

Application No: 16/1024C

Location: Alsager Arms Hotel, 4, SANDBACH ROAD SOUTH, ALSAGER, ST7 2LU

Proposal: Demolition of existing pub hotel building and construction of 14no. apartments

Applicant: Jack Middleton

Expiry Date: 13-Jun-2016

## **SUMMARY**

The application site lies within the Alsager settlement boundary where Policy PS4 of the Local Plan advises that new development in principle is accepted.

Policy H6 of the Local Plan permits housing in settlement boundaries provided that such a development adhere with all other local plan policies.

However, Policy RC12 states that planning permission should not be granted where *'(permission would) result in the loss of any community facility which makes a positive contribution to the social or cultural life of a community.'*

The proposal would bring positive planning benefits such as the provision of new dwellings in a sustainable location, and the usual economic benefits created in the construction of new dwellings and the spending of the future occupiers in the local area.

The negative impact of the development would be the loss of a locally valued non designated heritage asset.

No significant landscape, design, highway safety, drainage or flooding, amenity, or tree concerns would be created, subject to conditions where necessary.

Contributions towards open space and education would mitigate any impact on these facilities that the development would create.

As such, it is considered that the positives of the proposed development outweigh the negative and therefore the proposed application is recommended for approval.

## **RECOMMENDATION**

APPROVE subject to S106 Agreement and conditions

## **REASON FOR REFERRAL**

This level of development would usually be delegated to officers to consider however Cllr Martin Deakin has called this application in for the following reasons.

*'Firstly, these proposals will constitute the loss of a building of great local interest which dates back to the 1800s. Secondly, I believe that these proposals are not within the keeping of the surrounding street scene because of the houses that are situated opposite and leading up to the railway line. Therefore, myself and many other residents believe that the proposed flats will be ill-suited to the location.'*

## **PROPOSAL**

This application seeks outline planning permission to demolish the existing public house and construct 14no apartments.

Matters of Access, Layout, Scale, appearance and landscaping are reserved for subsequent approval by reserved matters.

Revised indicative plans have been received during the application process in response to concerns raised and the application has been reduced from 18 units to 14no. apartments within an apartment block.

## **SITE DESCRIPTION**

The application site relates to a vacant public house, the Alsager Arms, which is situated within the Alsager settlement boundary adjacent to a level crossing for the Alsager train station, on Sandbach Road South.

The application site is triangular in shape and includes the retention of an existing building to the north of the site adjacent to the road.

## **RELEVANT HISTORY**

**16/1959C** - Prior approval of Proposed demolition of vacant and derelict public house – Determination – approval not required stage 1 - 19<sup>th</sup> May 2016

**13/1437C** - To move external seating area and smoking solution to a new area in the car park. Replicating the existing fence to enclose the new area and replacing the old seating area with car parking spaces – approved with conditions 10<sup>th</sup> June 2013

**07/0495/FUL** - Provision of covered area to the existing beer garden. Amended siting of smoking shelter – approved with conditions 3<sup>rd</sup> August 2007

**3464/3** - Car park extension – approved with conditions 14<sup>th</sup> July 1976

**36172/9** - Projecting sign, amenity panel, fascia text & menu boxes – approved with conditions 29<sup>th</sup> August 2003

**19751/3** - Installation of a small receive only satellite dish and aerial – 22<sup>nd</sup> June 1988

**30155/9** - Brewery signage – approved with conditions 17<sup>th</sup> August 1998

**29753/9** - Brewery signage – part approved/part refused 5<sup>th</sup> May 1998

**24945/3** - Extension and alterations to public lounge and ancillary areas – approved with conditions 30<sup>th</sup> March 1993

**16427/9** - Illuminated medium size anells script sign – Refused 16<sup>th</sup> January 1985

## **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, 47-50 - Wide choice of quality homes / affordable housing, and 56-68 - Requiring good design

### **Development Plan**

The Development Plan for this area is the 2005 Congleton Borough Local Plan, which allocates the site, under Policy PS4, as a Town.

