

Application No: 16/2229C

Location: CARADON BATHROOMS LTD, LAWTON ROAD, ALSAGER, STOKE-ON-TRENT, CHESHIRE, ST7 2DF

Proposal: Reserved matters application following outline application 11/4109C; for access (off Linley Lane), appearance, landscaping, layout and scale.

Applicant: Peter Barlow, Wainhomes (North West) Ltd

Expiry Date: 04-Oct-2016

Summary

The principle of development has already been accepted as part of the outline approval on this site.

Social Sustainability

The development will not have a detrimental impact upon residential amenity, it would provide benefits in terms of much needed affordable housing provision and would help in the Councils delivery of 5 year housing land supply.

The development would not have a detrimental impact upon residential amenity.

The impact upon infrastructure would be neutral.

In terms of the POS and LEAP provision this is considered to be acceptable and would be a benefit to this scheme.

Environmental Sustainability

Details of the proposed landscaping would be secured through the imposition of a planning condition.

With regard to ecological impacts, the development would have a neutral impact subject to mitigation.

The drainage/flood risk implications for this proposed development are considered to be acceptable.

An update will be provided in relation to the impact upon the trees on site.

Economic Sustainability

The proposed access point is acceptable and the traffic impact as part of this development has already been accepted together with contributions for off-site highway works. The internal design of the highway layout/parking provision is considered to be acceptable.

The development of the site would provide a number of economic benefits in the residential use of the site.

It is considered that the planning balance weighs in favour of this development.

RECOMMENDATION

Approve with conditions

PROPOSAL

This is a reserved matters application for 268 dwellings. The issues which are to be determined at this stage relate to the access (to Linley Lane only), appearance, landscaping, layout and scale of the development.

The main access to the site would be via Lawton Road and this access was approved as part of the outline application 11/4109C.

The development would consist of 1 to 5 bedroom units. The development would consist of the following mix:

- 2 x one bed units
- 73 x two bed units
- 23 x three bed units
- 157 x four bed units
- 13 x five bed units

SITE DESCRIPTION

The application relates to 15ha of land, situated to the south of Crewe Road (B5077) and to the west of Linley Lane (A5011). The majority of the site is located within the Alsager Settlement Boundary, although a small section is located within the Green Belt.

To the south of the site is the Crewe-Derby railway line. The north and eastern boundaries are bound by tree cover which forms a TPO (Crewe Road/Linley Lane TPO 2007). The north-east corner of the site is located within the Green Belt and contains a prehistoric burial mound overlying a small stone circle. A watercourse runs across the site from the south-east corner to the northern boundary, this is culverted for most of its length.

The site is relatively flat and is well screened. The site includes a large factory and warehouse building which has a floor area of 64,095sq.m (part of which has now been demolished). An

existing office building and a more modern warehouse building are located outside the red-edge for this planning application.

RELEVANT HISTORY:

16/1609C - Removal of Condition 14 on approval 11/4109C - Outline planning permission with some matters reserved for up to 335 residential units and access off Lawton Road and Linley Lane – Application undetermined

15/4316C - Variation of Condition 15 (hours of delivery) and Removal of Condition 16 (hours of operation of the biomass boiler) on Approval 13/4121C - Full planning permission for the demolition of all existing buildings and the construction of a new retail foodstore; parking and circulation spaces; formation of new pedestrian and vehicle accesses; landscaping and associated works (re-submission of 12/0800C) – Application undetermined

13/4121C - Full planning permission for the demolition of all existing buildings and the construction of a new retail food store; parking and circulation spaces; formation of new pedestrian and vehicle accesses; landscaping and associated works (re-submission of 12/0800C) – Approved 18th November 2015

12/0800C - Full Planning Permission for the Demolition of All Existing Buildings and the Construction of a New Retail Foodstore, Parking and Circulation Spaces, Formation of New Pedestrian and Vehicle Accesses, Landscaping and Associated Works – Withdrawn 23rd May 2012

11/4390C - Application for Planning Permission for a Three Arm Roundabout and Access Road – Withdrawn 13th September 2012

11/4109C - Outline Planning Permission with some Matters Reserved for up to 335 Residential Units and Access off Lawton Road and Linley Lane – Approved 21st November 2013

POLICIES

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

Development Plan:

The Development Plan for this area is the Congleton Borough Council First Review 2005, which allocates part of the site within the settlement boundary and part of the site within the open countryside.

