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Chief Executive

PLANNING APPLICATIONS COMMITTEE SUPPLEMENT AGENDA

Date: Thursday, 15 August 2019

Time: 2.00 pm

Venue: The Council Chamber, Moorlands House, Stockwell Street, Leek

Please find below an additional report which was unavailable when the agenda was published.

PART 1

- NOTE - A Late Representations Report will be circulated prior to the meeting i.e. any representations received since this agenda was published. **(Pages 3 - 30)**

SIMON BAKER
CHIEF EXECUTIVE

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SMD/2019/0143	<p><u>LAND ADJACENT TO NO. 10 OX PASTURE, CHEDDLETON</u></p> <p>The following responses are clarified as follows:</p> <p><u>Cheddleton Parish Council</u></p> <p><i>21.06.19: "Cheddleton Parish Council strongly objects to this application on the grounds that the Local Plan is still under consultation for the designation of Local Green Space and in the current Local Plan this is Visual Open Space. It would remove a welcome green space and affect the heritage of the village as it is alongside a conservation area. Loss of wildlife with some rare species inhabitat locally. Access is not viable as the gully has a huge footfall. SCC Highways are now stating that it is too narrow. The current infrastructure can not support additional residents, cars, school etc".</i></p> <p><i>25.03.19: "Cheddleton Parish Council strongly object to this application on the grounds that the Local Plan is still under consultation for the designation of Local Green Space and in the current Local Plan this is Visual Open Space. It would remove a welcome green space and affect the heritage of the village. Also, loss of wildlife with some rare species in habitat locally. Access is not viable as the gully has a huge footfall and the current infrastructure can not support additional residents, cars, school etc".</i></p> <p><u>Ramblers Association and Peak & Northern Footpath Society:</u></p> <p><i>The Ramblers Association and Peak & Northern Footpath Society objects to this development, there are 2 footpaths affected by the development, please advices us of what plans there are for the paths.</i></p> <p><u>ADDITIONAL INFORMATION FROM THE APPLICANT:</u></p> <p><u>Received 13th August 2019:</u></p> <p>Following on from a letter noted on the SMDC website, Absolute Ecology have checked the dates of their first two visits to 19 Ox Pasture and there is a typo in their report. The original report stated these visits were undertaken on 14th/15th May whereas in actual fact the visits took place on the 15th/16th May still within the optimal survey period. All 6 visits were undertaken (received 13th August 2019).</p>	11-62

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	<p><u>Received 9th August 2019:</u></p> <p>Responses by Absolute Ecology (applicant) to the queries raised by local residents that in turn have been queried by the Council's Ecology Officer are detailed as follows:</p> <p>Response to Residents Analysis of great Crested Newt Surveys</p> <p>The letter by the residents indicate that Absolute Ecology has failed to carry out surveys at ponds within 250m of the development site. There is no indication as to the exact location of these ponds. No grid references or precise locations are provided. (Please eDNA report May 2019 with pond location indicated on page 13 which gives a precise location of the ponds surveyed).</p> <p>Presence / absence Surveys</p> <p>The description of the survey timings detailed under presence absence surveys conflicts with the survey description as detailed in in the Absolute Ecology report. The report states that surveys using netting and egg searches were carried out between 14/5/2019 and 20/5/2019. (The population report July 2019 indicates on page 9, 13 and 21-23 that the surveys were conducted on the 14/05/19, 15/05/19, 20/05/19, 29/05/19, 10/06/19, 12/06/19. Please read eDNA report for presence and Absence which shows we conducted the eDNA in the appropriate time).</p> <p>Population size survey</p> <p>According to guidance 'ideally' a variety of survey methods are advised. I considered the survey methods used were appropriate to the size and scale of the pond. Effectively every part of the pond whole could be surveyed with a net.</p> <p>According to the Absolute Ecology report six visits were made to assess the size the population. I had assumed two of these were within the peak time period. The third visit on 20/4/19 was only marginally outside this time period. Given the very small size of the pond and its isolated nature I considered the timing of surveys adequate.</p> <p>To avoid any confusion Absolute Ecology need to confirm re-clarify what type of survey was carried out when i.e. What method to define presence/ absence were used on which date.</p> <p>If netting/ egg search surveys to assess population size were carried out on 20/5/19, 29/5/19, 10/6/19 and 12/6/19 outside the advocated time period to carry out at least three surveys then further surveys</p>	

