

Application No: 15/5222C

Location: Former Manchester Metropolitan University Alsager Campus, Hassall Road, Alsager, Cheshire, ST7 2HL

Proposal: Demolition of all buildings & erection of 407 dwellings with associated parking, laying out of new grass pitches, two artificial grass pitches with associated floodlighting and fencing, new changing rooms and ancillary parking and new accesses onto Hassall Road and Dunnocksfold Road

Applicant: Barratt/David Wilson Homes and Mancheste

Expiry Date: 19-Feb-2016

## SUMMARY

The replacement sports facilities to be provided by the development do come at a significant cost. The applicant has submitted a viability report to show what the development can afford in terms of the necessary sports provision and planning obligations. Officers have had the viability report independently appraised by an external consultant. The conclusions from that appraisal are that the development, as proposed, cannot support any new affordable homes or further planning obligations than are already allowed for in the appraisal. The appraisal currently includes £4,822,082 for providing sports facilities on site, a contribution towards the cost of improvements to the local leisure centre as well as a Highway contribution and the provision of open space upgrades and play equipment. The site is a brownfield site and also has significant site specific abnormal costs of £10,083,000, of which £3,100,813 relates to demolition and site remediation and £4,955,500 for abnormal foundations and drainage.

The proposal is considered to be acceptable in principle; however, as noted above the development does require compromises to be made in certain policy areas.

The benefits in this case are:

- The proposal would provide almost £5m of brand new dedicated sports facilities, creating indoor and outdoor sports hubs at Alsager Leisure Centre and at the former MMU site respectively, with changing facilities, for local community use. The scheme has been formulated in consultation with local sports clubs, national sports governing bodies and Sport England, and therefore meets the needs of the local community.
- The proposal would help in the Councils delivery of 5 year housing land supply, which cannot currently be identified.
- The development would provide contributions towards enhancements to existing public open space facilities on Hassall Road for proposed and existing residents.
- The development would make effective use of a previously developed site.
- The development would improve the appearance of the site which has been vacant for many years, and has fallen into disrepair.

The development would have a neutral impact upon the following subject to mitigation:

- The impact upon protected species/ecology is considered to be neutral subject to the imposition of conditions.
- There is not considered to be any significant drainage implications raised by this development.
- The impact upon trees is considered to be neutral.
- The impact upon residential amenity, noise, air quality and contaminated land could be mitigated through the imposition of planning conditions.
- Highway impact would be broadly neutral due to the scale of the development and the existing lawful use of the site.

The adverse impacts of the development would be:

- There would be an adverse impact upon education infrastructure as necessary financial contributions cannot be made to accommodate pupils generated by the development.
- The 36 affordable dwellings required by this proposal (taking into account vacant building credit) will not be provided.

In order to be deliverable, the proposal relies on a reduction in its policy compliant affordable housing provision of 8.8%, which is a level reduction that has been applied to many schemes across the Borough when viability is an issue. It has been clearly demonstrated in this case that the viability of the scheme is such that the necessary affordable housing cannot be provided. Furthermore, whilst the debate about the level of education contributions is continuing, at the time of writing it does appear that the contributions requested by the education department are required. The inability of the development to provide this does weigh heavily against it. However, other than the significant contribution to housing land supply, the major benefit in this case is the provision of an outdoor sports hub for the local community. This cannot be underestimated and is a benefit that is unlikely to be provided on any other site in the Borough. The site will be a dedicated sports hub, with ongoing management and maintenance, which will be a unique benefit to the local community and the Borough as whole. For these reasons, it is considered that the provision of the sports facilities is of overriding public interest.

On the basis of the above, it is considered that the proposal represents sustainable development and paragraph 14 is engaged. Furthermore, applying the tests within paragraph 14 it is considered that the adverse effects of the scheme are significantly and demonstrably outweighed by the benefits.

### **SUMMARY RECOMMENDATION**

Approve subject to conditions and a s106 agreement

## **PROPOSAL**

The application seeks full planning permission for the demolition of all buildings & erection of 407 dwellings with associated parking, the laying out of new grass sports pitches, two artificial grass pitches with associated floodlighting and fencing, new changing rooms and ancillary parking and new accesses onto Hassall Road and Dunnocksfold Road.

## **SITE DESCRIPTION**

The application site comprises buildings, car parking and sports pitches associated with the former use of the site by Manchester Metropolitan University (MMU). The site is located within the Settlement Zone for Alsager and is allocated for mixed use development in the Congleton Borough Local Plan. A blanket tree preservation order covers the site.

## **RELEVANT HISTORY**

10/3831M - Demolition of Existing Buildings, Site Clearance & Redevelopment of The Application Site For a Mixed-Use Development To Include Housing, Employment (B1) Small Scale Neighbourhood Retail, Community Uses & Formal & Informal Open Space – Not determined

There have also been a number of applications relating to the previous educational and sports uses of the site. None are particularly relevant to the current proposal.

## **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

### **Congleton Borough Local Plan**

DP3 (Mixed Use Sites)

DP3A (Alsager Campus)

DP7 (Development Requirements)

DP8 (Supplementary Planning Guidance)

DP9 (Requirement for Transport Assessment)

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)

GR11 (Development involving new roads and other transportation projects)

GR14 (Cycling Measures)

GR15 (Pedestrian Measures)

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)  
H13 (Affordable Housing and Low Cost Housing)  
RC1 (New Recreation and Community Facilities)  
RC10 (Outdoor Formal Recreational and Amenity Open Space Facilities)

### **Cheshire East Local Plan Strategy – Proposed Changes 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  
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 CS13 – Former Manchester Metropolitan University Campus

### **Other Material Considerations**

National Planning Policy Framework (The Framework)  
National Planning Practice Guidance (NPPG)

Supplementary Planning Document 16: Manchester Metropolitan University, Alsager Campus Development Brief (2008)  
Public Open Space Provision for New Residential Development (SPG)  
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 (External to Planning)**

**United Utilities** – No objections subject to conditions relating to foul and surface water drainage.

**Natural England** – No objection

**Sport England** - Holding objection further information is required to assess the application.

**Newcastle-under-Lyme Borough Council** – No objection

**Environment Agency** – No objections

**Public Rights of Way** – No objections, improvements for pedestrians should be provided

**Strategic Housing** – Object on grounds of lack of affordable housing. If viability assessment is independently verified and it be proven that there is no ability for the site to deliver affordable housing then objection is withdrawn.

**Strategic Infrastructure Manager** – No objections subject to a condition requiring a footway along the northern boundary of the site on Dunnocksfold Road that links to Hassall Road, and a contribution of £70,000 towards a formal pedestrian crossing on Hassall Road.

**Environmental Protection** – No objections subject to conditions relating to contaminated land, noise mitigation, environmental management plan, hours of use of sports pitches, lighting details, a low emission strategy, travel plan, dust control, and electric vehicle infrastructure.

**Flood Risk Manager** – No objections subject to conditions relating to drainage

**ANSA** – Comments not received at time of report preparation

**Corporate Commissioning Manager (Leisure)** – Supports the application subject to acceptable replacement sports provision (indoor and outdoor) and adequate management and maintenance arrangements.

**Education** – No objections subject to financial contributions towards primary and secondary provision.

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

**Alsager Town Council** - Welcomes the development on the former site of Manchester Metropolitan University now a brown field site and a major development site in Alsager. They have the following comments, concerns and requests for provision.

