

Application No: 15/3531C

Location: LAND BOUNDED BY OLD MILL ROAD & M6 NORTHBOUND SLIP ROAD, SANDBACH

Proposal: Reserved matters application for proposed erection of 232no. dwellings including roads, sewers, boundary treatments and garages and associated works.

Applicant: Mr Simon Artiss, Barratt Homes Manchester Division

Expiry Date: 09-Nov-2015

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, subject to the receipt of outstanding consultees, 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 for the residential part of outline planning permission 12/3948C. The outline permission included consent for up to 250 dwellings. The current reserved matters application now proposes 232 dwellings.

SITE DESCRIPTION

The application site comprises an area of open farmland, which is bound to the east by the M6 motorway, to the south by the Sandbach wildlife corridor and to the north east by Old Mill Road (A534). The part of the site that is the subject of this reserved matters application is

located within the Settlement Zone for Sandbach, and is shown on the Congleton Borough Local Plan proposals map as an employment commitment. However, previous permissions for employment uses have now expired, and policy E2 of the Congleton Borough Local Plan, which relates to committed employment sites, is not a saved policy. Consequently, most of the site is currently an unallocated site within the Settlement Zone.

RELEVANT HISTORY

12/3948C - Outline planning permission for a commercial development comprising a family pub / restaurant, 63 bedroom hotel, drive through café, eat in café, and office and light industrial units with an adjacent residential development of up to 250 dwellings, and associated infrastructure and access – Approved 09.03.2015

14/0043C - Improvement of J17 Northbound slip road. Provision of new roundabout to provide access to development site, Old Mill Road and slip road – Approved 25.04.2014

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)

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
EG1 Economic Prosperity
EG3 Existing and allocated employment sites
EG5 Promoting a town centre first approach to retail and commerce
SC1 Leisure and Recreation
SC2 Outdoor sports facilities
SC3 Health and Well-being
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
CO2 Enabling business growth through transport infrastructure
CO4 Travel plans and transport assessments

Strategic Site CS24 – land adjacent to J17 of M6, south east of Congleton Road, Sandbach

Other Material Considerations:

National Planning Practice Guidance (NPPG)
Interim Planning Statement: Affordable Housing
Strategic Housing Market Assessment (SHMA)
Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994

CONSULTATIONS

Natural England – No objections

United Utilities – No objections subject to the site being drained on a total separate system

Environment Agency – No further comments to those made at outline stage.

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

Environmental Health – No objections subject to conditions relating to submission of environmental management plan, implementation of noise mitigation scheme, travel planning, electric vehicle infrastructure, and contaminated land, and a s106 agreement to secure contribution towards Action Plan in AQMA.

Streetscape (open space) – Concern about amount of open space

Head of Strategic Infrastructure – No objections

Public Rights of Way – No objections

Sandbach Town Council - Object due to proposed access being impractical and dangerous; safe site access requires inclusion of a roundabout at junction of Congleton Road/A534. Additionally, Members have concerns regarding air quality in this 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.

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

- Other brownfield sites available
- Noise & disturbance
- Pollution & ground contamination
- Impact on infrastructure / services
- Impact on wildlife corridor
- Loss of agricultural land
- Houses not needed in Sandbach
- Increased congestion
- New jobs needed, not housing
- Conditions on outline not addressed by the application
- New T-junction is dangerous
- Enhanced safe pedestrian route to town centre needed
- Mediocre design

- Impact on AQMA
- Impact on PROW

APPRAISAL

The key issues 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 predominantly by two-storey properties of varying design, age and materials. However, the application site is detached from all existing development by Old Mill Road and landscaping to the north and by distance and the wildlife corridor to the south. As such the area does not provide a strong design lead for the new development to follow. The proposal seeks to construct two-storey, two and a half and three-storey detached, semi-detached and terraced dwellings, and apartments in both brick and render. The appearance of the proposed dwellings is fairly standard and is perfectly acceptable in the context of the local area. The inclusion of three-storey buildings is considered to be acceptable given the inclusion of commercial uses within the outline approval. Commercial buildings are likely to be of a larger scale to domestic properties as and when they come forward.

