should take priority
- Ecological impact
- Urban sprawl
- Health risk of family homes close to overhead pylons
- Roads are inadequate to cope with increase in housing
- Highway safety
- Alsager already exceeded quota for houses
- Proximity to Radway Green Blast Zone
- Impact from dust
- Noise impact

- Pollution
- Visual impact
- Infrastructure cannot cope with increase
- Loss of agricultural land
- Flood risk
- No job creation in Alsager to justify this as sustainable development
- Speculative development should be put on hold until local plan in place
- Density too great
- Not part of local or town plan
- Not all house types have garages
- Inadequate parking spaces

Revised plans were received during the course of the application, and following re-consultation, 10 letters were received objecting to the proposal on the following grounds:

- Brownfield sites are available – MMU?
- Alsager already overloaded with new houses
- No employment for new residents
- Contrary to planning policies
- Noise and air pollution from M6 and quarry
- Overshadowed by high voltage power line
- Highway safety / impact
- Proximity to Radway Green Blast Zone
- No reference to required right turn lane in this submission
- Applicants previously stated that there would be no apartments – there are now 8
- Applicants were also investigating possibility of putting high voltage line underground.
- Acoustic fencing should be extended to all properties
- Increase in density from 40 to 45 dwellings
- Plots have crept closer to high power cables
- One plot is within 20 metres of play area which is prohibited by original decision notice
- Bland and uninteresting design
- Only two weeks to comment on revised proposals
- Unsuitable infrastructure
- Loss of privacy

## **APPRAISAL**

### **Update since Southern Committee on 28 October**

Members were concerned about the proximity of some of the plots to the power lines. It was stated that the distance from the power lines should be 13m or greater. Therefore the applicant has submitted a revised layout which has moved some plots further away from the power line. The closest properties are now 13m from the power line with the majority being further away.

In addition a Health Impact Assessment of Overhead Electricity Cables has been submitted, which was also submitted in support of the outline application. This report concludes that:

*“The overhead power lines on the proposed development site were assessed in regards to their potential direct and indirect health effects. Direct effects were identified by analysing the power lines electric and magnetic fields with the guidelines exposure restrictions. The overhead power lines EMFs were significantly lower than the restrictions, concluding that no significant direct health effects on future residents are expected. Indirect effects were assessed through literature review and guidance, concluding no significant indirect health effects on future residents are expected.”*

*“Overall, the health effects of the overhead power lines on the proposed development site are considered to be not significant. The proposed development adheres to the current UK policy and guidance.”*

## **Main Issues**

Given that the principle of development has been established by the granting of outline planning permission this application does not represent an opportunity to re-examine the appropriateness of the site for residential development.

The key issues in question in this application, therefore, are:

- Impact upon nature conservation interests
- Impact upon character of the area
- Amenity of neighbouring property
- Highway safety

## **ENVIRONMENTAL SUSTAINABILITY**

### **Character & Appearance**

The local area is characterised by a variety of house types – flats, bungalows, terraced, semi-detached and detached – of varied ages and materials, and therefore the area does not provide a strong design lead for new development. The proposal seeks to construct two-storey detached, semi-detached and terraced dwellings, and two blocks of four flats predominantly in brick. The appearance of the proposed dwellings is fairly standard and is perfectly acceptable in the context of the local area.

The presence of the electricity pylons and power lines inevitably impacts upon the appearance of the development as a whole. The layout is therefore constrained a little by this and the linear form of the site. However it does contain some positive aspects, including the threshold open space at the entrance, which leads through the site to the play area at the south west boundary. The crescent that borders the play area also provides natural surveillance from the dwellings. Planting is widely used to reduce the dominance of frontage parking by breaking up views of parked cars.

### **Amenity**

New residential developments should generally achieve a distance of between 21m and 25m between principal windows and 13m to 14m between a principal window and a blank elevation. This is required to maintain an adequate standard of privacy and amenity between residential properties.

There will be a significant change to the views from the properties that border the site from open fields to the proposed residential development. However, the relationships of the proposed dwellings with existing properties all meet the distances above. A further revision to the plans has been made to move the dwelling on plot 110 back slightly away from a side facing habitable room window at the neighbouring property on Crewe Road. This repositioning has resulted in an acceptable relationship with the neighbour's window and their rear amenity space. Within the site, there are some separation distances that fall marginally below the identified standards. However, any shortfall is minimal and is not considered to have such a significantly adverse impact upon the living conditions of future occupiers to justify a refusal of planning permission.