- Additional dwellings above local plan allocation adds to the cumulative effect of over capacity on the existing highway network.
- Requests the provision of an element of affordable housing on this site.
- Should be broader sports provision to include rugby pitch and athletes track.
- Design and use of floodlighting should seek to minimise nuisance to local residents.
- Proposed changing accommodation and associated parking provision is inadequate.
- Request provision of additional footpath to Dunnocksfold Road to the frontage of both the sports pitches and new residential properties.
- Supports the protection of the existing sports provision off Dunnocksfold Road as given “protected status” in the local plan and requests mitigation measures in the loss of amenity value to existing residents on Sunnyside.
- Concerns are raised regarding the capacity of local schools.
- Request additional contributions for the improvement of existing footpaths in Alsager including the provision and upgrading of cycle ways on the network.
- Scheme should be in compliance with adopted design and parking standards.
- Request a construction management plan for the development due to its size and duration of construction (8years) in the interest of public safety and minimization of nuisance to the local community.
- Impact of the phased development on the existing sewerage network.
- Request a wildlife management plan during the development of the site.
- Request postal facilities on the site and all dwellings to be provided with charging points for electric vehicles

## **OTHER REPRESENTATIONS**

27 letters of representation were received during the original consultation period objecting to the proposal on the following grounds:

- Impact on schools, medical services, etc.
- Increased traffic – local roads cannot cope
- Trees along Hassall Road should remain
- Asbestos must be removed safely
- Only brownfield footprint of site should be developed
- Loss of Gymnasium, Sports Hall, Dance Studio and pool
- Field off Dunnocksfold Road(Daisybank) is protected in Cheshire East Local Plan
- No safety audit carried out for the Dunnocksfold site, or others
- Traffic survey was not done for any of the Hassall road sites.
- No bungalows / provision for elderly/disabled
- Impact on Alsager as a service centre from all the new housing – increased numbers not supported by services
- Access too close to another junction on Hassall Road
- Air pollution
- Fails to provide a mixed use
- More houses proposed than are allocated in local plan.
- Sports provision is the minimum required

- Service road to Daisybank sports pitches should not be used as a thoroughfare
- Retention strip to rear of property on Sunnyside
- Loss of sunlight / overshadowing / loss of outlook
- Loss of privacy
- Not very much informal play space
- Roads cannot cope with more than 150 dwellings on MMU site (as stated by Congleton Local Plan Inspector)
- Impact on wildlife
- What measures will be put in place to prevent balls damaging adjacent properties?
- Car parking appears to be inadequate
- Existing boundary to Dunnocksfold Road is a pleasant natural boundary.
- Dunnocksfold Road access is dangerous
- Not clear whether access road to manor farm will be blocked up.
- Landscape impact
- Sustainable travel needs to be enhanced
- More community consultation should be carried out.
- No clear programme for the delivery of the Sports Hub within the overall phasing plan
- Changing facilities are inadequate for the number of pitches and teams using them at peak times
- No provision within the club house design for secure kit storage which is badly needed
- Strongly object to the SNA's assertion that Alsager only needs one hockey pitch

Following the receipt of revised plans, further consultation has been undertaken. 17 letters have been received raising the following additional points:

- Ideal site for a technical college
- Light spillage onto neighbouring properties
- S106 obligations only providing sports facilities
- Hedgerows should be retained
- No affordable housing being provided
- There should be no parking on access road to Manor Farm & Cottages
- Too many houses being built in Alsager
- Residents of Sunnyside enjoy prescriptive right of way to and from Sunnyside onto Manor Farm (the road)
- Is Sunnyside acceptable as an access road (refuse vehicles etc.) due to Manor Farm (the road) being blocked up?
- Visual impact of acoustic fence
- Inadequate fencing close to hockey pitch and youth pitch
- Number of car journeys suggested by applicant is disputed

Two letters makes general observations in favour of the proposal, querying:

- Impact on house values
- Deed states land is for educational purposes only
- Consultation with local community should have been better

One letter supports the proposal noting that the sport facilities will be great for the town.

## **APPRAISAL**

The key issues to be considered in the determination of the application will be:

- Whether the development of the sports pitches is acceptable
- The impact upon the character and appearance of the area
- The impact on residential amenity
- The impact upon highway safety
- The impact upon nature conservation interests

### **Housing Land Supply**

Following the receipt of the Further Interim Views in December 2015, the Council has now prepared proposed changes to the Local Plan Strategy (LPS), alongside new and amended strategic site allocations, with all the necessary supporting evidence. The proposed changes have been approved at a Full Council meeting held on the 26 February 2016, and the public consultation expired on 15 April 2016.

The information presented to Full Council as part of the LPS proposed changes included the Council's 'Housing Supply and Delivery Topic Paper' of February 2016.

This topic paper sets out various methodologies and the preferred approach with regard to the calculation of the Council's five year housing land supply. From this document the Council's latest position indicates that during the plan period at least 36,000 homes are required. In order to account for the historic under-delivery of housing, the Council have applied a 20% buffer as recommended by the Local Plan Inspector. The topic paper explored two main methodologies in calculating supply and delivery of housing. These included the Liverpool and Sedgefield approaches.

The paper concludes that going forward the preferred methodology would be the 'Sedgepool' approach. This relies on an 8 year + 20% buffer approach which requires an annualised delivery rate of 2923 dwellings.

The 5 year supply requirement has been calculated at 14,617, this total would exceed the total deliverable supply that the Council is currently able to identify. The Council currently has a total shortfall of 5,089 dwellings (as at 30 September 2015). Given the current supply set out in the Housing Topic Paper as being at 11,189 dwellings (based on those commitments as at 30 September 2015) the Council remains unable to demonstrate a 5 year supply of housing land. However, the Council through the Housing Supply and Delivery Topic paper has proposed a mechanism to achieve a five year supply through the Development Plan process.

National Planning Policy Guidance (NPPG) indicates at 3-031 that deliverable sites for housing can include those that are allocated for housing in the development plan (unless there is clear evidence that schemes will not be implemented within five years).

Accordingly the Local Plan provides a means of delivering the 5 year supply with a spread of sites that better reflect the pattern of housing need however at the current time, the Council cannot demonstrate a 5 year supply of housing.

Further to this, the NPPF clearly states at paragraph 49 that:



*“housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”*

This must be read in conjunction with the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF which for decision taking means:

*“where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- *specific policies in the Framework indicate development should be restricted.”*

Therefore, the key question is whether there are any significant adverse impacts arising from the proposal that would weigh against the presumption in favour of sustainable development, or whether specific policies in the Framework indicate the development should be restricted.

### **Principle of development**

Policy DP3A of the Congleton Borough Local Plan First Review 2005 allocates the entire site for a mixed use development. The policy lists a number of criteria including limiting new built development to the footprint of the existing built development; the retention of the existing indoor and outdoor sports facilities and allowing for the residential use of the site (not exceeding 150 dwellings in the plan period).

A supplementary planning document (SPD) also applies to the site, *Supplementary Planning Document 16: Manchester Metropolitan University, Alsager Campus Development Brief* (October 2008). The SPD provides for 150 dwellings to be provided on the site up to 2011 (the plan period). Beyond 2011 there is scope for additional housing development up to a total of 300 dwellings for the site for the period 2009-2014. The residential development should consist of a range of housing types including an element of affordable housing. Other potential uses highlighted in the SPD for the mixed use of the site include employment, small scale retail and leisure, medical uses, extra care housing and formal and informal public open space.

The site is also allocated as Strategic Site CS13: Former Manchester Metropolitan University Campus, Alsager, within the Cheshire East Local Plan Strategy – Proposed Changes. This policy states the development of the Former Manchester Metropolitan University Campus over the Local Plan Strategy period will be achieved through:

1. The delivery 400 new homes (at approximately 30 dwellings per hectare);
2. Creation of a wider sports and leisure hub, linked to the adjacent Cheshire East Council leisure centre facilities;
3. Development of this site could also include:
  - i. An extra care development providing housing for the older population;
  - ii. Appropriate retail provision to meet local needs;
  - iii. Community facility / place of worship;
  - iv. Public house / take away / restaurant;
  - v. Commercial sport and health related facilities, potentially including small scale sports science and sports therapy related development;

4. The incorporation of Green Infrastructure and creation of strong boundaries around the site; and
5. Pedestrian and cycle links to new and existing residential areas, shops, schools and health facilities.

The policy includes the following site specific principles of development:

- a. Contributions to improvements to the town centre street scene.
- b. Retention of existing hedges and trees, particularly those shielding the sports pitches at the junction of Hassall Road and Dunnocksfold Road.
- c. Contributions towards or delivery of improvements to B5077 Crewe Road / Hassall Road junctions, and B5078 Sandbach Road North Junction Improvements, Hassall Road / Church Road / Dunnocksfoield Road Junctions Improvements.
- d. Contributions to education and health infrastructure.
- e. Recording of the surviving WWII buildings on site and the archaeological investigation of the former site of Daisybank Farm.
- f. Affordable housing in line with the policy requirements
- g. The retention and/or replacement of the indoor and outdoor sports facilities should be in accordance with the findings of an adopted, up to date and robust needs assessment.
- h. No adverse impact on the Midland Meres and Mosses Phase 2 Ramsar and Oakhanger Moss SSSI.
- i. A proposal needs to be put forward and agreed with Sport England that replaces the playing fields to an equivalent or better quantity and quality in a suitable location.
- j. A minimum of a Phase 1 Preliminary Risk Assessment for contaminated land should be carried out.
- k. The protected trees shall be retained and incorporated into any development.

