

Application No: 16/1921C

Location: Land East of Black Firs Lane & West of Longdown Road, Somerford, Congleton, Cheshire

Proposal: Change of use from agricultural land to Community Nature Park

Applicant: Somerford Parish Council and RSPB

Expiry Date: 23-Jun-2016

SUMMARY

The application site lies entirely within the Open Countryside as determined by the Congleton Borough Local Plan First Review 2005.

Policy PS8 permits development for outdoor recreation which preserves the openness of the countryside and maintains or enhances its local character.

The site also forms part of the CS44 site allocation within the Submission Version of the Cheshire East Local Development Strategy, which is allocated for housing and employment development in association with the delivery of the Congleton Link Road. This site is allocated for community development within that allocation.

As a community nature reserve this scheme is fully in accordance with existing and emerging policy.

RECOMMENDATION

Approve subject to conditions

REFERRAL

This is a small scale minor development which would not normally be presented to Strategic Planning Board, however, it is associated with application 16/1922C and for that reason it is presented to Board.

PROPOSAL

This proposal seeks to use this agricultural land (3.6 Ha) as a community nature reserve, comprising a community orchard, wildflower meadow and native woodland. This is a full application which will be accessible to the general public, although the Parish Council intends to engage the community in the overall design, which will occur after determination. Fully detailed layout plans are therefore not submitted.

SITE DESCRIPTION

The application site is located on the north western edge of the settlement of Congleton and is broadly flat and is roughly triangular in shape. The site is currently bounded by Back Lane to the north east, Black Firs Lane to the south east and fields to the south. Back Lane Playing fields are located to east.

The site comprises an agricultural field and part of the site is presently owned by the RSPB.

The red edge comprises of two fields separated by a hedgerow. The majority of the site's boundaries also comprise of hedgerows, together with some sections of fencing. There are some mature trees within these hedgerows.

Adjoining the site to the north is a parcel of land that is the subject of application 16/1922C reported elsewhere on this agenda. This site is part of a land swap required for 16/1922C

RELEVANT HISTORY

No previous planning applications of relevance on this site.

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, 17 – Core planning principles, 69-78 - Promoting healthy communities

Development Plan

The Development Plan for this area is the adopted Congleton Borough Local Plan First Review (2005). The relevant Saved Policies are:

PS8 Open Countryside
GR1 New Development
GR2 Design
GR5 Landscaping
GR6 Amenity and Health
GR9 Accessibility, servicing and provision of parking
GR14 Cycling Measures
GR15 Pedestrian Measures
GR17 Car parking
GR18 Traffic Generation
NR1 Trees and Woodland

NR2 Statutory Sites (Wildlife and Nature Conservation)
NR3 Habitats
NR5 Habitats
RC 1 Recreation and Community Facilities
RC4 Recreation Facilities in the Countryside

Cheshire East Local Plan Strategy – Submission Version (CELP)

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

PG5 - Open Countryside
CS44 - Back Lane/Radnor Park (Formerly SL6)
SE3 – Biodiversity and Geodiversity
SE5 – Trees, Hedgerows and Woodland
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

Other Material considerations:

The EC Habitats Directive 1992

CONSULTATIONS

Head of Strategic Infrastructure (HSI) – No objections

Environmental Protection (Cheshire East Council) – No objections subject to informative regarding hours of operation and duty to comply with the Environmental Protection Act.

PROW Countryside Officer (Cheshire East Council) – No objection

Ecology: No objection

PARISH COUNCIL

Congleton Town Council – No response

Somerford Parish Council - As joint applicant offers no comment

REPRESENTATIONS

Neighbour notification letters were sent to all adjacent occupants, site notices were erected and an advert placed in the local paper.

4 letters/web based submissions have been received supporting or making general comment to the proposal on grounds of the value the proposal will have to local sustainability and the

community use rather than housing proposals. All representations can be viewed on the web site.

APPRAISAL

The key issues are:

- The Policy Position
- Sustainability including the proposal's Environmental, Economic and Social role
- Impact on residential amenity
- The impact upon highway safety in the locality
- Impact upon trees and landscape
- Impact upon ecology

Policy Position

The site lies in the Open Countryside as designated in the Congleton Borough Local Plan First Review, where policy PS8 states that only development which is essential for the purposes of agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.

As this is a proposal for a community nature reserve this is in line with Policy PS8.

Other material considerations include the allocation of the site within the emerging Plan.

