

SOUTHERN PLANNING COMMITTEE – 28ST SEPTEMBER 2022

UPDATE TO AGENDA

APPLICATION NO.

21/6113C

LOCATION

Land Off, CLOSE LANE, ALSAGER

UPDATE PREPARED

Additional representations based on the revised plans

An additional x17 representations have been received on the revised plans. These relate to matters of highway safety, pollution, lack of infrastructure, impact to wildlife, drainage and recent housing developments within Alsager.

A new comment has been raised questioning the weight which should be given to the proposed allocated in the Emerging SADPD which seeks to include the site within the settlement boundary.

Officer comment

The latest representations are noted. These replicate what has already been covered in the main committee report.

In terms of the weight to be given to the SADPD this has been covered in the main committee report.

ANSA comments

Policy SE6 for Green Infrastructure of the Cheshire East Local Plan requires 65m² per family home of which 40m² combined children's play space and amenity green space, 5m² growing space, 20m² GI Connectivity along with Outdoor Sports Contributions.

The current layout has significantly changed increasing the buffer on the eastern boundary to accommodate screening and for the retention of existing trees. In this instance, to increase the amenity value the buffer is wide enough to allow for trim trail items however this would be subject to root protection zones as required. However, this does not compensate for the LEAP.

To the south, the PROW now enjoys a 2m wide accessible surface set within green infrastructure. Unfortunately, the open space is now greatly reduced due to the turning head and pumping station which is above ground brought

further into the development. The required LEAP has been replaced with a reduced LAP.

First and foremost, Policy SE6 requires on site open space in line with Table 13.1 and this is the preference of the POS officer. However, ANSA advise that should the committee deem this application acceptable in its current format contributions for the shortfall of amenity, play and food growth space can be accommodated in Alsager to mitigate the impact of the development.

Contributions sought are for a shortfall of general amenity and play space 1087m² X £75 per m².

With reference to the absence of food growth space a contribution of £562.50 per family home and £281.25 per apartment will be required.

In terms of Outdoor Sports facilities both Policy SE6 and SC2 require appropriate sports facilities. The proposal will increase demand on existing facilities and as such a financial contribution towards off site provision will be required. The financial contribution is required at a rate of £1,000 per family (2+bed) dwelling and £500 per 2+ bed apartment. The funds would be used in line with the Council's adopted Playing Pitch Strategy and the FA's Local Football Facilities Plan.

If the application is successful, ANSA also recommends a condition is placed for the design, layout and landscaping of the LAP and trim trail items.

Officer comment

Comments of ANSA are noted. Whilst there is a shortfall in POS provision on site, the policy required POS can be secured by way of Section 106 Agreement to be spent elsewhere within Alsager.

Design of the LAP can be secured by condition.

Therefore, subject to Section 106 Agreement, the proposal complies with Policy SE6.

Landscape officer comments

The Councils Landscape Officer has reviewed the additional landscaping documents and confirms that she is in broad agreement with the findings of the submitted Landscape and Visual Appraisal and finds the layout is acceptable in landscape terms, subject to details being approved.

She does however request conditions requiring a landscaping scheme to be provided and implemented.

Officer comment

Comments of the landscaping officer are noted. It is agreed that given the landscaping to be provided, long with the circumstances of the site, being in effect bound by development on 3 sides, it is not considered that the proposal would result in significant landscape harm.

Therefore, subject to conditions, the proposal is considered to comply with Policy SE4.

Forestry

The social proximity of plots to protected trees to the western boundary has returned to the previously approved build line, with pruning works broadly the same as those accepted with approved reserved matters application 21/1161N.

The revised plans have retained most of group 22G, 32G and 30G to maintain vegetative screening and a buffer to the southwest side of the development although as anticipated the plans and AIA confirm that part of 30G will be removed to accommodate the pumping station and footpath. The additional losses are accepted subject to appropriate mitigation in the form of new tree planting being submitted within any revised landscape scheme.

The plan identifies the location of tree protection measures to be in place for the duration of development, and locations where engineer designed surfacing will be installed.

Plans received suggest that 'Where there are gaps in existing hedgerow, this will be plugged with native species'. The applicant has now proposed to enhance the hedgerow on this boundary in the updated landscaping scheme.

The AIA & AMS and Tree Protection Scheme are considered broadly acceptable to condition however given the important retention of emerging tree cover in 22G, 32G and 30G which will be sited in amenity space, it is considered that the trees should be subject to a condition which secures their longerterm management as a woodland as was requested, with detailed information provided with 21/1161N.