The relevant Saved Policies are:

PS4 Towns
PS7 Green Belt
E10 Re-use or Redevelopment of Existing Employment Sites
GR1 New Development
GR2 Design
GR3 Residential Development
GR4 Landscaping
GR5 Landscaping
GR6 Amenity and Health
GR8 Amenity and Health
GR9 Accessibility, servicing and provision of parking
GR14 Cycling Measures
GR15 Pedestrian Measures
GR17 Car parking
GR18 Traffic Generation
GR21 Flood Prevention
GR 22 Open Space Provision
GR23 Provision of Services and Facilities
NR1 Trees and Woodland
NR2 Statutory Sites
NR3 Habitats
NR4 Non-statutory sites
NR5 Habitats
H2 Provision of New Housing Development
H4 Residential Development in Towns
H6 Residential Development in the Open countryside
H13 Affordable Housing and Low Cost Housing

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

PG2 – Settlement Hierarchy
PG5 - Open Countryside
PG6 – Spatial Distribution of Development
SC4 – Residential Mix
SC5 – Affordable Homes
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE3 – Biodiversity and Geodiversity
SE5 – Trees, Hedgerows and Woodland
SE 1 - Design
SE 2 - Efficient Use of Land
SE 4 - The Landscape
SE 5 - Trees, Hedgerows and Woodland
SE 3 - Biodiversity and Geodiversity
SE 13 - Flood Risk and Water Management

SE 6 – Green Infrastructure
IN1 – Infrastructure
IN2 – Developer Contributions

Other Considerations:

The EC Habitats Directive 1992
Conservation of Habitats & Species Regulations 2010
Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System
Interim Planning Statement Affordable Housing

CONSULTATIONS:

United Utilities: No comments received

Environment Agency: No comments to make

ANSA (Public Open Space): Ansa has to consider each application on it's own merit however the applicant has submitted through discussions the offer of "land A" burial ground to be secured through a S106 agreement and in this instance only is acceptable as part of the overall AGS. Every effort, subject to tree restraints should be made to connect "A" through the woodland to the linear open meadow making it as accessible as possible.

The LEAP scheme should be submitted for approval at the earliest convenience and should be to Fields in Trust standards embracing inclusivity/accessibility ethos

CEC Flood Risk Manager: This site is in flood zone 1. However a large portion of the site is at risk from surface water flooding. In the outline planning application the Environment Agency added the condition that the culvert should be opened up and restored on ecological grounds. This condition has now been removed; however it also had the potential to have a significant impact in lowering the flood risk on site. This option could have also resulted in positive benefits offsite and would have provided a number of potential solutions to the surface water management strategy that will be required as part of a full planning application. Planning informatives are suggested.

CEC PROW: It is important that the facilities for walking and cycling, including routes, destination signage and information materials, are completed and available for use prior to the first occupation of any property within any phase of the development, and remain available for use during the completion of other phases.

Pedestrian and cyclist routes should be designed and constructed to best practice in terms of shared use or segregated infrastructure, accessibility and natural surveillance. Properties should have adequate and best practice cycle storage facilities and all highway designs should incorporate accessibility for cyclists and pedestrians.

Should the development be granted consent, the developer should be conditioned to provide new residents with information about local walking and cycling routes for both leisure and travel purposes, with key routes signposted.

CEC Environmental Health: No additional comments following the outline application.

CEC Head of Strategic Infrastructure: No objections to the application.

CEC Strategic Housing Manager: No objection. Confirmed amended layout to address pepper potting of affordable housing units is acceptable.