Paragraph 111 of the Framework states that planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed. Each of the policy documents referred to above reflects this approach and confirms the acceptability of the redevelopment of the application site.

Each of the policy documents refers to a mix of uses, and all refer to residential uses and the provision of sports facilities. The Congleton Local Plan (policy DP3A) does not specify an appropriate mix of uses on the site; it simply lists those uses that would be considered appropriate. In this policy, the residential element should not exceed 150 dwellings during the plan period. The plan period ran until June 2011, we are now well past this date and therefore the policy is not considered to be up to date.

The SPD for site also does not specify an acceptable mix of uses, but does acknowledge that the site clearly has capacity for additional housing development whilst still providing a mixed use development. This Development Brief, therefore, provides for 150 dwellings to be provided on the site up to 2011. Beyond 2011 there is scope for additional housing development up to a total of 300 dwellings for the site for the period 2009-2014. We are now well past the dates referred to in the SPD, and this policy is also out of date as a housing land supply policy.

In terms of the site's allocation in the emerging local plan, and the site specific principles of development for the site, it is considered that this can be given only limited weight having

regard to the stage of the local plan process. A number of letters of representation have referred to the southern end of the site being allocated as protected open space in the emerging local plan. This is acknowledged, and the majority of the southern end of the site is retained for the sports facilities, and as such would be protected open space. The southern end of the separate parcel of land (known as Daisybank) is not retained as open space. As an existing playing field, the loss of this area must be assessed against paragraph 74 of the Framework. This is considered further below.

Overall, as the development is comprising a mix of dwellings and sports facilities, there is not considered to be any significant conflict with any up to date policies in the local plan or the SPD relating to the principle of the development.

## **SOCIAL SUSTAINABILITY**

### **Affordable Housing**

The site falls within the Alsager sub area within the Strategic Housing Market Assessment Update 2013, which identified a need for 54 affordable homes per annum over the period 2013/14 – 2017/18. Broken down this requirement equates to 38x 2bd, 15x 3bd, 2x 4/5bd general needs units and 5x 1bd older persons accommodation.

In addition, information from Cheshire Homechoice, identified 169 live applicants who have selected one of the Alsager lettings areas as their first choice. The breakdown of the size of housing needed for these applicants are 56 x 1 bed, 63 x 2 bed, 38 x 3 bed and 10 x 4 bed.

The Interim Planning Statement on Affordable Housing (IPS) and Policy SC5 in the Local Plan Strategy Proposed Changes Version outline that in this location the Council will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all sites of 15 dwellings or more or than 0.4 hectare in size.

The IPS also states the exact level of provision will be determined by local need, site characteristics, general location, site suitability, economics of provision, proximity to local services and facilities, and other planning objectives. However, the general minimum proportion of affordable housing for any site will normally be 30%, in accordance with the recommendation of the 2010 Strategic Housing Market Assessment.

However, the NPPG also provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.

In this case, the floorspace of the existing buildings is 30,147sqm and the proposed floorspace is 42,651sqm, an increase of 12,503sqm or 29.3% of the total proposed floorspace. To put that as numbers of dwellings - 29.3% of 407 dwellings is 119 dwellings. Therefore, the affordable housing contribution can therefore only be sought from 119 dwellings. 30% of 119 is 36 dwellings, which would be the requirement for this site. This equates to 8.8% of the total number of dwellings.

This application is for full planning permission for a development including 407 dwellings. There is therefore an affordable requirement, albeit much lower than the normal 30%, at 8.8%. However, in this case no affordable housing is provided as part of the proposal for viability reasons, which is explained further below.

### **Sports Provision**

Prior to its closure, the former MMU site offered the following sports facilities:

- 6 senior grass football pitches (one floodlit for training purposes)
- 2 senior grass rugby pitches
- 1 full-size floodlit sand based Artificial Grass Pitch (AGP)
- Cricket square
- 8 tarmac tennis courts (5 netball courts)
- 4-court sports hall, plus 2 x performance studios, 18 station fitness suite, gym and ancillary provision
- Swimming pool

Paragraph 74 of the Framework sets out the policy approach for building on existing open space and sports pitches / facilities. It states:

*Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

In terms of identifying needs, paragraph 73 states:

*Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.*

The land is not a protected area of open space within the Congleton Borough Local Plan; therefore there are no local plan policies relevant to the loss of open space in addition to the paragraphs from the Framework above. Policy RC1 provides general requirements for new recreation and community facilities, and policy RC10 provides general requirements for outdoor playing facilities.

A Sports Needs Assessment (SNA) has been submitted by the applicants which outlines the current demand and summarises the adequacy of supply to meet demand, providing an overview of the facilities required. The assessment was completed in consultation with Council officers (leisure and planning), Sport England, National Governing Bodies of Sport (NGBs) and local sports clubs.

### Indoor Sports Provision

The indoor facilities at MMU are now closed. The swimming pool closed in 2010 and the sports hall in 2012. Both facilities were provided as a facility for MMU students. MMU sports provision, as well as the students, has now moved from Alsager to Crewe as part of their rationalisation programme. In 2010 a new 8-court sports hall, 50 station fitness suite and three quarter size 3G artificial grass pitch (AGP) was developed at the Crewe campus, alongside new exercise and sports science provision. The Council has of course also developed a new 8-lane swimming pool, with 17m training pool in Crewe, at the Lifestyle Centre. All these developments will have significant and positive community sporting impact and help to offset the losses at Alsager.

The submitted Sports Needs Assessment (SNA) notes that when utilising the Sport England Sports Facility Calculator (SFC) there is evidence of need for 2.39 lanes of a pool in Alsager, rising to 2.88 when the implication of various population growth scenarios are built in. The Alsager Leisure Centre site is currently a 5-lane pool, which would therefore meet swimming pool needs. In terms of the standard in the CEC Local Infrastructure Plan of providing 13sqm of water per thousand population, this would equate to a need for 191.49sqm for the future population of Alsager. The Alsager Leisure Centre (ALC) pool provides significantly more water space than this.

In terms of the MMU sports hall, there is also over provision of sports halls in the Alsager and wider catchment area. The Sport England Sports Facility Calculator for the current Alsager population suggests the need for 3.28 courts, rising to 3.95 when the implication of population growth is built in. The Alsager Leisure Centre site is currently a 6 court sports hall which would therefore meet sports hall needs. There is therefore no need for two large sports halls, 10-courts in total (6 at ALC and 4 at MMU), in such close proximity to meet current and future sports hall needs in Alsager.

There is however scope to increase general health and fitness provision for the town based on the supply and demand analysis in the SNA, particularly owing to the loss of the health suite at MMU and the flexible studio spaces. It would appear sensible for this to form part of any redevelopment of ALC, to develop an indoor hub and help lift the quality of ALC. The replacement of a facility at this site would address the shortfall left by the loss of MMU (20 fitness stations) and studio space and would also increase the quality and attractiveness at ALC and limit the reliance on commercial centres to fulfil a community function.

Overall, Alsager does not need the duplication of indoor provision at both ALC and MMU, therefore the indoor provision at MMU is surplus to requirements in line with paragraph 74 of the Framework and does not need to be protected or re-provided, other than the fitness suite and studio space.

A financial contribution has therefore been agreed for the additional health and fitness stations and studio space to be provided at ALC. These works have been costed by the applicant and by the Council. Sport England are also currently independently costing these works, and the final figure will be secured within the s106 agreement. The final cost will be reported as an update and will be an accurate reflection of the amount required to cover the necessary works.

