

SOUTHERN PLANNING COMMITTEE – 26TH APRIL 2017

UPDATE TO AGENDA

APPLICATION NO.

17/0774N

LOCATION

Land at Moorsfield Avenue, Audlem.

UPDATE PREPARED

24th April 2017

Ecology

An updated Other Protected Species survey has been undertaken. An active sett is present on site, but on the basis of the submitted illustrative masterplan this would not be directly affected by the proposed development. The proposed development will result in the localised loss of foraging habitat, to compensate for this loss it is recommended that fruit trees are incorporated into the landscaping scheme produced at the reserved matters stage.

As the status of other protected species on a site can change within a short timescale it is recommended that if outline consent is granted a condition should be attached which requires any future reserved matters application to be supported by an updated other protected species survey.

Pole Cat and Hedgehog are two priority species which have been recorded within 1km of the application site and so may occur on the application site. It is considered that the application site is unlikely to be particularly important for these species. However, in the event that planning permission is granted a condition should be attached requiring gaps in any boundary fencing.

An Ash tree has been identified on the site boundary that has potential, albeit only low, to support roosting bats. No details have been provided as to why the tree is thought to have only low potential to support roosting bats and the ecological survey does not clearly identify the location of this tree. However upon the submitted tree survey it appears that this tree may in fact be just outside the red line of the application. If the tree is within the red line of the application it appears feasible for it to be retained. This matter could be dealt with at the reserved matters stage.

To avoid any adverse impacts on bats resulting from any lighting associated with the development it is recommended that if planning permission is

granted a condition should be attached requiring any additional lighting to be agreed with the LPA.

Any proposed lighting should be low level and directional and the design of the lighting scheme informed by the advice in *Bats and lighting in the UK-bats and the built environment series*, (Bat Conservation Trust, 2009).

It is considered that Great Crested Newts and reptiles are not reasonably likely to be affected by the proposed development.

The open space areas associated with the development provide opportunities for habitat creation, such as a new pond and wildflower meadow creation that would contribute to local and national priority habitat creation targets.

It is therefore recommended that if planning consent is granted a condition should be attached which requires any future reserved matters application to be supported by a habitat creation strategy.

Flood Risk

The Flood Risk Manager responded on 21st April 2017 raising the following concern:

“Before granting approval we need to be clear on what the maximum discharge rate is for the whole development, within the Flood Risk Assessment (FRA) it states the development will discharge at a minimum of “5 l/s” but no maximum rate. Furthermore, is this run-off rate for both catchments? Consequently, finished floor levels are not listed within FRA. These should be set 150mm above ground level.”

Having regard to this matter, the application is in outline form apart from access and this issue can be dealt with at reserved matters stage should the application be approved.

RECOMMENDATION

REFUSE for the following reasons:

1. The proposal involves the development of a parcel of countryside outside of the Settlement Boundary for Audlem as defined in the Audlem Neighbourhood Plan 2016. It also involves development within the Open Countryside as set out in the Borough of Crewe and Nantwich Replacement Local Plan. As a result the proposal is not listed as an appropriate form of development within the countryside and would erode the rural character of the countryside and would undermine the ability of the community to shape and direct sustainable development in their area, contrary to the Audlem Neighbourhood Plan Policies H1 and H3, Borough of Crewe and Nantwich Replacement Local Plan Policies NE.2 & RES.5, Cheshire East Local Plan Strategy

Policy PG5 and the advice of NPPF paragraphs 17, 183-185 and 198. These conflicts are considered to significantly and demonstrably outweigh the benefits of the proposal.

2. The proposed development would have an adverse impact on the setting of the Audlem Conservation Area and on the setting of the Shropshire Union Canal. The proposal is therefore contrary to the Audlem Neighbourhood Plan Policy D1, Borough of Crewe and Nantwich Replacement Local Plan Policy BE.7 and the advice of NPPF paragraphs 17,131-133, 135, 183-185 and 198. These conflicts are considered to significantly and demonstrably outweigh the benefits of the proposal.

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 her absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

- 1. A scheme for the provision of affordable housing – 7 units to be provided as social rent/affordable rent with 3 units as intermediate tenure. The scheme shall include:**
 - The numbers, type, tenure and location on the site of the affordable housing provision**
 - The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing**
 - The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved**
 - The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and**
 - The occupancy criteria to be used for determining the identity of occupiers the affordable housing and the means by which such occupancy criteria shall be enforced.**
- 2. A contribution of £81,713.00 to secondary education.**
- 3. POS provision and a scheme of management in perpetuity.**