VIEWS OF THE PARISH/TOWN COUNCIL:

Alsager Town Council: The Town Council supports the comments on the application as reported by the Environmental Planning Team regarding enhances landscape setting for the development and all other comments in their response dated 26th July 2016. The Town Council supports the comments on the application as reported by the countryside access development officer (PROW) dated 11th July 2016. The Town Council supports the comments on the application reported by the Environmental Health Officer (Contaminated Land) dated 21st July 2016. The Town Council supports the comments on the application reported by Church Lawton Parish Council dated 21st July 2016 regarding the vehicular access point from the proposed supermarket site to the housing development.

Church Lawton Parish Council: Church Lawton Parish Council have a strong concern that the application seems to include a vehicular access point from the proposed supermarket site to the housing development. This could potentially lead to a 'rat run' from Linley Lane to Lawton Road and vice versa posing a danger to residents.

REPRESENTATIONS:

Neighbour notification letters were sent to all adjoining occupants and a site notice erected.

One letter of general observation has been received raising the following points;

- It is not clear what type of access is being proposed
- Linley Lane is very busy and it appears that the access may be obscured by the brow of a hill
- There is already access to the site from Lawton Road and there is no reason for a further access
- The access onto Linley Lane could lead to rat-running creating a health and safety hazard

APPRAISAL

The principle of residential development has already been accepted following the approval of the outline application 11/4109C which was allowed at appeal.

This application relates to the approval of the access, appearance, landscaping, layout and scale of the development.

Affordable Housing

Due to viability issues identified at the outline approval the S106 agreement attached to the outline application details that an Affordable Housing Scheme shall include an affordable housing provision of 18% which will comprise 65% affordable/social rent and 35% as intermediate tenure.

The SHMA 2013 shows the demand in Alsager is for 54 dwellings per annum. Broken down the evidenced need was for 38 x two bed, 15 x three bed, 2 x four+ bed and 5 x one bed older persons accommodation.

There are 268 applicants on the Cheshire Homechoice housing waiting list for Alsager and Church Lawton. They require 101 x one bed, 100 x two bed, 53 x three bed and 14 x four bed properties.

This is a proposed development of 268 dwellings therefore in order to meet the S106 Agreement attached to the outline consent there is a requirement for 48 dwellings to be provided as affordable dwellings (31 units should be provided as Affordable rent and 17 units as Intermediate tenure).

The proposed units are considered to be acceptable in terms following negotiations with the Councils Housing Officer.

In this case the external design detail and materials would be consistent with the open market dwellings and is considered to be acceptable.

Concern had initially been raised that there was not enough spread of affordable housing across the site. An amended plan has been received which shows a greater pepper potting of affordable housing across the site. The affordable housing layout is now considered to be acceptable on this site.

Highways Implications

The wider traffic congestion issues in the locality and the point of access were considered as part of the outline application. The outline application includes a S106 contribution of £56,950 towards bus pass provision and sustainable transport measures.

The applicant has submitted tracking plans to indicate that there is sufficient space within the turning heads to accommodate refuse vehicles.

The level of car parking provision across the development complies with the Council's off street parking standards.

There is a road link being provided to the access that serves the nearby Foodstore and concerns have been raised that this link will create rat-running traffic avoiding the signal junction of Crewe Road/Linley Lane. Although this link will allow through traffic, its omission would require all residents to drive out of the site and on the main highway network just to access the store. The Councils Head of Strategic Infrastructure considers that this link should be provided as part of the development proposals. Furthermore it has always been intended for the residential development to have an access onto Linley Lane and the outline application (conditions 3 and 22) require details to be submitted as part of the Reserved Matters application. In this case the detailed design of the access onto Linley Lane has now been approved as part of the approval for the supermarket as part of application 13/4121C dated 18th June 2015.

There are no objections to the application and further speed reduction measures have been provided on the main access to the site.

Amenity

In this case the Congleton Borough SPG requires the following separation distances:
21.3 metres between principal elevations
13.8 metres between a non-principal and principal elevations

In this case there are no existing residential dwellings in close proximity to the proposed housing. The intervening trees/woodland, retained warehouse/office and railway line would lie between the existing dwellings and those proposed as part of this application.