### Outdoor Sports Provision

MMU Football, rugby and hockey teams have historically been based at the MMU site in Alsager. Reflecting the move of the university to Crewe, these teams have all relocated from this site, and the playing fields in Alsager are no longer required for university sport. University teams have been relocated as follows:

- Hockey – now play at the Crewe Vagrants Hockey Club. University teams play at the site outside of peak hockey times and there is no impact on the overall capacity of the facility.
- Rugby – the rugby teams have also relocated to the Crewe Vagrants site linking with Crewe and Nantwich RUFC. There are no residual rugby requirements in Alsager for the university.
- Football – the MMU football teams have moved to Sandbach United FC and have developed a partnership with the club. The university teams use facilities outside of peak time hours and therefore do not impact upon the ability of community teams to use facilities during peak hours although they do add weekly wear and tear. The university are also using in the Cumberland Arena in Crewe.

All university teams have therefore been successfully relocated through a combination of upgrades and new facility provision and there are no further requirements for university related teams to access outdoor sports facilities in Alsager. The remaining demand for sports facilities in Alsager is therefore from the community.

### COMMUNITY FOOTBALL

The Council's own data collated as part of the preparation for its Playing Pitch Strategy (PPS) indicates that:

- There are a total of 30 teams based in the town
- There are six adult teams. Five of these currently require pitches in Alsager – this equates to 2.5 match equivalents per week. The remaining team (Scholar Green FC) travel outside to Clough Hall in Stoke.
- There are 10 youth teams (aged U13 – U16) based in Alsager and demand therefore equates to 5 match equivalents per week. Of these, 6 (3 match equivalents) currently travel outside of the town to play. Most of these teams are based at AFC Alsager and they travel outside the town due to a perceived lack of appropriate facilities within Alsager.
- There are 6 teams playing 9v9 football, all within the South Cheshire Youth League – three of these currently travel outside of the town to play. Demand therefore equates to a total of 3 match equivalents (1.5 of which are currently accommodated within the town)
- There are 5 teams playing 7v7 (2.5 match equivalents) and 3 playing 5v5 football (1.5 match equivalents). All of these teams play in the Crewe Alex Soccer Centre League which is a central venue league. These teams therefore travel outside of the town to play.

There are 18 football pitches in total in Alsager. Three of these pitches are currently situated at the MMU site and there is scope to mark out more pitches. Nine of the pitches are located at school sites and all but two are available to the community. With the exception of pitches at Alsager Academy (two), all others are at primary schools and are therefore 7v7 or 5v5 pitches.

The Sports Needs Assessment identifies that to meet current and future demand for competitive fixtures only, the following pitches are required at the MMU site as a minimum:

- **1 senior football pitch**  
Meet demand for 1 current match equivalent (Sat PM / Sun AM) and meet additional demand generated from population growth 1 match equivalent
- **2 youth football pitches**  
Linking with 3G Artificial Grass Pitch, which will also function as youth pitch  
Meet current demand for 3.5 match equivalents per week (all at peak time, but matches played consecutively).  
Linking with 3G, meet demand for additional 1.5 match equivalent arising from population growth  
Capacity for additional 1 match equivalents from further club development (2 teams)
- **Two 9 v 9 pitches**  
Meet existing demand for 3 match equivalents per week  
Meet future demand for additional 1 match equivalent per week (2 teams)
- **3G AGP**  
Meet current / future demand for 1.5 match equivalents (junior)  
Offer Spare capacity for at least 0.5 match equivalents at peak time (Sun AM)  
Offer spare capacity for adult football (Sat PM)  
Offer spare capacity for junior / 9v9 girls football – Sun PM  
Capacity to accommodate club growth  
Additional capacity not required to meet current or projected future demand, but to future proof the site in case of further club growth.  
The site should be future proofed by ensuring that there is scope for the development of an additional 3G AGP in future years (by ensuring that one of the pitches provided has sufficient space at the perimeter to be replaced by an AGP, linking with FA policy to increase the proportion of junior / youth play that takes place on AGPs.

All the above pitches are provided as part of the proposals.

#### COMMUNITY CRICKET

Alsager Cricket Club is the only cricket club in the local area. They have their own cricket ground and have historically used overspill facilities at Alsager School and the MMU campus as well as their own site.

The SNA concludes that the projected population increase alone would create additional teams which would create the need for additional strips. No further teams can play on a Saturday within the current pitch infrastructure at Alsager CC. However until the point that additional teams are created, it is likely that any additional pitch required would be used irregularly as an overspill facility only. No facilities are therefore required as part of the current proposal.

#### COMMUNITY HOCKEY

Triton Hockey Club are one of the leading hockey clubs in Cheshire the Club currently runs 6 senior teams playing on a Saturday afternoon, 4 men's teams and 2 Ladies' teams. The Club has an under 13s Beavers mixed and an under 15s Badgers boys' team plus a girls' junior team. Senior training takes place at Alsager Leisure Centre. Previously senior training was

at the former MMU campus but was switched to Alsager Leisure Centre as access could not be guaranteed for the whole season by the MMU.

There are currently two sand based pitches in Alsager. One at ALC and one at MMU, although access to the current MMU pitch is restricted and there is very little if any use, as a consequence all hockey use is now focussed at the ALC pitch. Both pitches have been identified as not 'fit for purpose' for hockey. A key part of any SNA is meeting the needs of sport, through consultation with clubs and NGBs, in the case of hockey this has been with Triton Hockey and England Hockey respectively.

Based on the SNA it is largely accepted that hockey does not require two-sand based pitches going forward but one high quality, full-size, floodlit sand dressed pitch focussing on hockey use with access to changing and ancillary provision on the same site to encourage development and growth. This pitch is the preferred surface for competitive hockey and is also suitable for football training (England Hockey are happy to see this to help sustainability) so also delivers some flexibility. Neither the existing MMU site nor the ALC site in Alsager currently has the future potential to deliver this for hockey.

The needs assessment, supply and demand analysis and consultation with clubs demonstrates that there is also a strong requirement for 3G training facilities for football, as well as space to accommodate match play and that training needs place significant demand and wear and tear on the grass pitches. Based on the Playing Pitch Strategy analysis and the need to accommodate training and match play and in-line with FA policy, in addition there is a need for a full-size floodlit long pile (55-60mm) 3G surface for football. This is less flexible and is not suitable for hockey, the FA do not permit other uses than football on sanctioned match pitches.

The two AGPs match the current provision in Alsager however where there are currently two sand based pitches the future need is for one new 3G pitch and one 'fit for purpose' sand dressed pitch for hockey.

Through analysis and consultation with the Council, the Leisure Trust, clubs and NGBs there would appear to be general agreement in terms of the above scale of provision and the desire, particularly from the sports clubs is to have both new AGP pitches located on the MMU site to form a multi-sport hub and support club development and sustainability.

In this context the future of the school pitch will have to be considered moving forward but it is likely that this will be focussed on purely school / curriculum use. The Sports Needs Assessment states that the school want to have a 40mm pile 3G pitch for curriculum use, and that it is not the intention to open it up for community use. Indeed the surface is not supported either by England Hockey or the Football Association. Therefore it will have no real value in meeting the needs for these sports in the community and therefore the pitch has little or no impact in terms of supply and demand.

## COMMUNITY RUGBY

Prior to vacating the Alsager site in 2010, the rugby pitches were used only for university rugby teams with no regular use by external clubs or other parties. Since moving to Crewe the University have entered into a partnership with Crewe and Nantwich Rugby Club based at



the Crewe Vagrants playing fields near Shavington. All of the university rugby provision has been based here since the 2012-13 academic year.

The University have also invested £75,000 in upgrading the pitch facilities at the club, this has included the installation of drainage and irrigation to the main playing areas to help support the greater number of games played on these pitches and improve the standards of the playing surfaces and ensure capacity was not impacted upon. The University also pay an annual maintenance fee to the club to support the additional upkeep of the pitches and supporting facilities (£1,500 per annum).

There is no pitch within Alsager (although there was formerly a pitch at Alsager School) and no evidence of unmet demand. Based upon demand within the Alsager area, there is no evidence of a requirement for the former pitches at the MMU site and on this basis the MMU pitches can be deemed surplus to requirements. The demand that was placed upon these pitches has now been added to the Crewe & Nantwich RUFC site (as MMU teams have transferred to play at this facility).