The relevant saved policies are:

PS4 - Towns; GR1 - New Development; GR2 - Design, GR4 - Landscaping, GR6 - Amenity and Health, GR9 - Accessibility, Servicing and Parking Provision – New development, GR20 - Public Utilities, GR21 - Flood Prevention, GR22 - Open Space Provision, NR1 - Trees and Woodlands, NR2 - Wildlife and Nature Conservation – Statutory Sites, H1 - Provision of New Housing Development, H4 - Residential Development in Towns, RC12 - Retention of Existing Community Facilities and H13 - Affordable 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, PG6 - Spatial Distribution of Development, SD1 - Sustainable Development in Cheshire East, SD2 - Sustainable Development Principles, IN1 – Infrastructure, IN2 - Developer contributions, SC4 - Residential Mix, SC5 - Affordable Homes, SE1 – Design, SE2 - Efficient use of land, SE3 - Biodiversity and geodiversity, SE4 - The Landscape, SE5 - Trees, Hedgerows and Woodland, SE6 - Green Infrastructure, SE9 - Energy Efficient Development, SE12 - Pollution, Land contamination and land instability, SE13 - Flood risk and water management, CO1 - Sustainable Travel and Transport and CO4 - Travel plans and transport assessments

## **CONSULTATIONS**

**Head of Strategic Infrastructure (HSI)** – [30/03/16] The proposal is for 18 apartments with associated parking, with all matters reserved. The change of use to a residential development, when compared to the existing lawful use, will result in a small increase in vehicle trips during the morning peak and no increase during the evening peak or during the whole of the day. Traffic accident data has indicated no existing safety issues in the vicinity of the site. The highways impact will be negligible and although the number of car and cycle parking spaces is below standards, and it isn't clear how refuse collections will take place, these will be looked at in more detail during the reserved matters application. No objections are raised with this application.

[12/08/2016] Have informally confirmed the reduction in numbers will not have any increased impact over and above the existing situation.

**Environment Agency** – The revised layout shows parking spaces within 8 metres of the culvert, which is acceptable in principle. Excalibur Brook, flows in culvert at the southern part of the site. Excalibur Brook is designated "main river". Under the Environmental Permitting (England & Wales) Regulations 2010, a permit may be required from the Environment Agency for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the brook. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted.

**Strategic Housing** – No objections. This is a proposed development of 14 dwellings therefore it is under both the unit number and site size (as showing 0.2 Hectares) so no affordable provision is required.

**Environmental Protection**- No objections, subject to conditions for piling foundations, dust control, noise mitigation scheme, travel plan, electric vehicle infrastructure, contaminated land, and soil information.

**ANSA Open Space** – No objections, subject to a contribution of an off-site commuted sum for enhancement of nearby Milton Park/ Edwards Way. Financial contributions sought from the Developer are:

£3,076.75 Enhancements  
£10,029.6 for maintenance of the enhancements.  
(based on 18 units)

**Education** - No objections, subject to a contribution of £32,685.38 towards secondary school provision

**Flood Risk Manager** – No objections, subject to conditions for a drainage strategy and surface water drainage

**Victorian Society** – Object, to the demolition of this locally important historic building and the insensitive redevelopment of the site

**Historic England** - We assessed the Alsager Arms for listing earlier this year but concluded that, although the building is undoubtedly of local interest, it does not merit designation at national level.

**Network Rail** – no objection subject to conditions for surface and foul water drainage schemes away from the railway network, ground levels, vibro-impact risk assessment and method statement, trespass proof fence to be erected, and acoustic fencing mitigation measures

**Fire and Rescue Service** – None received at time of writing this report.

**Alsager Town Council** – The Town Council objects to this application on the following grounds:-

- Adverse effect on the residential amenity of neighbours, by reason of noise, disturbance, overlooking, loss of privacy, overshadowing.
- Unacceptably high density
- Visual impact of the development
- Effect of the development on the character of the neighbourhood
- Poor space standards of design, internal and external
- The proposed development is over-bearing, out-of-scale or out of character in terms of its appearance compared with existing development in the vicinity
- The loss of existing views from neighbouring properties would adversely affect the residential amenity of neighbouring owners.
- The development would adversely affect highway safety or the convenience of road users. On certain times of the day, it takes up to 20 minutes for residents to come out of Talke Road to travel towards the village centre. The Alsager Traffic Study admits there is a problem with the traffic in the town centre and adding more cars to the busy junction will only increase the problem.
- That cycling is made prohibitive due to congestion in the area.
- That due to the sites close proximity to the railway and level crossing the Fire and Rescue Service is consulted on the application.