Therefore, the Forestry Officer suggests the following conditions be imposed:

- Details of tree protection and special construction measures
- Tree to remain shown as being retained
- Details of levels
- Details of service/drainage layout
- Details woodland management for 10 years

Officer comment

Comments of the forestry officer are noted and agreed to not pose significant harm to existing landscape features and where harm is caused, can be mitigated by conditions for replacement planting.

Therefore, subject to conditions, the proposal is considered to comply with Policy SE5.

National Health Service (NHS)

The South Cheshire Clinical Commissioning Group (CCG) have sought a S106 Contribution advise that funding is required towards the health infrastructure to support the development of Cedars Medical Centre and Merepark Medical Centre.

The mitigation requested is based on an assumption of the housing mix for 55 dwellings. Using the following formula the contribution amount should be amended to £68,600 to accommodate the current housing mix.

<u>No. of Beds</u>	<u>Amount of Occupants</u>	<u>Correlating Cost</u>
1 bed unit	1.4 persons	£612 per 1 bed unit
2 bed unit	2.0 persons	£875 per 2 bed unit
3 bed unit	2.8 persons	£1,225 per 3 bed unit
4 bed unit	3.5 persons	£1,531 per 4 bed unit
5 bed unit	4.8 persons	£2,100 per 5 bed unit

In this case:

X7 two bedroom ($£875 \times 7 = £6,125$)

X36 three bedroom ($£1225 \times 36 = £44,100$)

X12 four bedroom ($£1531 \times 12 = £18,372$)

Total £68,600

The requested contribution is therefore calculated as £68,600. It is therefore considered that the financial contribution can be secured as part of a legal agreement to mitigate the harm. Without this contribution there is an objection raised to the development.

Officer comment

The comments of the NHS are noted and are CIL compliant and thus can be secured by way of Section 106 Agreement.

Ecology

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. In order to assess the overall

loss/gains of biodiversity an assessment has been undertaken in accordance with the Defra Biodiversity 'Metric' version 3.1.

The assessment shows that the proposed development would result in the loss of 4.43 biodiversity units (-26.49%) for area based habitats, but a net gain in respect of hedgerows. The proposed development therefore fails to comply with Local Plan Policy SE3 (5).

The applicant proposes the delivery of compensatory habitat at an offsite location in order to deliver a net gain for biodiversity, no firm details have been received at the time of writing.

If the committee is minded to grant planning permission, a section 106 agreement would be required that requires the submission of habitat creation, 30 years management and monitoring measures to secure the delivery of more than 4.43 Biodiversity Units at an offsite location.

The submitted biodiversity metric includes a consideration of habitat improvements on-site that serve to reduce the overall biodiversity losses. If planning consent granted a condition could ensure the delivery of these on-site measures:

The 30-year habitat management plan shall detail how the newly created, enhanced and retained habitats will be managed achieve the target condition specified in the Biodiversity Metric Calculations submitted with the application. The habitat management plan to include a schedule of ecological monitoring and reporting and a mechanism to secure the agreement and implementation of contingency measures in the event that monitoring reveals that habitats on site are failing to achieve their target distinctiveness and/or condition.

The development shall be carried out in accordance with the approved details.

Officer comment

Comments of the Councils Ecologist are noted and agreed to not pose significant harm to wildlife and where harm is caused, can be mitigated by conditions.

Therefore, subject to conditions and Section 106 Agreement, the proposal complies with Policy SE3.

Local Lead Flood Authority (LLFA)

The LLFA have no objection in principle to the scheme and the drainage/boundary issues are resolvable via conditions.

However, the Flood Risk Assessment (FRA) references finished floor levels (FFL) to be set 150mm above existing ground levels (see statement below).

“It can be concluded that the risk of flooding from all sources is very low. Therefore, no site-specific mitigation measures are considered necessary. In accordance with Building Regulations, finished floor levels should be set 150mm above surrounding ground levels.”

Given the Government pluvial flood risk maps the LLFA require threshold levels to be set higher than suggested within the submitted FRA. This can be dealt with via a prior to commencement condition relating to levels. The LLFA would also advise an LLFA Flood Risk Officer undertakes a site walkover to ensure threshold levels are set accordingly in relation to the wider catchment.