The separation distances that would be provided as part of this application meet the requirements contained within the SPD and as a result would be acceptable.

Contaminated Land

The issue of contaminated land was considered as part of the outline approval and this issue will be dealt with as part of the discharge of condition 11 attached to the outline consent.

Disturbance during the construction phase of the development

In this case there is a Construction Management Plan attached to the outline approval (condition 16).

Noise

In this case condition 9 attached to the outline consent requires the submission and approval of a scheme of noise mitigation in terms of the retained employment uses on site, the approved supermarket and the existing railway line.

Land Levels

The site has significant variation in levels with the existing car park to the north east of the site being at a lower level (92.90AOD – 94.50AOD) to the main part of the site which was occupied by the former factory unit (97.67AOD – 99.80 AOD).

The change in the land levels on the north-eastern part of the site does not raise any amenity or design issues due to the separation distances involved to the surrounding residential properties and the screening which is provided by the existing tree belts on the site. However there are issues in relation to the impact upon the TPO trees on the site and the land levels required to mitigate the development against local flood risk (the Councils Flood Risk Officer has requested that finished floor levels are set 600mm above the local flood risk level).

In this case the submitted plans show that the proposed dwellings on the area to the north-eastern part of the site would have finished floor levels of between 95.10AOD – 95.25AOD this is an increase of the existing levels (92.90AOD – 94.50AOD). For the main part of the site the submitted plans show that the dwellings would have finished floor levels of between 97.20 AOD – 101.25AOD this is an increase in the existing levels on this part of the site (97.67AOD – 99.80 AOD).

The implications in terms of flood risk and the impact upon the TPO trees on the site is considered within the relevant sections below.

Trees

The site has extensive tree cover much of which is likely to have been planted over a period of time either as screening for the factory site or enhancement of development within the site. There is little evidence of any recent management.

Most of the tree cover is protected by the Congleton Borough Council (Crewe Road/Linley Lane) TPO 2007.

This application includes a tree survey, Arboricultural Impact Assessment (AIA) and an Arboricultural Method Statement.

The AIA indicates that the development would require the removal of a limited number of trees and groups of trees, and that there would be direct impacts on some retained specimens requiring special construction techniques. Tree protection measures are proposed for the retained trees on this site.

Following initial concerns raised by the Councils Forestry Officer, amended plans have been received which show the removal of the roadside footpath within the Root Protection Area to the north of the existing office building. The removal of this stretch of footpath is acceptable to the Councils Highways Officer. Further amendments have included the removal of a proposed footpath which encroached into the protected woodland.

The changes in land levels as discussed above have the potential to impact upon the trees within the site. In this case the area affected is the north-eastern part of the site which is covered by large areas of hardstanding associated with the car-park of the previous warehouse unit on the site. Given the extent of hard-standing within this area (which would be removed as part of the development) it is unlikely that the changes in land level would impact upon the well-being of the surrounding trees. It is important that the level changes are undertaken in a sensitive manner and to ensure that the appearance of the development where it adjoins the woodland is acceptable. Illustrative site sections have been provided which are broadly acceptable. Full details of site levels would be controlled through the imposition of planning conditions.

At the request of the Councils tree officer conditions will be attached to require the submission of a woodland management plan, the submission of an updated tree protection plan and arboricultural method statement, the submission of site specific engineer design details for any areas of hard surfacing and retaining structures within root protection areas, land levels and service/ drainage layout.

Landscape

It is not considered that the development would have an impact upon the wider landscape given the previous warehouse unit which stood on the site and the surrounding tree cover.

Revised indicative landscape structure proposals have been provided but do not provide full details. Should development be approved a detailed scheme would need to be secured through the imposition of a planning condition.

Design

The application is a Reserved Matters application with details of scale, layout, appearance and landscaping to be determined at this stage.