The SNA does demonstrate that at Crewe Vagrants, there is insufficient capacity to meet local need without the use of pitches at Malbank and Brine Leas, as well as the new pitch being provided at Reaseheath College. With these facilities there are however sufficient facilities for the club (Crewe & Nantwich RUFC). Added to this, improvement to the quality of pitches (to ensure that each pitch can sustain three games per week) would further add to the adequacy of provision and ensure that the current and future needs of the club can be met. As a result it is recommended that to compensate for the loss at MMU, funding is directed to Crewe Vagrants to ensure that both current and future needs can be met.

The RFU has identified a piece of machinery that would help to achieve the objective of increasing the capacity of the pitches at Crewe and Nantwich RUFC. The proportion of the MMU usage of the Crewe Vagrants site is 11.47%, and therefore the applicants have agreed to contribute this % of the total cost of the machinery required. This is a figure of £14,888 as being the sum required to enhance the (training and playing) capacity of the playing pitches at the Crewe Vagrants site. This will be secured as part of the s106 agreement.

#### Sports provision summary

The submitted sports needs assessment identifies those elements of the existing sports facilities at the MMU site that are surplus to requirements. Where there is a loss arising from the proposed development, the application proposals make provision for equivalent or better provision in terms of quantity or quality in a suitable location, either through the redevelopment of the site or financial contributions in lieu of on site provision. Accordingly, the proposal is considered to comply with paragraphs 73 and 74 of the Framework.

#### Management & Maintenance

A key part of the replacement sports facilities will be the requirement for ongoing management and maintenance of the site, to ensure that there is a sustainable facility that can benefit the local community for years to come. Indeed Sport England need to be satisfied that this can be provided before supporting the proposal, and withdrawing their holding objection. In this regard, it is proposed that ownership of the sports facilities is transferred to the Council, and Everybody Sport & Leisure has been asked to take on the day to day management of the facility. Everybody Sport & Leisure is considered to be the most

appropriate body to manage the site given their expertise and very local presence across the road at the Leisure Centre. Sport England require written confirmation from the Leisure Trust that they will take on the management, and written confirmation from the Council that it will take ownership of the site before removing their holding objection. Confirmation on these matters is awaited and will be reported as an update.

### **Open Space**

Comments from ANSA are awaited and will be reported as an update.

### **Education**

The development of 407 dwellings is expected to generate:

75 primary children ( $407 \times 0.19$ ) + 2 SEN

60 secondary children ( $408 \times 0.15$ ) + 1 SEN

5 SEN children ( $407 \times 0.51 \times 0.023\%$ )

The development is forecast to create a shortfall predicted for primary provision in the immediate locality. Negotiated contributions are factored into forecasts and an increase of capacity at a local primary school has been considered in the equations, however a shortfall still remains even when taking into account pupils resident in a different authority. The development is forecast to create a shortfall predicted for secondary provision in the immediate locality, either based on existing forecasts or as a result of pupils being pushed back to make way for pupils expected from the MMU development.

Special Education provision currently has an existing shortfall within the borough with over 47% of pupils currently being educated outside of Cheshire East. The Service acknowledges that this is an existing concern, however the 5 children expected from the Former MMU application will exacerbate the shortfall. The 3 SEN children who are thought to be of mainstream education age have been removed from the calculations above to avoid double counting. The remaining 2 SEN children are expected to be 1 EYFS child and 1 Sixth Form child. The Service does not claim for EYFS or Sixth Form at present therefore those children cannot be removed from the calculation above.

To alleviate forecast pressures, the following contributions would be required:

$75 \times £11,919 \times 0.91 = £813,471.75$  (primary)

$60 \times £17,959 \times 0.91 = £980,561.40$  (secondary)

$5 \times £50,000 \times 0.91 = £227,500$  (SEN)

Total education contribution: £2,021,533.15

Without a secured contribution of £2,021,533.15 Children's Services raise an objection to this application. This objection is on the grounds that the proposed development would have a detrimental impact upon local education provision as a direct cause from the development. Without the mitigation, 76 primary children, 60 secondary children and 5 SEN children would not have a school place in the locality.

The forecasts produced by the Education department provide a planning tool that helps them in its attempts to cope with the uncertainty around the future need for school places and taking into account approved new housing development, which may or may not yield pupils

during the forecasting period. These forecasts do include consideration of actual numbers on roll in October and admission patterns, which can change from year to year. The applicant disagrees with the conclusions of the education department due to the forecasts being based on figures that include out of County children. Due to the proximity of Alsager to the Stoke-on Trent and Staffordshire borders, there are many children attending the Alsager High School from these other authorities. The applicant maintains that an allowance should be made for these out of County children thereby reducing the number of school places required.

There is clear disagreement between the applicant and the education department on the correct approach to forecasting capacity in local schools. The applicant has submitted appeal decisions which they state supports their position, and where future pupil could be accommodated in other nearby schools rather than the school for which the contributions are being sought. At present it does appear that the pupils generated by the proposed development cannot be accommodated in local schools, and therefore it follows that contributions are required. But at the time of writing further information was still being submitted by the education department and further comments are expected from the applicant. This information will be reported as an update.

In any event, as is explained further below, for viability reasons no education contributions can be made.

## **ENVIRONMENTAL SUSTAINABILITY**

### **Residential 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 existing properties all meet the distances above, or in some cases site circumstances (such as intervening vegetation) justify a marginally lesser distance. Within the site, there are some separation distances that fall marginally below the identified standards, as is the case with one or two of the approved Jones Homes plots to the west of the application site. However, any shortfall of distance standards is considered to be minimal and is not considered to have such a significantly adverse impact upon the living conditions of existing or future occupiers to justify a refusal of planning permission. The distances are also consistent with those approved on neighbouring sites. Overall, adequate standards of space, light and privacy will be provided. However, clarification is currently being sought from the applicant about the relationship with the Seddon Homes scheme to the north of the site and will be reported as an update.

### Lighting

Some of the existing pitches to the south of the site are floodlit. The existing floodlighting comprises five masts of around 15m height orientated in a westerly direction.

The proposed hockey pitch and the 3G football pitch will be floodlit. The lighting equipment will be positioned on 15m high lighting masts. The total number of masts is twelve. The proposed hockey pitch and 3G football pitch share a long edge so the floodlighting masts are in three rows. Each mast has a minimum of two floodlights. However the central row of

masts between the two pitches has either four or five floodlights mounted on each mast. There will therefore be an increase in the amount of floodlighting compared to the existing situation.

The Institution of Lighting Professionals document *Guidance Notes for the Reduction of Obtrusive Light GN01:2011* notes that the given light intrusion levels for an area such as the application site are as follows:

- 5 lux (pre-curfew)
- 1 lux (post curfew)

A default curfew time of 2300 is suggested by GN01.

The Sport England Design Guidance Note *Artificial Sports Lighting (2012)* also refers to these standards.

In the case of the proposed application some properties with boundaries adjacent to Dunnocksfold Road will be most affected by the floodlights. However, given that the lights will not be operational post-curfew (after 2300hrs), the light spillage diagram indicates that whilst parts of the garden areas of these properties will exceed the 5 lux pre-curfew standard. The light levels at the buildings themselves will be below the 5 lux level. The impact of the lighting upon neighbouring properties is therefore considered to be acceptable.

### Noise

An acoustic report has been submitted with the application to consider the potential for noise and disturbance. The difficulty with assessing and predicting potential noise impacts is the lack of adequate guidance for assessing such noise. In particular, the noise from shouting, whistles, balls hitting netting etc. There is also a potential for the use of the proposed car parking area to cause noise impact through vehicle arriving and leaving, doors slamming and people talking, etc.

All such noise sources are intrusive in character and without adequate mitigation likely to result in an unacceptable impact on health and quality of life. However, the acoustic report recommends mitigation in the form of acoustic fencing around the pitches to provide some protection to existing and new residents.

Even with the fencing in place, Environmental Health advises that allowing uncontrolled use of the facilities up to 22:00 would give rise to an unacceptable noise impact. However, the information submitted with the application notes that the peak use will be during the winter months (September to April) when people are less likely to have windows open, or be in garden areas enjoying external amenity.

As such, it is considered to be necessary to condition the hours that the pitches can be used, and it is proposed to have restrictions based on winter and summer hours. With the use of the pitches restricted to 21:00hrs in the winter and 20:00hrs in the summer. Additional conditions relating to the provision of the acoustic fencing and the submission of an Environmental Management Plan are also recommended.