Cheshire East Local Plan Strategy – Proposed Changes Consultation Draft (July 2016)

The application site is identified as part of a preferred site for housing and commercial development (site CS44 Back Lane / Radnor Park, Congleton (Former SL 6) within the Cheshire East Local Plan Strategy – Submission Version. The strategy (inter alia) envisages:

The development of Strategic Location at Back Lane / Radnor Park over the Local Plan Strategy period will be achieved through:

1. The delivery of, or a contribution towards, the Congleton Link Road;
2. The delivery of 500 - 750 new homes (at approximately 30 dwellings per hectare) as set out in Figure 15.26 of the LPS;
3. The delivery of up to 7 - 10 hectares of employment land adjacent to Radnor Park Trading Estate as set out in Figure 15.26 of the LPS;
4. The delivery of up to 1 hectare of employment or commercial development adjacent to the Congleton Link Road Junction as identified in Figure 15.26 of the LPS
5. The retention and enhancement of Back Lane Playing Fields which has Village Green status;
6. The delivery of improved recreational facilities linked to Back Lane playing fields and the proposed primary school site a leisure hub of up to 10 hectares adjacent to Back Lane Village Green including new sports and leisure facilities;
7. The provision of appropriate retail space to meet local needs;

8. The provision of pedestrian and cycle links set in Green Infrastructure to new and existing employment, residential areas, shops, schools, health facilities and the town centre;
9. The provision of a new country park as set out in Figure 15.26 of the LPS
10. The provision of children's play facilities
11. The provision of a new primary school with linked community use as set out in Figure 15.26 of the LPS; and
12. Contributions to new health infrastructure.
13. The provision of land required in connection with the Congleton Link Road as set out in Figure 15.26 of the LPS

Site Specific Principles of Development

- a. Contributions towards the Congleton Link Road / complimentary highway measures on the existing highway network.
- b. The provision of a network of open spaces for nature conservation and recreation, including access to and enhancement of the River Dane Valley Corridor as shown in Figure 15.26 of the LPS. Development should retain and enhance areas of landscape quality / sensitivity.
- c. The timely provision of physical and social infrastructure to support development at this location.
- d. The achievement of high quality design reflecting the prominent landscape location of the site and creating a vibrant destination and attractive public realm.
- e. The design, layout and style of individual plots should be guided by appropriate master planning and design codes influenced by existing locational assets of the area and its surroundings. The site should be developed comprehensively consistent with the allocation of uses set out in Figure 15.26 and the principles of the North Congleton Masterplan. Development should integrate with the adjacent uses, particularly through sustainable transport, pedestrian and cycle links.
- f. The delivery of appropriate public transport links to connect with employment, housing and retail / leisure uses in the town.
- g. The promotion provision of pedestrian and cycle routes to provide clear and safe links to surrounding communities.
- h. A pre-determination desk based archaeological assessment will be required for any future application on this site for this strategic location.
- i. The site Strategic Location will provide affordable housing in line with the policy requirements set out in Policy SC5 (Affordable Homes).
- j. Future masterplanning development should have reference to the River Dane Local Wildlife Site of Biological Importance and Ancient Woodland.
- k. Future development should also have consideration to Policy SE14 (Jodrell Bank).
- l. In order to ensure a sustainable, mixed use scheme is delivered on the site, the Council will require all housing proposals to demonstrate, through the execution of an s106 Agreement or appropriate alternative, how the delivery of employment land as an extension to the Radnor Park Trading Estate in tandem with housing development will be assured.
- m. The Visual, Noise and Pollution assessment of development should be undertaken with the assumption that the Link road is in situ and suitable screening / mitigation provided accordingly. Noise and visual mitigation measures should be provided between future and existing employment / residential areas. This could include

separation distances, acoustic fencing, earth mounding, tree planting and building orientation.

- n. Any replacement and/or new sports provision should be in accordance with an adopted up to date and robust Playing Pitch Strategy and Indoor Sports Strategy and with Policy SC2 'Indoor and Outdoor Sports Facilities'
- o. Future development should provide an appropriate buffer with the Ancient Woodland along the River Dane Corridor
- p. Future development should provide an east to west Greenway with pedestrian and cycle links across the site linking together proposed and existing leisure uses, local retail and other community facilities at this site with other sites to the north of Congleton. This should include a footbridge over the River Dane for pedestrian / cycle use.
- q. The Congleton Link Road will form the boundary for development; except for a single area shown in Figure 15.26
- r. A minimum of a Phase 1 Preliminary Risk Assessment for contaminated land should be carried out to demonstrate that the site is, or could be made, suitable for use should it be found to be contaminated. Further work, including a site investigation, may be required at a pre-planning stage, depending on the nature of the site.
- s. The proposed route of the Congleton Link Road is as shown in Figure 15.26. Development should be undertaken with the assumption that the link road is in situ. The land required for the construction and delivery of the Congleton Link Road will be safeguarded from development.