### **Air Quality**

No further air quality issues are raised from those identified at the outline stage. Conditions relating to a travel plan and electric vehicle charging infrastructure were attached to the outline permission.

### **Noise**

The applicant has submitted a scheme of acoustic insulation with the application. The report recommends mitigation designed to ensure that occupants of the properties are not adversely affected by road traffic noise. The mitigation includes: the provision of standard thermal double glazing, standard background trickle ventilation and 1.8 metre high close-boarded wooden fences around garden areas. Environmental Health raises no objections subject to a condition requiring the mitigation measures to be implemented prior to the first occupation of the development.

### **Ecology**

The nature conservation officer has provided the following comments on the application:

#### Oakhanger Moss SSSI / Ramsar

The outline application was supported by an assessment of the likely impacts of the proposed development upon the features for which Oakhanger Moss was designated as a SSSI and Ramsar site. The assessment concluded that the proposed development is not likely to have any significant effects. With regard to the reserved matters Natural England advise that the proposed development is not likely to have a significant effect upon the features for which the site was designated and they advise that an "Appropriate Assessment" under the Habitat Regulations is not required.

However, under regulation 61 of the Habitat Regulations the Council is required to undertake an 'Assessment of Likely Significant effects'. This assessment has been undertaken by the nature conservation officer. The assessment concludes that the proposed development is not likely to have a significant impact upon the features for which the statutory site was designated. Consequently, a more detailed "Appropriate Assessment" is not required.

#### White Moss SBI

The assessment submitted with the outline application identified the following potential impacts on the nearby SBI. Firstly, the nutrient enrichment and pollution of water run-off and ground water contamination during the construction phase. Outline mitigation proposals were submitted to address this impact and the nature conservation officer was satisfied that these issues could be dealt with by means of a condition requiring the submission of a Construction

Environment Management Plan. This was made a condition of the outline consent, and remains applicable.

Secondly, the assessment submitted in support of the outline application identified potential impacts resulting from reduced infiltration rates and an increased risk of surface water pollution. The assessment concludes that these issues could be mitigated through the provision of a SUDS scheme. Further details of SUDS and surface water management were made a condition of the outline consent, and also remain applicable.

#### Nesting Birds

If planning consent is granted a condition is recommended requiring detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds to secure an enhancement for Biodiversity in accordance with the Framework.

#### Hedgerows

For the most part the existing hedgerows on site are retained. There is however likely to be some loss of hedgerow to facilitate the access roads. The loss of hedgerow should be compensated for through the incorporation of replacement native species hedgerow planting around the site boundaries.

#### **Trees / landscape**

The arboricultural constraints on the site relate to a small number of trees, and various lengths of mature hedgerow forming the site boundary and dividing the two fields.

The status of the hedgerows was established as part of the outline application; it was concluded that they were not considered important in respect of the 1997 Hedgerow Regulations. In order to compensate for the loss of hedgerow to facilitate access roads compensatory planting of native hedgerow species should be planted around the site boundaries where appropriate.

The only mature trees directly associated with the site are identified within the POS / Play Area to the south of the site. There is not considered to be any impact arising from the development, with protective fencing required to ensure this area is not used as a site compound and storage area. This can be addressed by condition.

A number of inconsequential trees are located off site, including a linear group of Silver Birch on the northern boundary. The plot positions of the proposed adjacent dwellings have no direct impact on the linear group. The species afford a degree of openness within their canopies which should not have a detrimental impact on the respective rear gardens. Some of the rear gardens of the properties on Close lane support a number of early mature trees none of which will be affected by the construction process.

In terms of the landscape details that have been submitted, the landscape officer confirms that the landscape layout and specification is acceptable. However, it also noted that no levels information has been submitted with the application; therefore, given the land does slope down towards the properties on Close Lane a levels condition is recommended. Similarly only limited details have been provided for the proposed boundary details and no



hard landscaping proposals have been received. Further information will be required, which can be secured by condition.