Subject to the above, no significant amenity issues are raised, and the proposal is considered to comply with the requirements of policy GR6 of the local plan.

### **Air Quality**

An Air Quality Impact Assessment (AQIA) has been submitted in support of the planning application. The report considers whether the development will result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to traffic flows. The report concludes that there will be a negligible increase in pollutant concentrations at all receptors modelled. Taking into account the uncertainties associated with air quality modelling, the impacts of the development could be significantly worse. As a result of a worsening of air quality, the report recommends the following mitigation measures be implemented:

- Minimise reliance upon motor vehicle use through a Framework Travel Plan
- Promote alternative transport options
- Implement a bus strategy to introduce new and enhanced services; and,
- Inclusion of pedestrian and cycle routes into the surrounding environments.

The mitigation measures described form the basis of a low emission strategy for the development. Appropriate conditions are therefore recommended.

### **Trees**

Trees within the application site are protected by the Congleton Borough Council (Manchester Metropolitan University, Alsager Campus) Interim TPO 2008 (Area A1) and is a material planning consideration. The Order protects those trees of whatever species identified as an Area designation on the TPO map. An area designation only protects those trees that were present when the Order was made.

An Arboricultural Impact Assessment (AIA) has been submitted in support of the application, which identifies 24 individual trees, 67 groups of trees and 11 hedges within the application site.

In terms of the quality and value of those trees highlighted for removal there are 4 High (A) quality individual trees, and 8 individual moderate (B) quality trees and 19 moderate (B) quality groups proposed for removal. The remaining low (C) quality trees for removal comprise of 3 individuals and 19 groups.

Whilst it is evident that there are a number of high and moderate category trees proposed to be removed to accommodate development, a high proportion of trees and groups are internal to the site and present only a limited contribution to the wider amenity of the area or are located close to existing built infrastructure such that their successful retention would not be feasible due to requirements for adequate working space for demolition.

An updated Arboricultural Impact Assessment is awaited to take account of the revisions to the site layout that have been made during the course of the application. Further details will be provided as an update.

### **Landscape**

The MMU campus site is bounded to the west by open countryside, to the north by a new housing development and to the east by Hassall Road, beyond which is a school, leisure centre and associated recreational land set within a predominantly residential area. To the south, beyond Dunnocksfold Road, is an area of residential properties.

The application site covers an area of approximately 22 hectares and is generally flat. There are a significant number of trees across the site which provide a mature landscape setting, along with a belt of mixed species of trees along the western side of Hassall Road, which forms a prominent landscape feature; mature hedgerows with hedgerow trees delineate several of the other boundaries. Whilst there are playing fields to the north, west and south, the built up parts of the site can be viewed from surrounding vantage points.

The Planning Statement identifies that the Landscape Masterplan identifies retained trees, and that the housing layout seeks to ensure that mature trees are located at an appropriate separation distance from houses, and that new planting is proposed throughout the site using appropriate streetscene trees, chosen for their impact in an urban setting.

The Planning Statement identifies that the landscape philosophy has been key to the design response for the site and that the high quality natural boundaries and features within the site have created significant landscape opportunities, this appears to rely on the existing mature vegetation across the site. The site offers opportunities to complement and enhance the existing mature vegetation, but to achieve this it will be important to ensure that any proposed tree and shrub planting is appropriate in terms of size, species and scale of planting, if the quality of the development and distinctive character areas are to be successful in the longer term. The applicant has submitted a planting strategy for the site, which outlines planting proposals for the site, and which the landscape officer is happy with subject to landscaping conditions.

## **Ecology**

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

### Designated Sites

The proposed development is located within 2km of Oakhanger Moss SSSI which forms part of the Midland Meres and Mosses Phase 2 Ramsar.

Natural England advise that the proposed development is not likely to have an adverse impact upon the features for which the site was designated and they advise that an Appropriate Assessment under the Habitat Regulations is not required. Under regulation 61 of the Habitat Regulations the Council is required to undertake an 'Assessment of Likely Significant effects'. This assessment has been undertaken, and 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. Natural England have also advised that the proposals are unlikely to affect Oakhanger Moss SSSI.

### Badgers

Evidence of badger activity was recorded throughout the site with two minor setts being present on the boundary of the application site. In order to avoid the risk of badgers being injured or disturbed by the construction activities on site the applicant's consultant has proposed that the setts be closed under the terms of a Natural England license prior to any construction works taking place within 30m of the setts or any pile driving taking place within 100m. The nature conservation officer advises that this approach is acceptable to reduce the potential risks posed to badgers by the proposed development. An appropriate condition is recommended.

### Bats

A series of bat surveys have been undertaken of the buildings on site. A bat potentially emerged from one building during the earlier round of surveys, however follow up surveys did not record any conclusive evidence of roosting bats being present. None of the buildings on site are of High value for roosting bats, but the number of buildings present means that there is a slight risk of roosting by single or small number of bats being undetected. On balance however, the nature conservation officer advises that the demolition of the existing buildings on site is unlikely to affect roosting bats.

A number of trees and groups of trees have been identified as having potential to support roosting bats. Based on the submitted Phase One habitat plan and proposed layout plan it appears feasible for a number of these trees to be retained as part of the proposed development.

There are a number of trees on site with bat roosting potential that would be lost as a result of the proposed development. These trees are identified by the following target notes on the Phase One Habitat plan: 3, 14, 15, 19, 22, 23, 26, 27. A survey of these trees has recently been carried out and comments from the nature conservation officer on this matter are awaited, and will be reported as an update.

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Phase One Habitat plan: 3, 14, 15, 19, 22, 23, 26, 27. A survey of these trees has recently been carried out and comments from the nature conservation officer on this matter are awaited, and will be reported as an update.

#### Hedgerows

There will be some loss of hedgerow associated with the proposed development. Hedgerows are a priority habitat and hence a material consideration. If planning consent is granted suitable compensatory hedgerow planting should be incorporated into the landscape scheme for the site, which can be dealt with by condition.

#### Hedgehogs

Hedgehogs are a biodiversity action plan priority species and hence a material consideration. There are records of hedgehogs in the broad locality of the proposed development and so the species may occur on the site of the proposed development. A condition is therefore recommended to require the incorporation of gaps for hedgehogs to be incorporated into any garden or boundary fencing.

#### Barn Owls

There was no evidence of barn owl presence identified during the bat surveys of the various buildings on site. However, the mature trees on site may potentially support barn owls and so should be subject to a detailed survey for this species. Further details will be provided as an update.

#### Nesting birds

If planning consent is granted a condition will be required to safeguard nesting birds.

### **Highways**

The Strategic Infrastructure Manager (SIM) has made the following comments on the application:

#### Traffic Impact

The site has an existing use as an education and sports facility, and the applicant has submitted figures to indicate that these uses could generate up to 340 trips in the am peak hour. In addition, the applicant has provided a Transport Assessment that has assessed a number of junctions within Alsager and includes other committed residential schemes in this assessment. The SIM considers that the submitted traffic generation figures for the proposed new residential development (230 trips) are rather low in comparison with local trip rates determined by CEC. However, using CEC rates they would only increase the submitted 230 trips by another 40 trips overall and will not materially affect the capacity assessments undertaken.

As part of the traffic impact of the development, all of the site access points have been assessed in terms of capacity and none of the junctions have a capacity problem. There has been a wider assessment undertaken on the principal junctions on Crewe Road in Alsager and the applicant has submitted capacity results that indicate relatively low queues at the junctions. The assessments do include some of the mitigation measures already agreed as part of other developments such as traffic signals at Hassall Road/Crewe Road junction and changes to the signals at Crewe Road/Lawton Road junction.



Given the large number of residential applications submitted in Alsager, the Council has undertaken its own traffic study of all the major junctions in Alsager to understand the current position as regards the capacities of the Crewe Road junctions. The CEC results are somewhat different to those results submitted by the applicant, there are longer queues predicted at the principal junctions such as Crewe Rd / Sandbach Road / Lawton road and at Hassall Road / Crewe Road.