The design has employed the use of character area zones to enhance a legible layout form. The use of character areas is important to provide a sense of place and to define routing of public realm areas.

The arrival junction is designed to give a focal point to the development and draw attention to the change in road space priority from vehicles to pedestrians. The orientation of buildings will front the road and a collaboration of buildings and woodland creates an arrival square and gives the site entrance a sense of place. It is intended to utilise block paving at this focal point to emphasise the road hierarchy and to control vehicular movement.

The wildlife corridor is a major feature of any development on this site. The 'Woodland Edge' character area forms a transitional edge between the woodland and new development. Buildings will predominantly front onto the green infrastructure. Utilising the existing landscape and woodland boundary of the site, the woodland edge settlement will tie the woods into development retaining views and links into the established landscape whilst providing natural surveillance. The layout has been planned to maximise the larger properties along these edges giving a lower density at the periphery of the development.

Along the Old Mill Road frontage the applicants have sought to retain spacing between properties to allow visual links through the development towards the woodland. The proposed building facade along this route will be treated to allow the new development to lend into the surrounding context. A mature hedge currently runs along the road's grass verge. It

is intended that this will be retained and the introduction of further landscaping planted behind to reinforce the vegetated boundary.

This character area of the main street is formed by the development's road alignment. The main street is a 5.5m wide road and it is intended that two metre wide pedestrian footways will run either side of this road to allow the public realm to filter through the site. The layout has been designed to front this road offering an attractive street scene and natural surveillance to a well trafficked route by both cars and pedestrian. Varied building heights are proposed to add some visual interest.

To avoid excessive vehicle speed on this road the horizontal alignment has been deflected, changing the direction of travel breaking the length of straight road. Where this has been incorporated the surface treatment to the road has been changed with a feature shape being employed. At these points a variety of building forms have been used including detached and mews style to provide visual interest to the street scene.

Overall, the proposed development is considered to be adequately in keeping with the wider character of the area.

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.

The relationships of the proposed dwellings with the nearest existing properties will all meet the distances above, due to the distances to these nearest neighbours from the boundaries of the site. The latest revised site layout plan is currently being finalised and comments on the relationships between dwellings will be reported as an update.

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. A contribution of £10,000 towards implementation of the Air Quality Action Plan in Sandbach was also secured in the s106 agreement.

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 noise from road traffic noise from the M6 and the A534. The mitigation includes the provision of appropriate glazing and ventilation and acoustic fences of varying heights 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

Ecological Buffer

Condition 19 attached to outline consent 13/3948C requires the provision of an ecological buffer zone to the adjacent wildlife corridor. The nature conservation officer, together with the

forestry officer, has raised some points of concern regarding the proposed buffer zone. It is understood that the location of the ecological buffers is to a large extent informed by the root protection areas for the trees. Lengthy discussions have taken place regarding the root protection areas of the trees and comments are awaited from the forestry officer and the nature conservation officer, and will be reported in an update.

It is understood that some of the nature conservation officer's concern relates to the layout of plots 211 to 227 and its interaction with the adjacent wildlife corridor. These units back directly onto the woodland/wildlife corridor which can potentially result in an adverse impact on the wildlife corridor through garden waste being tipped into the woodland over the garden boundary. The nature conservation officer advised that this specific part of the proposed development should be redesigned to avoid houses backing directly onto the woodland. The applicants have looked at redesigning this but have not managed to achieve a viable way of doing it, and therefore the layout remains as proposed and management measures will be put forward to protect the wildlife corridor from garden waste.

Badger survey

The latest badger survey has recorded an outlying badger sett which is located within the vicinity of the proposed houses. It is likely that this sett would require closure under the terms of a Natural England License to allow the development to proceed lawfully. As the usage of this site by badgers appears to change regularly, the nature conservation officer advises that if planning consent is granted a condition should be attached requiring an updated badger survey, impact assessment and mitigation proposals to be submitted to the LPA prior to the commencement of the development.

Bluebells

Bluebell, a partially protected plant species and a Local BAP species, was recorded as being associated with hedgerow 5 on site. It appears feasible for these plants to be retained within the development.