## **REPRESENTATIONS**

Neighbour notification letters were sent to all adjacent occupants, and a site notice was erected. To date, approximately 9 letters of representation have been received. The main objections raised include;

- Design – proposal is too large, too tall, out of character with the surrounding area
- Highway safety – high traffic volumes on existing network, pressure on existing road infrastructure, Congestion, concerns over construction traffic impact given proximity to railway line
- Existing building should be retained on site and converted or re-opened as a public house
- Loss of a local building or architectural interest is not acceptable
- English Heritage have been approached to have the building listed
- The site could be put to better use, i.e. other commercial/public uses without demolishing the building.
- Amenity – loss of light and visual intrusion, noise and light pollution,

A letter of support has been received. The main issues raised are;

- This brownfield site is preferable over a greenfield site,
- The pub itself has not been open for many years and is not in a good state
- It is a shame that some/all of the original building is not being retained as it is a landmark building in Alsager,

## **APPRAISAL**

The key issues are:

- The principle of development
- The sustainability of the proposal, including its; Environmental, Economic and Social role
- Planning balance

### **Principle of development**

As the site falls within the Alsager Settlement Boundary, the proposal is subject to Policy PS4 of the local plan. Policy PS4 advises that within such settlement boundaries there is a presumption in favour of development provided that it is in keeping with the town's scale and character and does not conflict with other policies in the local plan.

For the erection of new dwellings on site, Policy H4 is the relevant principal policy to assess residential development.

Policy H4 advises that proposals for residential development within settlement boundaries shall only be permitted if a number of criteria are adhered to. These include;

- I. The proposal does not utilise a site which is allocated or committed for any other purpose in the local plan;
- II. The proposal complies with Policies GR2 and GR3;
- III. The proposal accords with other relevant local plan policies
- IV. The proposal does not detrimentally impact upon the council's housing supply totals

In response to this policy, the site is not committed for any other purpose in the local plan and the provision of 14 apartments replacing a vacant public house would not have a detrimental impact upon the council's housing supply totals. Indeed the provision of new dwellings represents a planning benefit in light of the Council's 5-year housing land supply position.

As such, new housing in the settlement boundary would be deemed to be acceptable in principle, subject to its adherence with all other relevant local plan policies.

### **Loss of a Community Asset**

The existing use of the site is public house, however it has not been used as such for at least a year. Policy RC12 (Retention of Existing Community Facilities) states that *'planning permission will not be granted for any proposed development which would result in the loss of any community facility which makes a positive contribution to the social or cultural life of a community, unless suitable alternative provision is made.'*

The applicants have submitted evidence that states,

*'..the building is no longer an existing community facility, nor does it currently, or has it in recent times, made any sort of positive contribution to the community. The public house is closed and boarded up, and this has been the case from at least last August 2015. The fact that the public house was not trading at a level to enable it to remain open indicates that patronage was not strong, and draws into question its value as a community facility and the contribution it made locally. In addition, the public house is not listed as an asset of community value, nor are we aware of any valid nominations for its inclusion on the list of assets of community value.'*

*The applicant has submitted letters from both the previous owner (Greene King) and local agent (Fleurets) confirming that the public house was not viable, and that there was no genuine operator interest despite concerted efforts to market the property'.*

Furthermore, a recent Prior Notification of Demolition of the property to Cheshire East Council (Ref: 16/1959C) was received and accepted.

It is therefore considered that although it is unfortunate that this building will be lost, has already been granted prior notification for the means of its demolition and restoration of the site, and that this could be carried out at any time.

Furthermore, the building is not statutorily listed, is not a locally listed building and has not been nominated as Community Asset under the Community Right to Bid function and therefore its loss, whilst regrettable, very difficult to resist in principal.

## **Sustainability**

The National Planning Policy Framework definition of sustainable development is:

*"Sustainable means ensuring that better lives for ourselves don't mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them, can be better, but they will certainly be worse if things stagnate. Sustainable development is about change for the better, and not only in our built environment"*

The NPPF determines that sustainable development includes three dimensions:- economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

**an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to

support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

**a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being;

**an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

These roles should not be undertaken in isolation, because they are mutually dependent.

## **Environmental role**

### Landscape

The application site is small parcel of land, within the settlement of Alsager and bounded by residential and commercial development. There is an existing building on the site which is to be demolished. The proposal will therefore have a landscaping impact on the area limited to the landscaping proposed as part of the reserved matters.

### Design

Policy GR2 of the Local Plan states that the proposal should be sympathetic to the character, appearance and form of the site and the surrounding area in terms of: The height, scale, form and grouping of the building, choice of materials and external design features. Policies SE1 and SD2 of the Cheshire East Local Plan Strategy – Submission Version, largely reflect the Local Plan policy.