To summarise the traffic impact of the MMU proposal, there is a fallback position in regards to the level of traffic that an educational use on this site would generate but as a result of this application there is a net increase in traffic on the road network. Whilst there will be an increase it is not at a level, or increase congestion to such a degree, that would require mitigation to be provided.

#### Access Points

There are four separate access points proposed, there are two accesses from Hassall Road serving the main residential development and a separate access to the residential scheme of Dunnocksfold Road. A new access to the car park serving the sport pitches is proposed off Dunnocksfold Road. All of the accesses are 5.5m with footways with the exception of the southern access on Hassall Road which has a wider carriageway at 7.0m and 2.0m footways. All of the proposed access points are of a suitable highway standard to serve the level of development proposed and visibility is achievable.

#### Internal Layout and Parking

The internal road layout submitted is a suitable design that does promote lower traffic speeds and there are informal roads/areas that are in keeping with a Manual for Streets design. The residential parking provision is consistent across the site with CEC parking standards and as such the residential parking is acceptable. There are a number of sport pitches proposed as part of this application and to support these facilities there are 105 car parking spaces provided, plus two mini bus parking spaces. CEC standards recommend an individual assessment on multiple sport pitches. Clearly, there is potential for considerable parking demand from these pitches, however the 105 spaces and minibus parking is considered to be adequate in this case.

The SIM has highlighted that the Manor Farm access is only single track and is not suitable to serve as an access for the sport pitches. There is a new access junction created to serve the car park from Dunnocksfold Road but there also is a separate car park on the opposite side of the Manor Farm drive and it is likely that users of this car park would use the Manor Farm drive as an access route.

The applicants will need to either provide measures to ensure that the Manor Farm drive is not intensified by vehicle movements or increase the width of the Manor Farm drive to provide suitable access to the car parks.

In addition, the revised proposals indicate that a boundary fence is to be erected around the sport pitches, notably along Dunnocksfold Road and this may interfere with the visibility splays at the new car park access. The applicant has been asked for a plan to show the positioning of the fence to the rear of the visibility splays.

#### Accessibility

In terms of pedestrian accessibility, the residential site can be accessed from Hassall Road as both access points are connected to the footway network. However, there is no footway on the north side of Dunnocksfold Road and no pedestrian access exists to the sport pitches and the residential development on the development side of the road. The SIM has recommended that a footway is provided along the north side of Dunnocksfold Road. Discussions with the SIM and the applicant are ongoing in terms of if and how this will be provided.

In addition, to provide safe pedestrian access from the site to the nearby school, leisure centre and bus stops, a contribution of £70,000 for a formal pedestrian crossing to be provided on Hassall Road is recommended. A financial contribution will therefore be secured through the s106 agreement.

The MMU site has a range of facilities that are within a reasonable walking distance of the site and there are existing bus services that are available on Hassall Road. Overall, it is considered that the accessibility of the site is good but the pedestrian access needs to be improved.

Further details will be provided as an update.

### **Layout & Design**

The former university site is relatively substantial in size and clearly makes a significant contribution to the character of the wider area. Other than the application site, and the neighbouring High School and Leisure Centre, the area is residential to the south and east and rural to the north and west. The residential areas are characterised by a variety of house types. The buildings within the application site are not of any significant architectural merit. Whilst the proposed buildings will extend into areas of the site not currently occupied by buildings, given the surrounding land uses, this expansion of the built form will not have an unduly harmful effect upon the local area.

The proposed changing room building will be a single-storey structure, with the residential development comprising a range of 2, 2.5 and a small number of 3-storey properties, all of which are considered to be acceptable having regard to the scale of existing buildings within the site and local character. A mix of detached, semi-detached and terraced properties is proposed across the site, which will form varied street scenes, and roads are designed to reduce traffic speeds.

Character areas will be used to provide legibility within the development and to create a more diverse and attractive environment. These include an Entrance Circus, the Green Core, the Woodland Frontage, Hassall Road Play and Mews Street / Open Frontage. The on site open space is centrally located to maximise its accessibility and prominence within the development.

Importantly the mature tree screening to Hassall Road is retained, which is a significant feature of the area. The tree belt along the north western boundaries is also retained, which will help to assimilate the development into the open countryside landscape beyond

Subject to appropriate landscaping and materials, the scheme has the potential to make a positive contribution to the local area, and the proposal is considered to comply with the objectives of policies GR2, GR3 and GR5 of the Congleton Borough Local Plan.

### **Contaminated land**

A combined Phase I and Phase II report and a Remedial Strategy have been submitted in support of the application. The Contaminated Land team has no objection to the application but note that the site has former uses and there is an infilled pond on site which may pose localised contamination and ground gas issues and 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.

Further investigation works are required upon demolition of the buildings on site, further gas monitoring is required and further delineation of the backfilled pond and associated gas risks are required. Remedial works are also required on site, and the proposed additional investigation works may further inform the remedial strategy.

Accordingly, a condition is recommended requiring further phase II investigation works.

### **Archaeology**

The Council's Archaeologist has noted that the surviving 1940s block that provided accommodation for workers at the nearby Radway Green Royal Ordnance Factory should be recorded prior to its demolition, in accordance with Historic England recording level 2 (as proposed in section 4.4.2 of the Archaeological Desk-Based Assessment, WSP August 2015). The Desk-Based Assessment also indicated that the former site of "Daisybank Farm" depicted on the 1840 Tithe Map lay in the very south-western corner of the site. The proposals indicate that this area will now be used for housing and the level of damage or destruction to any surviving below-ground remains is likely to be considerable. Although the site is of only local significance it is considered worthy of preservation by record, i.e. archaeological excavation and recording. Proposed mitigation in the form of the stripping of the footprint of the two buildings depicted on the Tithe and Ordnance Survey mapping of the site, and the subsequent appropriate level of excavation and recording of any surviving remains, is considered to be an appropriate means of dealing with the site. Such works would however be limited to the area of building plots 488-500 as shown on drawing number MMU/PL01, revision P6, date 06-07-15, 1:1000 Planning Layout.

Consequently should the Council be minded to grant planning permission to this, or any similar scheme, the Archaeology Planning Advisory Service would recommend that such works (building recording and below-ground archaeological investigation) be secured by means of a condition.

### **Flood Risk**

The site is located in flood zone 1; however, there is also high surface water risk in an area in the eastern part of the proposed development from topographical low spots indicated on the Environmental Agency's mapping system. The risk of flooding from this source will need to be appropriately mitigated and assessed then shown in the appropriate submitted documents before development can commence on site.

Neither the Environment Agency nor the Flood Risk Manager raise any objections to the proposal subject to drainage conditions.

### **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 and sports facilities as well as bringing direct and indirect economic benefits to the town including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

## **HEADS OF TERMS**

If the application is approved a Section 106 Agreement will be required, and should include:

- Financial contribution of £70,000 towards a pedestrian crossing on Hassall Road.
- Financial contribution TBC towards provision of fitness stations and studio space at Alsager Leisure Centre.
- Financial contribution of £14,888 to enable capacity improvements to be made to Crewe Vagrants facilities.
- Provision and Management of on site open space
- Financial contribution TBC to Hassall Road play area
- Detailed specification and construction phasing programme of sports facilities.
- Phased transfer of land to CEC upon completion to be agreed, with the AGP's, changing facility and parking areas to be constructed and handed over first, in advance of the grassed pitches.
- Detailed management plan for the sports pitch area to be agreed with Management body (Everybody Sport & Leisure) prior to commencement of works.
- Land to be retained as sports area in perpetuity.

## **Community Infrastructure Levy (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 public open space, sports pitches and management arrangements, financial contributions towards indoor sports facilities and towards increasing capacity at Crewe Vagrants, and a formal pedestrian crossing at Hassall Road is all necessary, fair and reasonable to provide a sustainable form of development, to contribute towards sustainable, inclusive and mixed communities and to comply with local and national planning policy.

All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of the development

## **PLANNING BALANCE**

The replacement sports facilities to be provided by the development do come at a significant cost. The applicant has submitted a viability report to show what the development can afford in terms of the necessary sports provision and planning obligations. Officers have had the viability report independently appraised by an external consultant. The conclusions from that

appraisal are that the development, as proposed, cannot support any new affordable homes or further planning obligations than are already allowed for in the appraisal. The appraisal currently includes £4,822,082 for providing sports facilities on site, a contribution towards the cost of improvements to the local leisure centre as well as a Highway contribution and the provision of open space upgrades and play equipment. The site is a brownfield site and also has significant site specific abnormal costs of £10,083,000, of which £3,100,813 relates to demolition and site remediation and £4,955,500 for abnormal foundations and drainage.