Hedgerows

Hedgerows are a priority habitat and a material consideration. There will be a loss of hedgerow from within the site, however, the landscape masterplan includes proposals for the creation of new native species hedgerows. If planning consent is granted it must be ensured that these are planted and managed appropriately to ensure they contribute to the nature conservation value of the site. This may be dealt with by means of a landscaping condition.

Woodland Management Plan

If planning consent is granted it is recommended that a condition be attached requiring the submission of a 10 year woodland management plan to ensure the appropriate management of the woodland.

Nesting Birds

If planning consent is granted conditions are recommended to safeguard nesting birds and ensure some additional provision is made for nesting birds and roosting bats as part of the proposed development:

Trees / landscape

As noted above, lengthy discussions between the applicant and the forestry officer have taken place regarding the root protection areas of the protected trees within the wildlife corridor. Comments are awaited from the forestry officer which will be reported in an update. It is however understood that most issues have now been resolved.

In terms of the landscape impact, it was noted at the outline stage that the site lies on the boundary of the urban area of Sandbach and a major transport corridor which therefore form part of the site context. The landscape sensitivity of the site to the proposed development was therefore identified as medium to low. The extent of change as a result of the proposed development is identified as medium due to the permanent loss of agricultural land and some internal hedgerows, but not high due to the limited visibility of the site; the retention of existing features typical of this landscape type, such as the topography, boundary hedgerow, hedgerow trees and safeguarding of tree belts to the periphery of the site and the scale of the proposed development. Therefore, the overall landscape impact is assessed as moderate due to the medium to low sensitivity combined with the medium magnitude of change.

The main landscape issue is considered to be the inclusion of the acoustic fences which are required to mitigate for the noise from the M6 and Old Mill Road. Of particular concern is the 3.5 metre high fence to the eastern boundary to protect private residential gardens from the road noise of the M6. This fence will run the length of the eastern boundary, and its visual impact in the short term is likely to be significant in the context of the site. In the medium to longer term the fence is unlikely to be unduly prominent from outside of the site as the commercial uses on the land between the fence and the M6 will serve to screen it, and where it can be seen it will be in the context of what are expected to be relatively substantial commercial buildings.

The applicant was requested to look at alternatives such as turning the dwellings around or re-siting the fence closer to the motorway. However, a viable solution to turning the dwellings could not be found, and if the fence was moved away from between the dwellings and the commercial uses, it may stifle the development of the commercial site. This is because the fence will also protect the dwellings from potentially noisy commercial uses. Without the fences the type of commercial uses would have to be strictly controlled. It is therefore proposed to provide landscaping to the fence to soften its visual impact, which is on balance considered to be acceptable.

Short sections of other fences above 2 metres are also proposed, however it is considered that these can be appropriately softened with existing and / or proposed landscaping.

Highways

The Head of Strategic Infrastructure has commented on the application and noted that the access to the site is proposed as a priority junction with a ghost island right turn lane from Old Mill Road. Capacity assessments have been undertaken on the junction design and it will work within accepted capacity limits. The A534 is an important road corridor and the proposed junction arrangement does not add undue delays to this principal route and as such is an acceptable type of junction design for the proposed development. The junction works will be delivered via a S278 agreement along with the associated ghost island works on the A534, a Grampian condition is required to secure these access works.

The layout submitted has been subject to pre-application discussions, the layout does meet the required highway standards in regards to carriageway widths and whilst being informal in places the minimum operational standards are met. Clearly, the nature of the site being split between the areas of open space does limit the design of the highway infrastructure, however the design submitted is of an acceptable design.

The level of car parking across the site accords with CEC parking standards and as such is accepted.

The internal road submitted is one that is suitable for adoption by the Authority and no highway objections are raised. Conditions relating to the completion of the access junction, wheel wash and site compound details, bin storage and cycle storage are recommended.

It should also be noted that, although only indicative at the outline stage, the proposed access arrangement, including new T-junction was presented to Members at the time of the outline application, and was considered to be acceptable at that time.