Design, layout and scale are reserved for a future consideration under the reserved matters application. However, indicative plans have been received which show a two and half storey apartment building with large full length windows on all elevations and dormer windows in the roof space. The plans show a maximum height of 10.5m, and the apartment block is largely rectangular in shape with large gable roof feature on the front and rear elevations, and smaller lean-to elements on the side elevations.

The indicative plans show some small areas of landscaping and new tree planting and car parking to the rear to accommodate 18 spaces.

Whilst the design is relatively simple, it does reflect the large Victoria style window opening within the existing building. However there is a lack of any defining features in this prominent location. However, as this is an outline application with the design details reserved for a later consideration it is considered that a more detailed consideration of the design can be achieved within the reserved matters application. Key design considerations reflecting the existing building on the site and the adjoining medical centre should be considered, such as eave and lintel features and the material palette will be a key consideration.



As the revised proposal seeks predominately a 2 and half storey building, the height will be similar to the three storey medical centre adjacent to the site; however there are a number of single storey bungalows opposite. The existing building on the site is 2 storey and therefore although the building will be taller it will not be significantly larger than the existing and therefore it is considered that the development of this scale, design and layout would be acceptable in principal, subject to some design alterations.

As a result of the above reasons, it is considered that the proposed development would be of an acceptable design that would adhere with Policy GR2 of the Local Plan and policies SE1 and SD2 of the Cheshire East Local Plan Strategy – Submission Version.

### Access and Parking

Although the application does not include details of access to be considered the Strategic Highways Officer, has considered the indicative plans and states that the change of use to a residential development, when compared to the existing lawful use, will result in a small increase in vehicle trips during the morning peak and no increase during the evening peak or during the whole of the day. Traffic accident data has indicated no existing safety issues in the vicinity of the site.

The highways impact will be negligible and although the number of car and cycle parking spaces is below standards, and it isn't clear how refuse collections will take place, these could be looked at in more detail during any reserved matters application, should permission be granted.

As a result, the HSI has raised no objections. As such, it is considered that the proposal adheres with Policy GR9 of the Local Plan.

### Flood Risk and Drainage

The majority of the site is located in flood zone 1; however there is a Main River, south of the proposed development. There is also an indication there is a mass amount of flood zone 2 (1 in 1000 year) to the southern part of the site. The area in which is in flood zone two (topographic low spots) is indicated by the Environmental Agency's (EA) mapping system. The Council's Flood Risk Officer has considered the proposal and notes that the risk of flooding from this source will need to be appropriately mitigated before development can commence on site, and have requested conditions to be attached in the form of a drainage strategy and surface water flow routes.

The Environment Agency note that the revised layout shows parking spaces within 8 metres of the culvert, which is acceptable in principle. Excalibur Brook, flows in culvert at the southern part of the site. Excalibur Brook is designated "main river".

As such, it is not considered that the proposed development would create any significant flooding or drainage concerns and would adhere with Policies GR20 and GR21 of the Local Plan.

### Trees

The site is devoid of any tree cover with only trees located off site to the west viewed as a material consideration. A number of self set early mature Ash and Sycamore have established in a linear form immediately adjacent to the boundary wall which forms part of the western aspect to the site. Their position adjacent to the structure is considered to be un-sustainable in the long term, with root

and stem expansion likely in the short term to influence the structure. A more mature group of trees some of which are protected by a 1990 Tree Preservation Order forming the boundary with the railway line present an amount of lateral branch growth over the common boundary into the site, this is not considered to be significant or an issue to restrict development. Whilst no supporting Arboricultural detail has been provided its clear that the proposed car parking associated with the north west corner of the site will not compromise the trees with minimal root development into the site anticipated given the hostile ground conditions associated with the present hard surfacing, the removal of which and installation of a communal garden area should be seen as a net gain.

As such, subject to the above condition, it is considered that the proposed development would adhere to Policy NR1 of the Local Plan.

### Ecology

The application is supported by a bat survey. The Council's ecologist comments are outstanding and will form part of an update to committee.

### Environmental Conclusion

The demolition of the existing building is necessary to facilitate this development. The building is afforded no statutory or non-statutory protection and whilst it is accepted that its loss is a matter to which local feelings may be strong, given the longstanding nature of the non-use of the premises, there is potential for vandalism and neglect which can be very detrimental to the environment. The re-use of the site would protect from such environmental harm. The proposed revised development would be of an acceptable indicative design that would not create any significant issues in relation to; the landscape, highway safety, drainage or flooding, trees.