This proposal will contribute to Points 6 and 8 within the emerging policy.

COUNTRYSIDE AND LANDSCAPE IMPACT

One of the Core Planning Principles of the NPPF is to “take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it”.

The application site is adjacent to dwellings facing onto Black Firs Lane. At a short distance to the west are a number of properties facing onto Chelford Road, to the east are playing fields and to the north and west the wider rural landscape. The topography of the application site is undulating , with the most elevated part of the site along the eastern edge (approximately 90m AOD), falling slightly to the north and west before rising to 90m AOD near to Black Firs Lane. Footpath 1 Somerford follows a route to the east of the application site.

Footpath 1 Somerford, which has been identified in the North Congleton Masterplan as a key greenway for pedestrians and cyclists, for both this application site and the wider development proposed for the area runs adjoining the site. While this footpath lies outside the application boundary, it forms an important and sustainable travel link and is a greenway required in the emerging policy. A financial contribution has been agreed to improve the footpath in accordance with the requirements of the Countryside Access Officer (within the mitigation requirements of 16/1922C). This is in accordance with the Greenway requirements of the emerging policy CS22.

Trees

The scheme is undetailed at the moment but it is the intention of the Parish Council to consult the community about how the site is to be developed.

It is indicated that an orchard and woodland of native species will be implemented as part of the proposal.

The Council's Tree Officer has commented that boundary trees need to be properly managed in future. This can be conditioned as part of the future management regime.

On this basis, the proposal will have an acceptable impact on trees.

Ecology

This application contains no details about how the nature reserve will be created or managed. In order to contribute to local habitat creation targets the detailed proposals should include the incorporation of a wildlife pond/wetland. If species rich grasslands are proposed then detailed proposals for the establishment of a suitable nutrient poor substrate would also be required to ensure that this habitat is likely to establish successfully.

The NPPF advises LPAs to conserve and enhance biodiversity. As this site is proposed to be a community nature reserve, it is considered that the development would adhere with Policy NE5 of the Local Plan and Policy SE3 of the emerging Cheshire East Local Plan Strategy – Submission Version.

Public Rights of Way/ Countryside Access

Somerford Public Footpath No. 1 adjoins the site to the north. Footpath No.1, suggesting a link for such users between the site's eastern edge and the A54. It should be noted that the Public Footpath can be used by the public on foot only, and not by bicycle, without the landowner's permission. This route cannot, therefore, be promoted or considered within the current proposal as a cycle link.

It is noted that there are no pedestrian footways along Black Firs Lane which would be likely to be the most obvious trajectory for residents of the proposed site reaching the town centre. Signage of the alternative proposed pedestrian access via the Public Footpath would therefore need to be prominent, and the connecting paths constructed with a sealed surface in order to provide year-round access.

North Congleton Masterplan: East – West Greenway

The provision of connectivity for non-motorised users to and from this site needs to take in account the draft North Congleton Masterplan which proposes an East-West Greenway. This is an important part of Policy CS44 of the Emerging Plan.

The Countryside Access Officer has negotiated an improvement to the farm access track to the south of the site. This comprises a £89000 contribution to the PROW improvement as part of the sister application 16/1922C. The PROW to be improved links both sites to another and links into the overall Greenway Strategy

The developer confirms that he accepts this mitigation in line with the required improvements to the access track to improve connectivity

Highways Impact

Given the nature of the proposal, the Strategic Highways Manager has advised that he does not envisage an accumulation of traffic as a result of the activities on site. Accordingly, no conditions are requested for parking.

Environmental Conclusion

The proposal allows for the long term creation of a nature reserve which will, subject to appropriate conditions contribute to bio-diversity. On this basis, it is considered that the proposed development would be environmentally sustainable. This is a factor to which considerable weight can be attached in the planning balance

Social conclusion

The proposal is intended for the use of the community. This site will be a community recreational facility. This will be of recreation and education benefit and fits well within the overall policy intent of creating healthy communities. This is therefore a socially sustainable form of development.

Economic Conclusion

The community use of the site will support the health and well being agenda. This feeds into the communities sense of well being and economic capacity.

RECOMMENDATION

Approve subject to conditions

- 1. Standard time**
- 2. Plans**
- 3. Levels**
- 4. Landscaping (hard/soft) to be submitted and approved prior to commencement**
- 5. Long term nature reserve / woodland management plan to be submitted and approved, including outline method statements for the creation of the proposed habitats/ scheme of information boards**
- 6. Submission of 10 year habitat management plan**
- 7. Boundary treatments/lighting details to be submitted**

In order to give proper effect to the 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 there absence the Vice Chairman) of the 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.