The proposal is considered to be acceptable in principle; however, as noted above the development does require compromises to be made in certain policy areas.

The benefits in this case are:

- The proposal would provide almost £5m of brand new dedicated sports facilities, creating indoor and outdoor sports hubs at Alsager Leisure Centre and at the former MMU site respectively, with changing facilities, for local community use. The scheme has been formulated in consultation with local sports clubs, national sports governing bodies and Sport England, and therefore meets the needs of the local community.
- The proposal would help in the Councils delivery of 5 year housing land supply, which cannot currently be identified.
- The development would provide contributions towards enhancements to existing public open space facilities on Hassall Road for proposed and existing residents.
- The development would make effective use of a previously developed site.
- The development would improve the appearance of the site which has been vacant for many years, and has fallen into disrepair.

The development would have a neutral impact upon the following subject to mitigation:

- The impact upon protected species/ecology is considered to be neutral subject to the imposition of conditions.
- There is not considered to be any significant drainage implications raised by this development.
- The impact upon trees is considered to be neutral.
- The impact upon the residential amenity, noise, air quality and contaminated land could be mitigated through the imposition of planning conditions.
- Highway impact would be broadly neutral due to the scale of the development and the existing lawful use of the site.

The adverse impacts of the development would be:

- There would be an adverse impact upon education infrastructure as necessary financial contributions cannot be made to accommodate pupils generated by the development.
- The 36 affordable dwellings required by this proposal (taking into account vacant building credit) will not be provided.

In order to be deliverable, the proposal relies on a reduction in its policy compliant affordable housing provision of 8.8%, which is a level reduction that has been applied to many schemes across the Borough when viability is an issue. It has been clearly demonstrated in this case that the viability of the scheme is such that the necessary affordable housing cannot be provided. Furthermore, whilst the debate about the level of education contributions is

continuing, at the time of writing it does appear that the contributions requested by the education department are required. The inability of the development to provide this does weigh heavily against it. However, other than the significant contribution to housing land supply, the major benefit in this case is the provision of an outdoor sports hub for the local community. This cannot be underestimated and is a benefit that is unlikely to be provided on any other site in the Borough. The site will be a dedicated sports hub, with ongoing management and maintenance, which will be a unique benefit to the local community and the Borough as whole. For these reasons, it is considered that the provision of the sports facilities is of overriding public interest.

On the basis of the above, it is considered that the proposal represents sustainable development and paragraph 14 is engaged. Furthermore, applying the tests within paragraph 14 it is considered that the adverse effects of the scheme are significantly and demonstrably outweighed by the benefits.

Accordingly, subject to the outstanding updates, the application is recommended for approval.

## **RECOMMENDATION**

Approve subject to conditions and a s106 agreement.

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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 Head of Planning (Regulation) 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.*

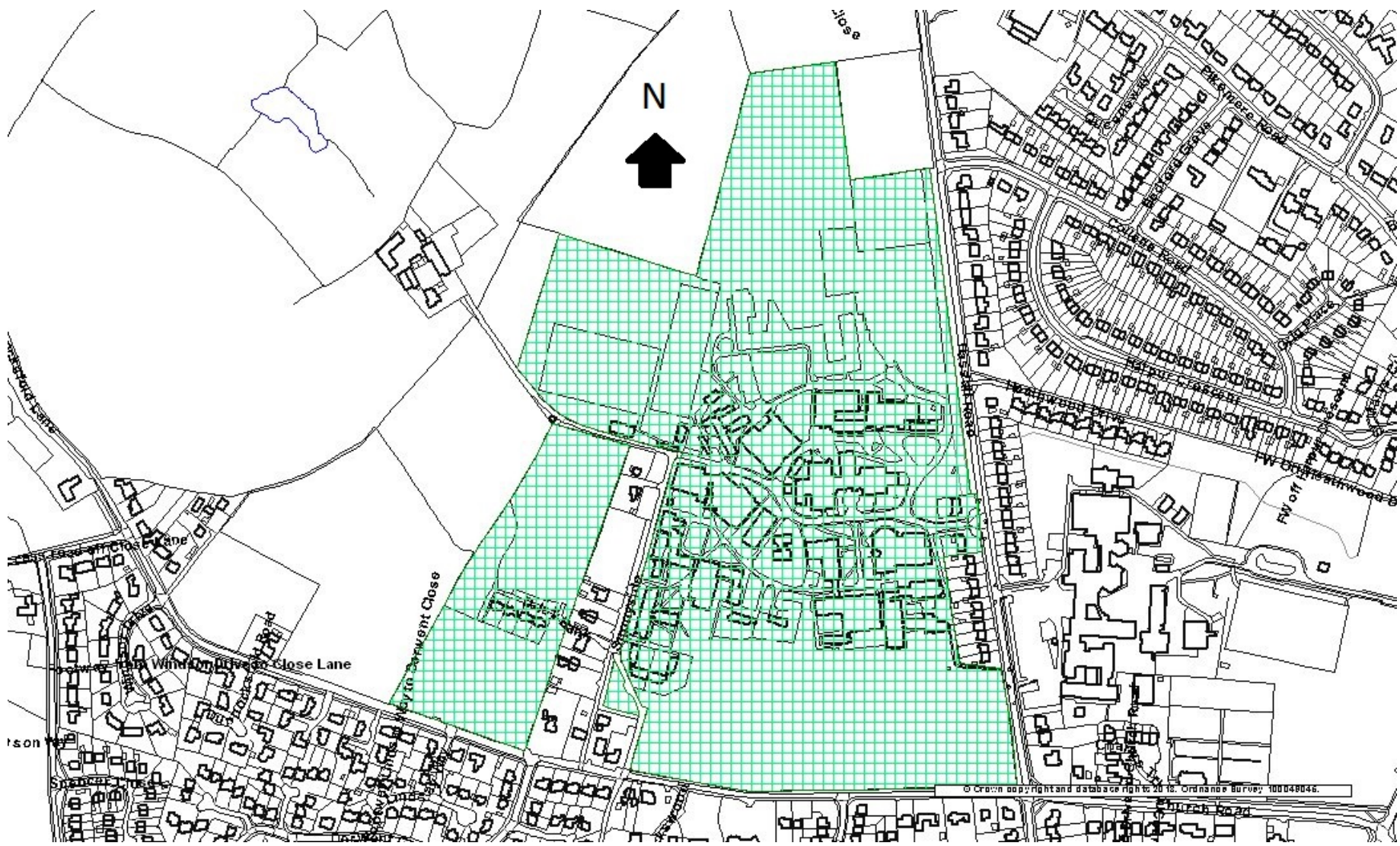
Application for Full Planning

RECOMMENDATION: Approve subject to a Section 106 Agreement and the following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A02EX - Submission of samples of building materials
4. A01LS - Landscaping - submission of details
5. A04LS - Landscaping (implementation)
6. A01TR - Tree retention
7. A02TR - Tree protection
8. A03TR - Construction specification/method statement
9. A04TR - Tree pruning / felling specification
10. A07TR - Service / drainage layout
11. A25GR - Obscure glazing requirement

12. Written scheme of archaeological investigation to be submitted and implemented as approved
13. Installation of acoustic fencing
14. Sports Pitches Hours of Use (Summer / Winter)
15. Environmental Management Plan to be submitted
16. Lighting details to be submitted
17. Low emission strategy to be submitted (air quality)
18. Travel plan to be submitted
19. Dust mitigation measures outlined in the submitted Air Quality Assessment to be implemented
20. Additional Phase II investigations to be carried out / submitted (contaminated land)
21. Development to be carried out in accordance with the approved Flood Risk Assessment
22. Surface water drainage details to be submitted
23. Foul and surface water shall be drained on separate systems
24. Development to proceed in accordance with the recommendations of the submitted Badger Survey
25. Incorporation of gaps for hedgehogs into any garden or boundary fencing proposed. Nesting bird survey to be submitted





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