As such, it is considered that subject to the outstanding ecology comments, the proposed development would be environmentally sustainable.

### **Economic Role**

It is accepted that the construction of a housing development of this size would bring the usual economic benefit to the closest shops in Middlewich for the duration of the construction, and would potentially provide local employment opportunities in construction and the wider economic benefits to the construction industry supply chain. There would be some economic and social benefit by virtue of new resident's spending money in the area and using local services.

As such, it is considered that the proposed development would be economically sustainable.

### **Social Role**

The provision of market dwellings is considered to represent a social benefit to sustainability.

### Affordable Housing

This is a proposed development of 14 dwellings therefore it is under both the unit number and site size (as showing 0.2 Hectares) so no affordable provision is required.

## Open Space

As the application proposal is for 14 dwellings, it triggers a POS requirement. The trigger for this requirement is 7 units as detailed within the *Revised Supplementary Planning Guidance Note 1: Provision of Public Open Space in New Residential Developments 2003*.

## **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 320m<sup>2</sup> of new amenity greenspace. The site layout plan would appear to include areas of Public open space. Actual areas of Amenity Greenspace need to be quantified by the Developer in order to calculate financial contributions for maintenance should the Public Open Space be transferred to the Council.

## **Children and Young Persons Provision (CYPP)**

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, the proposed development will generate a need for a LEAP play facility. The developer is not providing on site CYPP due to the size of development.

An opportunity has arisen for improvements to an existing facility within the vicinity of the development for off site enhancements at nearby Milton Park/ Edwards Way. Financial contributions sought from the Developer are:

£3,076.75 Enhancements

£10,029.6 for maintenance of the enhancements.

The above comments and figures are based on the original 18 dwellings development and therefore a revised comment has been sought. An update will be provided.

Any contributions required would be secured via a S106 Agreement.

## Education

The Council's Education Officer has advised that the development is expected to impact on secondary school places in the immediate locality. Contributions which have been negotiated on other developments are factored into the forecasts both in terms of the increased pupil numbers and the increased capacity at secondary schools in the area as a result of agreed financial contributions. The analysis undertaken has identified that a shortfall of secondary school places still remains.

The development is not expected to impact on primary school or SEN provision.

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

$2 \times £17,959 \times 0.91 = £32,685.38$  (secondary)  
Total education contribution: £32,685.38

The above would be secured via a S106 Agreement. These are all elements that contribute to the social sustainability of the proposal.

### Residential Amenity

Policy GR6 (Amenity and Health) of the Local Plan, requires that new development should not have an unduly detrimental effect on the amenities of nearby residential properties via loss of privacy, loss of sunlight or daylight, visual intrusion, environmental disturbance or pollution and traffic generation access and parking.

Supplementary Planning Guidance Note 2 (Private Open Space) sets out the separation distances that should be maintained between dwellings and the amount of usable residential amenity space that should be provided for new dwellings. It states that 21.3 metres should be maintained between 2 principal elevations and 13.8 metres should be allowed between a principal and flank elevation.

The closest neighbouring properties to the application site would be the occupiers of; the properties to the north-east of the site, on the opposite side of Sandbach Road south. These properties are single storey in nature.

Although the proposal is outline, the indicative plans give an indication to the separation distances between the existing dwellings and the proposed apartment block. The proposed building will be sited approximately 23m away from the opposing neighbours with the Sandbach Road South road. The proposed building will be sited on a similar footprint to the existing public house albeit slightly longer towards the south east of the site adjacent to the railway line. The proposal as it stands therefore meets the current separation standards. Furthermore, as the apartment building will be replacing an existing two storey building with a two and half storey building it is considered that it is unlikely that the development will have a significantly increase impact on neighbouring amenity by means of overshadowing or overbearing impact. The current proposal includes a number of large bedroom windows on the front elevation facing towards the bungalows, however as the separation distances are met and the given the single storey nature of the opposing bungalows it is unlikely that the proposal will create an unacceptable amenity impact by means of overlooking.

To the north west of the site is a small retail unit (Beach Hut), Alsager Heath Centre, and to the south is the railway line and Alsager Station, both units are of a sufficient distance to have limited impact on the proposed apartment block.

