

SOUTHERN PLANNING COMMITTEE – 25th NOVEMBER 2015

APPLICATION NO: 15/3651N

PROPOSAL: Outline application for residential development and access, all other matters reserved.

ADDRESS: Land adjacent Yew Tree Farm, Close Lane, Alsager, ST7 2JP.

APPLICANT: Muller Strategic Projects

CONSULTATIONS

Cllr Hough:

Objects to the application. Concerns raised include lack of consultation with Alsager Town Council, the site history is unclear in the report, comments from Highway Authority has not taken into account the Alsager Highways Study, recent planning permissions would increase the number of developments over and above what has been considered in the Alsager Highways Study, the proposal would result in further urban creep, the proposal would result in uneven spatial distribution, the report does not mention Radway Green Level Crossing and Radway Industrial Park.

Cllr Fletcher:

For the last few months we have been told that the highways network in Alsager is operating over capacity at some junctions and that the 2,000 plus houses are all that is required in the emerging plan and then out of the blue a new site just outside Alsager's border but that will use Alsager's facilities is recommended for approval.

Cllr Hammond:

Objects to the application. Haslington Ward Members and Haslington Parish Council supports the comments made by Alsager Town Council. Concerns raised include loss of open countryside and good quality agricultural land, increase in traffic, inadequate highway infrastructure, FP. No. 48 Haslington runs through the garden of the occupants at Orchard Cottage and consideration needs to be taken into account of the impact this would have on the occupants privacy levels, a diversion of the footpath through the paddock should be considered.

Ecology:

Bats

Following receipt of the Bat Survey, the Councils Ecologist advises that bats are unlikely to be affected by the proposed development.

Ditch to the south of the site

A ditch is present to the south of the application site. The ditch has been assessed as having low potential to support water vole a legally protected species. No survey for this species has however been undertaken. The ditch is considered could provide habitat for grass snake a protected species known to occur in this locality.

The applicant has suggested that the width of the buffer be deferred to the reserved matters stage and suggests that a 3m buffer would be adequate to safeguard water voles.

After reviewing the water Vole conservation handbook, it is considered that to avoid any potential impacts upon the ditch and any species it could potentially support, it should be retained within a 5m undeveloped buffer zone.

This would be attached as a condition to any grant of consent.

Reptiles

Surveys undertaken in connection with the proposed development directly east of the application site identified the presence of grass snakes in this locality. A program of mitigation was agreed in connection with this development.

The submitted habitat report states that habitats on site are unsuitable for grass snakes. However, the Councils Ecologist advises that the ditch to the south of the site may potentially be of value for grass snakes and should be safeguarded as described above.

It is therefore considered that the residual impacts of the proposed development on reptiles can be mitigated through the erection of a temporary reptile fence and a hand search of the site prior to the commencement of development.

A condition would be attached requiring any future reserved matters application to be supported by a reptile mitigation method statement.

Public Rights of Way

Para 75 of the NPPF states:-

“Planning policies should protect and enhance public rights of way and access.”

The Defra Rights of Way Circular (1/09), Guidance for Local Authorities, Version 2, October 2009, para 7.8 states that:

“any alternative alignment [of a Public Right of Way] should avoid the use of estate roads for the purpose wherever possible and preference should be given to the use of made up estate paths through landscaped or open space areas away from vehicular traffic.”

Further to discussions between the PROW team and the applicant, an alternative route to FP No 48 Haslington, through landscaped or open space areas away from vehicular traffic would not be achievable given the sites constraints and different ownership of adjacent land.

However, FP No 48 Haslington would not be removed altogether and would continue to run through the site, albeit in a more suburban setting. The footpath would continue to link with FP No 19 Haslington to the north and FP No 20 Haslington to the west. In this respect, it is considered that the overall use of the footpath would be safeguarded

The footpath would also continue to run alongside the area of public open space and playground provided under the approved scheme to the east, which is considered would encourage greater use of the POS.

Although the scheme would impact on the setting of the footpath, the footpath would be safeguarded overall.

The proposal would result in a slight diversion of the footpath however the footpath would ultimately remain and be safeguarded. In this respect, a pre-commencement condition would be attached to any decision notice requiring details of the diversion to be submitted to and approved in writing by the Local Planning Authority.

It is considered that when weighed in the overall planning balance, the slight diversion of the footpath and alteration to its setting would not outweigh the proposals resultant economic, environmental and social benefits as mentioned in the Committee report.

The concerns raised by the occupants at the neighbouring property at Orchard Cottage are noted. Discussion with the PROW team have indicated that should the occupants seek to divert the footpath, this would be a separate matter to this application and the occupants would need to contact the PROW team direct to discuss any future proposal for diversion.

Public Open Space

The contribution required by Ansa is currently under discussion with the agent and will be provided as a verbal update during the Committee meeting.

APPROVE subject to the following Heads of Terms to be secured as part of any S106 Agreement:

1. A scheme for the provision of 30% affordable housing in perpetuity – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:

- **transfer of any rented affordable units to a Registered Provider**
- **provision of details of when the affordable housing is required**

- provisions that require the affordable homes to be let or sold to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Councils allocations policy.
 - includes the requirement for an affordable housing scheme to be submitted at reserved matters stage that includes full details of the affordable housing on site including location by reference to a plan, type, size and tenure.
 - requires the affordable units which will be transferred to a Registered Provider to be constructed to the Governments Technical standards October 2015
2. Primary and Secondary School Education Contribution to the sum of £184,826
 3. Provision of POS and LEAP TBC

And the following conditions:-

1. Submission of Reserved Matters
2. Application for Approval of Reserved Matters
3. Plans
4. Submission / Approval and Implementation of a Public Rights of Way scheme of management having regard to Public Footpath No. 48 Haslington
5. Submission / Approval and Implementation of Environmental Management Plan
6. Submission / Approval of Phase II S.I
7. Submission / Approval and Implementation of Dust Suppression Statement
8. Sustainable Drainage Scheme
9. Surface Water Disposal Scheme
10. Foul Water Disposal Scheme
11. Submission / Approval of an Updated Arboricultural Impact Assessment
12. Modern Ultra Low Vehicle Emission Electric Infrastructure
13. Submission / Approval and Implementation of Piling Method Statement
14. 5m Undeveloped buffer zone
15. Submission / Approval and Implementation of Reptile Mitigation Method Statement
16. Footpath Diversion Proposal

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Principal Planning Manager (Regulation), 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.

Should this application be the subject of an appeal, authority is approved to enter into a S106 Agreement to secure the following Heads of Terms:

1. A scheme for the provision of 30% affordable housing in perpetuity – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:
 - transfer of any rented affordable units to a Registered Provider
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