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

The positive and externally orientated perimeter blocks are welcomed with all areas of open space and highways well overlooked by the proposed dwellings.

The majority of the proposed units would be two-storey in height apart from the Jenner and Wordsworth house types (45 units) which would be 2.5 stories in height and two of the apartment blocks which would be 3 storeys in height. The height of the development is consistent with the surrounding dwellings in this part of Alsager (it should be noted that condition 4 attached to the outline approval allows for dwellings up to 3 stories in height).

In terms of the detailed design the proposed dwellings include canopies, projecting gables, bay windows, sill and lintel details. The design of the proposed dwellings and their scale is considered to be acceptable and would not detract from this part of Alsager. The development would be consistent with the design of the approved development to the south of the site.

Ecology

Other Protected Species

Condition 19 of the outline consent requires an updated survey to be submitted with the reserved matters application. This survey has been completed and again recorded a number of setts being present on site. Condition 17 specifies that no works are to take place within 30m of a sett unless agreed in writing by the local planning authority. None of the recorded setts would be directly affected by the proposed works, but a number of setts do fall within 30m of the proposed housing.

The applicant's ecological consultant is advising that the proposed development be undertaken under the terms of a Natural England license and it is proposed that the sett entrances located closest to the proposed works are temporarily closed throughout the construction period to ensure badgers are not disturbed. The Council's Ecologist advises that this approach is acceptable. If planning consent is granted this would be controlled through the imposition of planning conditions.

Bats and culverted stream

During the determination of the outline application the opening of existing culverted watercourse and creation of the linear park was seen as compensation for loss of bat foraging habitat. The provision of this feature was subject to condition 14 on the outline application but this will be removed as part of application 16/1609C which is awaiting the completion of a S106 Agreement. It should be noted that there is condition 18 which requires the provision of bat boxes attached to the outline approval.

Public Open Space

Based on the mix of housing proposed the scheme should provide an area of 0.91ha of amenity green space plus a minimum of 400sqm dedicated to the provision of the LEAP. The applicants have suggested that the proposed scheme would provide a total of 0.92ha of green space, however this figure includes the provision of a LEAP. As the LEAP has been included in the applicants Green Space calculations it appears that there would be a slight under provision of amenity green space within the scheme. A plan detailing precisely the areas of green spaces, with measurements, has been requested to assist on this matter.

The outline consent included a parcel of land to the north east of the site (known as the burial ground) which measures 0.84ha would be dedicated to open space. This parcel of land is not included within the reserved matters application boundary. Notwithstanding this, it is a requirement of the conditions on the outline consent and the legal agreement to provide a scheme for open space across the whole site. The applicants have indicated that this parcel of land will be dedicated to amenity green space and have submitted the necessary information to demonstrate this, which ties in with the legal agreement for the site. The mechanism is therefore in place to provide the Council with sufficient comfort that this parcel of land as amenity green space will be delivered. The inclusion of this parcel of land would therefore take the amenity green space provision over the requirement and ANSA are agreeable to this, in this instance.

The burial ground green space is detached from application site due to the retained woodland, and as such would not be on site provision or directly accessible. The applicants are agreeable to exploring the feasibility of a connection from the residential area to the green space through the woodland. The acceptability of this is dependent on factors relating to ecology, trees and land levels. The feasibility of this can be secured by condition. If direct access cannot be achieved then the site would be accessible via the footpath on Linley Lane and the footpath on the northern side of Crewe Road.

The application proposals include the retention of a large protected woodland. However, for the purposes of calculating amenity green space this area cannot be included. It is however noted that this would contribute towards providing a green residential environment.

The S106 Agreement which was completed as part of the outline approval requires the developer to provide a Local Equipped Area for Play (LEAP) with a minimum of 5 items of play equipment. A condition will be attached to ensure that these details are provided prior to the commencement of the development.

Education

This issue of education capacity was dealt with as part of the outline application in this case there are no contributions towards primary and secondary school contributions.