With regards to the amenity impact on the future occupiers of the site, Network rail have been consulted on the application and have raised no objections to the proposal in principal, but have outlined a number of conditions and legislation/legal requirements which the applicant must adhere to whilst constructed the proposed development and implementation of suitable vibration and noise mitigation measures.

Similarly the Council's Environmental Protection department have been consulted and have raised no objections subject to a number of conditions for piling foundations, dust control, noise mitigation scheme, travel plan, electric vehicle infrastructure, contaminated land, and soil information.

Whilst there is no formal private amenity space afforded to the future occupiers of the site, there are some small communal areas noted on the plans. This is not an unusual living arrangement for occupiers of apartments within town centres. Furthermore there is an area of Public Open Space to the north of the site less than 100m away which is a reasonable distance for the future occupier to walk to and utilise.

As such, subject to the above suggested conditions, from the Council's Environmental Protection Officer, and the Network Rail Officer the proposal is considered to adhere to Policy GR6 of the Local Plan.

### **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 development would result in a deficiency in the quantity of provision of public open space within the area. In order to offset this loss, a contribution towards off site enhancement and maintenance of Children's and Young Persons Provision (CYPP) is required and should be secured. This sum is to be confirmed, but will be used for improvements to an existing facility within the vicinity of the development for off site enhancements at nearby Milton Park/Edwards Way. This is considered to be necessary, fair and reasonable in relation to the development.

The education contribution is necessary having regard to the oversubscription of secondary schools and the demand that this proposal would add.

The above requirements are considered to be necessary, fair and reasonable in relation to the development. The S106 recommendation is compliant with the CIL Regulations 2010.

### **Planning Balance**

The application site lies within the Alsager settlement boundary where Policy PS4 of the Local Plan advises that new development in principle is accepted.

Policy H6 of the Local Plan permits housing in settlement boundaries provided that such a development adhere with all other local plan policies.

However, Policy RC12 states that planning permission should not be granted where *'(permission would) result in the loss of any community facility which makes a positive contribution to the social or cultural life of a community.'*

The proposal would bring positive planning benefits such as the provision of new dwellings in a sustainable location, and the usual economic benefits created in the construction of new dwellings and the spending of the future occupiers in the local area.

The negative impact of the development would be the loss of a non designated heritage asset which is of value to the local community but has not been as community asset..

No significant; landscape, design, highway safety, drainage or flooding, amenity, or tree concerns would be created, subject to conditions where necessary.

Contributions towards open space and education would alleviate any impact on these facilities the development would create.

As such, it is considered that the positives of the proposed development outweigh the negative and therefore the proposed application is recommended for approval.

## **RECOMMENDATION**

**APPROVE Subject to a S106 Agreement to secure;**

- 1. Secondary School Education contribution of £32,685.38**
- 2. Open Space contribution (amount to be tbc)**

**And conditions;**

- 1. Time – 3 years of within 2 of last Reserved Matter approval**
- 2. Reserved Matters within 3 years**
- 3. All Matters to be submitted and approved**
- 4. Plans**
- 5. Reserved Matters to be supported by existing and proposed levels plans and to include details of earthworks and excavations adjacent to the railway line**
- 6. Reserved Matters to include Bin and Cycle storage details**
- 7. Reserved Matters to be carried out in accordance with mitigation recommended in this report submitted by NVC Report No R16.0603/DRK dated 6<sup>th</sup> June 2013**
- 8. Prior submission/approval of a piling method statement**
- 9. Prior submission/approval of a dust mitigation scheme**
- 10. Provision of a Residents Travel Pack prior to first occupation**
- 11. Provision of Electric Vehicle Charging infrastructure**
- 12. Prior submission/approval of a Phase II contaminated Land report**
- 13. Prior approval of a soil contamination verification report**

**14. Development should stop if contamination is encountered**

**15. Prior submission/approval of a Drainage Strategy for surface water drainage**

**16. Prior submission/approval of surface water flow routes**

**17. Reserved matters to include boundary treatment details**

**In the event of any changes being needed to the wording of the committee's decision (such as to delete, vary or addition conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Planning Manager (Regulation), in consultation with the Chair of the Southern Planning Committee is delegated the authority to do so, provided that he does not exceed the substantive nature of the Committee's decision.**

**Should the application be the subject of an appeal approval is given to enter into a S106 Agreement to secure the following Heads of Terms;**

- Secondary School Education contribution of £32,685.38**
- Open Space contribution (amount to be tbc)**