Therefore, no objection subject to conditions requiring details of ground and finished floor levels and details of the drainage strategy.

Officer comment

Comments of the LLFA are noted and agreed to not pose significant flood risk/drainage issues subject to conditions.

Therefore subject to conditions and Section 106 Agreement, the proposal complies with Policy SE13.

Power Lines

Power lines cross the south-western tip of the site.

The proposed site plan indicates that the nearest plots would be sited 36m away from the lines and the LAP 28m away.

The consented development to the south-east constructed by Persimmon Homes has the nearest plots sited 13m away from the lines with the play area sited underneath the lines.

As such the current proposal achieves a far greater separation distance to the power lines than the consented scheme. Therefore a refusal on these grounds could not be sustained

The phone lines which cross the centre of the site are also to be diverted underground.

Recommendation

No change to initial recommendation as per the main committee report but with the updated Heads of Terms and additional conditions as noted above.

S106	Amount	Triggers
Affordable Housing	100% affordable housing	In accordance with details to be submitted and approved
Amenity Green	1087m ² X £75 per m ²	To be paid prior to the first

Space and Play Provision		occupation of the 27 th dwelling
Food Growth Space	£562.50 per family home (2+bed) and £281.25 per apartment	To be paid prior to the first occupation of the 27 th dwelling
Outdoor Sports Contribution	£1,000 per family (2+bed) dwelling and £500 per 2+ bed apartment	To be paid prior to the first occupation of the 27 th dwelling
Education	Contribution required for 8 secondary pupils and 1 SEN totalling £176,241.52	To be paid prior to the first occupation of the 27 th dwelling.
NHS	Contribution of £68,600 towards medical provision at Cedars Medical Centre and Merepark Medical Centre	To be paid prior to the first occupation of the 27 th dwelling
Ecology	4.43 Biodiversity Units of off-site habitat creation and management measures	To be paid prior to the first occupation of the 27 th dwelling

and the following conditions:

- 1) **3 year time limit**
- 2) **Development in accordance with the approved plans**
- 3) **Details of proposed materials**
- 4) **Details of piling methods**
- 5) **Dust suppression methods**
- 6) **Details of travel planning**
- 7) **Details of electric vehicle charging points**
- 8) **Details of low emission boilers**
- 9) **Contaminated land risk assessment**
- 10) **Contaminated land verification report**
- 11) **Contaminated land soil testing**
- 12) **Contaminated land unexpected contamination**
- 13) **Details of a sustainable surface water drainage scheme and a foul water drainage scheme**
- 14) **Sustainable drainage management and maintenance plan**
- 15) **Submission of an updated badger survey**
- 16) **Detailed lighting scheme**
- 17) **Submission of an ecological enhancement strategy**
- 18) **Details of final material pallet**
- 19) **Details of levels of ground and finished floor levels for purpose of drainage and trees**

- 20) Removal of permitted development rights for outbuildings and extensions
- 21) Details of the design, layout and landscaping of the LAP and trim trail items
- 22) Details of landscaping
- 23) Provision of landscaping
- 24) Details of tree protection and special construction measures
- 25) Tree to remain shown as being retained
- 26) Details of service/drainage layout
- 27) Details woodland management for 10 years
- 28) Detailed landscape plan, habitat creation method statement and a 30 year habitat management plan for the retained and newly created habitats
- 29) Details of drainage strategy

In order to give proper effect to the Board's intent and without changing the substance of its decision, authority is delegated to the Planning and Enforcement Manager in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

If the application is subject to an appeal approval is given to enter into a S106 Agreement with the following Heads of Terms;

S106	Amount	Triggers
Affordable Housing	100% affordable housing	In accordance with details to be submitted and approved
Amenity Green Space and Play Provision	1087m ² X £75 per m ²	To be paid prior to the first occupation of the 27 th dwelling
Food Growth Space	£562.50 per family home (2+bed) and £281.25 per apartment	To be paid prior to the first occupation of the 27 th dwelling
Outdoor Sports Contribution	£1,000 per family (2+bed) dwelling and £500 per 2+ bed apartment	To be paid prior to the first occupation of the 27 th dwelling
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NHS	Contribution of £68,600 towards medical provision at Cedars Medical Centre and Merepark Medical Centre	To be paid prior to the first occupation of the 27 th dwelling

Ecology	4.43 Biodiversity Units of off-site habitat creation and management measures	To be paid prior to the first occupation of the 27th dwelling
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