Public Right of Way

The PROW team initially objected to the proposal as it directly affected the public right of way. However, further to a meeting between officers of the Public Rights of Way team and representatives of the applicant, an application for a Diversion Order, under the Town and Country Planning Act 1990, for Public Footpath No. 11 in the Town of Sandbach has been received. The information contained within this application is satisfactory in relation to their previous concerns and they have now withdrawn their objection to the proposal.

Contaminated land

The Contaminated Land team has no objection to the proposal and recommends the same condition (updated phase II investigation) that was attached to the outline permission, and does not need to be repeated on the reserved matters.

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. Conditions are recommended requiring the details for the disposal of surface water to be submitted. This was a matter covered by conditions on the outline permission, therefore additional conditions are 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 15% 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 confirmed that the affordable housing (35 units) will be provided as 12 x 1bed apartments, 6 x 2 bed apartments, 9 x 2 bed houses, and 8 x 3 bed houses. The agreed tenure split in the S106 agreement is 50% affordable rent and 50% intermediate. It is proposed that the apartments will be the affordable rented element (18 plots out of 35) and

the houses to be the Intermediate affordable dwellings. It is proposed to provide the affordable units in four clusters to allow for a satisfactory degree of pepper potting.

Open Space

Public Open Space and Children's Play Area

Having calculated the existing amount of accessible Children and Young Persons Provision within 800m of the site and the existing number of houses which use it, 246 new homes (as originally submitted) creates a deficiency in quantity of play facilities, having regard to the local standards set out in the Council's Open Space Study for Children and Young Persons.

The Interim Policy Note September 2008 updated the legacy Borough's SPG1, however the legacy SPG1 remains relevant in the absence of a new Cheshire East Borough wide SPD. Therefore when developments of 75+ dwellings are proposed, a NEAP standard play facility is required having a minimum area of 1000 sq m. Ansa can confirm that the NEAP (Neighbourhood Equipped Area for Play) standard play area would be acceptable and suitable for all ages along with a skate park facility. The Open Space Study 2012 sets out that children and teenager provision is reasonably well distributed around Sandbach except for northern and central Sandbach.

The NEAP should include at least 8 items/activities incorporating DDA inclusive equipment plus infrastructure and be in line with the standards set out by Fields In Trust Planning and Design for Outdoor Sport and Play. Ansa request that the final layout and choice of play equipment is agreed with CEC, the construction should be to BSEN standards. Management arrangements will also be required.

Full plans showing the design must be submitted prior to the play area being installed and this must be approved, in writing prior to the commencement of any works. A buffer zone separating the NEAP from residential properties facing the play area should be provided with low level planting to assist in the safety of the site. A NEAP is proposed and is shown on the latest site layout.

Amenity Greenspace (AGS)

Having calculated the existing amount of accessible AGS within 800m of the site and the existing number of houses which use it, the proposed development will generate a need for approximately 8,000sqm of AGS.

Although it is accepted that some of the AGS can equate to informal open space it is difficult to distinguish or quantify this typology within this development from wildlife habitat and ecological buffer. AGS should be usable for formal or informal recreation.

There is a kickabout area of 1,000sqm shown on the latest site layout, together with a wider area of a further 1,000sqm surrounding the kickabout area and the NEAP. Added to this, there is a smaller area at the northern corner of the site of approximately 900sqm and the buffer zones to the wildlife corridor, which provide opportunities informal recreation, and these amount to over 11,000sqm of potential amenity space.

This open space package is considered to meet the objectives of the Interim Policy Note (2008) on open space requirements. Full details and management arrangements will be required.

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 Sandbach 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, subject to the receipt of outstanding consultees, 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 conditions.

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 Head of Planning Regulation has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.

Application for Reserved Matters

RECOMMENDATION: Approve subject to 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. Landscaping - submission of details
6. Landscaping (implementation)
7. Implementation of noise mitigation scheme
8. Updated badger survey to be submitted
9. 10 year woodland management plan to be submitted
10. Nesting birds survey to be submitted
11. Provision of features for nesting birds and roosting bats to be provided
12. Access and ghost island works on the A534 to be provided
13. Wheelwash facilities to be provided