PROW

There are no PROW located on the application site but there is a PROW to the west of the site (Alsager FP26) which provides a more direct link towards Alsager Train Station. In this case the S106 Agreement as part of the outline application requires a contribution of £93,050 to upgrade this footpath link.

Flood Risk and Drainage

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps. This defines that the land has less than 1 in 1000 annual probability of flooding and all uses of land are appropriate in this location.

However it should be noted that a large portion of the site is at risk from surface water flooding this is mainly confined to the western part of the existing car park and the eastern boundary of the main part of the site along the boundary with Linley Lane. This area seems to follow the line of the existing culvert although it should be noted that the line of the culvert differs on the plans provided by the applicant and the Councils Flood Risk Officer. Clarification on the line of the culvert has been sought and an update will be provided in relation to this issue.

The Councils Flood Risk Officer has requested that the developer does not site dwellings on the areas shown at risk from surface water flooding to reduce the risk to residents from this hazard (this is largely provided for apart from the dwellings located to the western side of the existing car park). In areas where this cannot be avoided then the Councils Flood Risk Officer has asked for finished floor levels to be situated at +600mm above the local flood risk level. The applicant has submitted sections of the site to demonstrate the proposed levels in this area and the Flood Risk Officer has suggested the imposition on 2 informatives to the decision.

PLANNING BALANCE

The principle of development has already been accepted as part of the outline approval on this site.

Social Sustainability

The development will not have a detrimental impact upon residential amenity, it would provide benefits in terms of much needed affordable housing provision and would help in the Councils delivery of 5 year housing land supply.

The development would not have a detrimental impact upon residential amenity.

The impact upon infrastructure would be neutral.

In terms of the POS and LEAP provision this is considered to be acceptable and would be a benefit to this scheme.

Environmental Sustainability

Details of the proposed landscaping would be secured through the imposition of a planning condition.

With regard to ecological impacts, the development would have a neutral impact.

The drainage/flood risk implications for this proposed development are considered to be acceptable.

The development can be carried out without having a detrimental impact upon the trees on this site.

Economic Sustainability

The proposed access point is acceptable and the traffic impact as part of this development has already been accepted. The internal design of the highway layout/parking provision is considered to be acceptable.

The development of the site would provide a number of economic benefits in the residential use of the site.

It is considered that the planning balance weighs in favour of this development.

RECOMMENDATION:

APPROVE subject to the following conditions

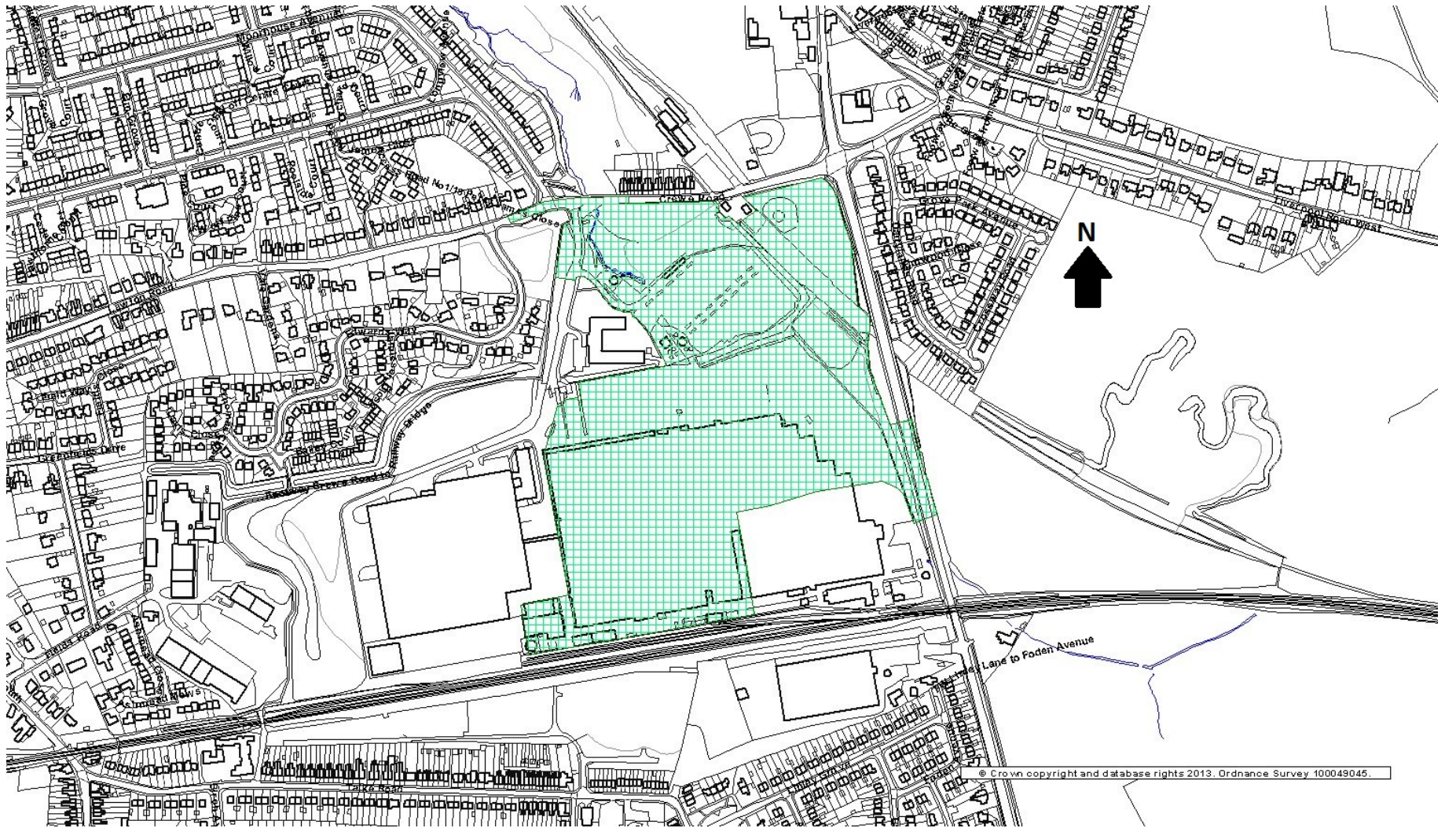
- 1. Approved Plans**
- 2. Materials to be submitted**
- 3. Submission of a landscaping scheme**
- 4. Implementation of the approved landscape scheme**
- 5. Boundary Treatment details to be submitted for approval**
- 6. Land levels to be submitted and approved (including mitigation for surface water flooding)**
- 7. Other Protected Species Mitigation in accordance with submitted report**
- 8. Other protected species protective fencing**
- 9. Requirement for submission and implementation of a woodland management plan**
- 10. Amended Arboricultural Method Statement and tree protection plan to be submitted. Implementation of submitted tree protection measures and adherence to submitted Arb Method Statement.**
- 11. Submission of site specific engineer design details for any areas of hard surfacing and retaining structures within root protection areas.**
- 12. Service/ drainage layout**
- 13. Where required by condition 10, no development shall take place until details of an Engineer designed no dig hard surface construction specification for any area of hard surfacing within the root protection area of retained trees, together with details of any proposed retaining structures within root protection areas have been submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details.**

14. Details of the play equipment within the LEAP to be submitted and approved

15. Prior to the commencement of development a scheme detailing the feasibility of a pedestrian link between the development site and the proposed amenity green space known as the burial ground, shall be submitted to the Local Planning Authority and approved in writing. The scheme shall address any implications associated with the potential impacts upon ecology, retained trees and land levels, and, if found to be feasible details of its means of construction and a scheme of implementation shall be provided. If a scheme for pedestrian access is found to be feasible, then the pedestrian link shall be provided in strict accordance with the approved details and made available in accordance with the scheme of implementation.

16. Land levels to be submitted and approved within the local flood risk levels

In order to give proper effect to the Board`s/Committee`s intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chair (or in his absence the Vice Chair) of Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.



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