### **Highways**

The Head of Strategic Infrastructure raises no objections to the proposal. The access details were agreed at the outline stage, and the internal layout is an acceptable design given the linear nature of the site. There should be no vertical deflections in the junction areas but there are no issues with changes of materials in these locations. The parking provision for each of the units across the site accords with standards. Therefore, no highways objections are raised.

One of the letters of representation makes reference to the fact that a condition on the outline permission requires the provision of a dedicated right turn lane from Crewe Road, and this is not included within the submission. The relevant condition (condition 7) requires these details to be submitted for approval prior to the commencement of development, and will therefore be dealt with as a discharge of condition application.

### **Contaminated land**

The Contaminated Land team has no objection to the above application subject to the following comments with regard to contaminated land:

*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 or brought onto the site. The Report submitted in support of the outline application recommends site investigation works be carried out. As such, the Contaminated Land team recommends a condition requiring a phase II site investigation to be carried out.*

### **Flood Risk**

The Flood Risk Manager has reviewed the proposals and there are no objections in principle to the proposed development on flood risk grounds. A condition is recommended requiring the detailed proposals for disposal of surface water. This was a matter covered by a condition on the outline permission. Therefore the condition is unnecessary for the reserved matters.

## **SOCIAL SUSTAINABILITY**

### **Affordable Housing**

As part of the outline approval the applicant entered into a s106 agreement securing the provision of affordable housing. In addition, the s106 outlined information to be provided and approved at reserved matters stage. This included an affordable housing scheme to include the tenure, layout and size of the affordable dwellings.

The applicant has provided a housing layout outlining the affordable housing units showing the units will be provided as 8x 1bd units, 7x 2bd units and 6x 3bd units for rent and 5x 3bd

units and 7 x2bd units as intermediate tenure. The pepper-potting of the units is acceptable and the units meet the identified housing need in Alsager.

## **Open Space**

### Public Open Space and Children's Play Area

As originally submitted the proposed play area was not acceptable as it did not include sufficient play equipment; it did not incorporate items of DDA inclusive equipment; there was no indication that it would be manufactured to appropriate standards; it was rather uninspiring and the proposed planting on top of the mound concealed the play area from natural surveillance from the housing giving rise to concerns of site safety.

Revised proposals have been submitted which add items of DDA inclusive equipment – basket swing and rotating platform. Modifications have been made to some of the other equipment to add more interest and variation. Confirmation has been received that the play equipment all has the required certification. And finally, the mounding has been removed to increase natural surveillance.

The play area was not positioned 20 metres from the nearest residential property as required by condition 15 of the outline planning permission. The applicant has sought to overcome this by reducing the size of the play area. Ansa has confirmed that the revised play area is acceptable.

## **ECONOMIC SUSTAINABILITY**

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to Alsager town centre including additional trade for local shops and businesses (in closer proximity to the site than the town centre), jobs in construction and economic benefits to the construction industry supply chain.

## **PLANNING BALANCE**

The principle of the development has already been approved.

The proposed scheme provides an acceptable design and layout, the dwellings are appropriate to the character of the area, sufficient open space is provided and appropriate landscaping can be conditioned. It is also considered that the development would not have a detrimental impact upon neighbouring amenity, ecology, trees, or highway safety.

The scheme therefore represents a sustainable form of development providing sufficient quality of design and landscaping and open space. Matters of drainage and flooding have been considered to be acceptable, subject to the conditions, on the associated outline planning application.

The application is therefore recommended for approval, subject to conditions.

## **RECOMMENDATION**

**The application is recommended for approval subject to the following conditions:**

- 1. To comply with outline permission**
- 2. Time limit following approval of reserved matters**
- 3. Development in accord with approved plans**
- 4. Submission of samples of building materials**
- 5. Obscure glazing requirement**
- 6. Noise Mitigation Scheme to be provided**
- 7. Construction phase environmental management plan to be submitted**
- 8. Phase II site investigation to be carried out**
- 9. Play area to be provided and management of open space areas to be in accordance with submitted details.**
- 10. Boundary treatment details to be submitted**
- 11. Hard landscaping details to be submitted**
- 12. Existing and proposed ground levels to be submitted.**
- 13. Tree protection scheme to be submitted.**

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*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 Principal planning Manager (Regulation) has delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.*

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