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	<p>will be required according to best practice guidance. (The population size was conducted prior to receiving the eDNA result given the confirmation by the resident that GCN were present and as the optimal survey time was coming to a close we reacted immediately with the traditional survey these were conducted on the 14/05/19, 15/05/19, 20/05/19, 29/05/19, 10/06/19, 12/06/19 which is the optimal period. The above population was conducted in the optimal, but we at Absolute ecology also conducted the eDNA (Presence & Absence) on the ponds recorded within the eDNA report on pages 29-33 it can be seen when the laboratory had received the samples. For P19 this can be seen on page 12, all the eDNA samples again were conducted in the optimal period prior to the 30th June 2019.</p> <p>Impacts</p> <p>Assuming the survey has been carried out to include presence absence surveys on including netting and egg searching on 14/5/19 , 15/5/19 and 20/5/19 the pond is likely to support a very small population of great crested newts. Given only a single record impacts are considered to be low.</p> <p>It is reasonable to deduce that the impact on great crested newts using adjacent terrestrial habitat within the development is likely to be of low significance.</p> <p>In this case an appropriate method statement detailing avoidance and mitigation should be able to avoid impacts on great crested newt, given the population found at pond 19 Ox Pasture. However, if netting/ egg search surveys to assess population size were carried out on 20/5/19, 29/5/19, 10/6/19 and 12/6/19 outside the advocated time period to carry out at least three surveys, then further surveys will be required according to best practice guidance. (as stated again the population survey were conducted 14/05/19, 15/05/19, 20/05/19, 29/05/19, 10/06/19, 12/06/19 which is optimal and the eDNA was also conducted in the optimal period prior to the 30th June please see eDNA and population reports).</p> <p><u>NEIGHBOUR REPRESENTATIONS</u></p> <p>Additional neighbour representations have been received as are detailed below:</p> <p><u>Individual Representations:</u></p> <p>1. Under article 5(3) of the Development Management Procedure Order 2015, an application for outline planning permission must also indicate the area or areas where access points to the development</p>	

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	<p>will be situated. The applicant's 'Planning Statement Including Design & Access Considerations' states that: "the proposed access point would come directly off Ox Pasture contiguous with the eastern boundary of no 10 Ox Pasture". The beneficiaries of two restrictive covenants on the land of No. 10 will not allow access via this point under any circumstances. While restrictive covenants are not considered in applications for planning permission, such permission does not quash any restrictions on title. Thus, in reality, this application has no access point.</p> <p>2. "We remain strongly concerned about this proposed housing development. Despite the comments/observations made in the received heritage statement, we are of the opinion that it will significantly affect the character and appearance of the historic core of the village of Cheddleton. It is impossible to determine the mitigation necessary to maintain views of the church tower and beyond until a fully detailed scheme has been prepared and assessed, which in this case has not happened. Therefore the observation made in the heritage statement that considers mitigation 'easily achievable', by retaining gaps through the development' and that 'any negligible harm can be overcome through design and layout' is not a robust argument. This land remains as an agricultural field used for haylage during the summer months. It makes a positive contribution to the historic and rural character of this part of the village and offers a valuable visual open space amenity for villagers. Furthermore vehicular access is far from ideal and there are obvious highway safety issues that are difficult to satisfactorily address".</p> <p>3. "Whilst ribbon development on Ostlers Lane already appears to link older to newer developments, it is hidden from the sunken public highway, being accessed off a private driveway and is largely obscured by hedgerow from the gully, the public footpath on the eastern boundary of the application site, unless people purposefully look across. Houses developed closer to the hedgerow would, however, be visible and detract from the rural character and setting of the old village and conservation area. I fail to see how the heritage report provided with the application and the SMC Heritage officer can reach accurate conclusions on the heritage impact of the proposed development without considering earlier history prior to the 1880. The Church of St Edward the Confessor dates back to the thirteenth and fourteenth centuries, with the tower and porch being completed in the late sixteenth century, but the two oldest houses fronting the church on Hollow Lane were not built until the eighteenth and nineteenth centuries. South of the church was the village green and pond stretching to the preserved village pond, located on the western side of Ostlers Lane at its junction with Hollow Lane. The heart of the village was the church and development on its eastern</p>	

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	<p>side around The Hall House, which dates back to the fifteenth century and is thought to have been built on the site of the medieval manor house. The church tower was no doubt constructed to enhance the importance of the church to be viewed from all surrounding directions from fields, tracks/ lanes and paths alike. With the Church stretching lengthways along Hollow Lane (then the main road) views from the south across the village green and the approach from the gully, which linked the village green to Bottom Hall (the Elizabethan predecessor of Ashcombe Park) and the footpath veering eastward to The Grange, are historically very important. Whilst the public footpath on the southern boundary of the application site is relatively young in age, it gives the only vantage points from the south where the church tower can still be viewed as was intended, across open fields within the setting of the moorland hills and thus has huge positive significance to the church as a heritage asset and its setting”.</p> <p>4. “Regarding the planning comments for the 10 Ox Pasture proposal. I would yet again draw attention to the road safety aspects of this proposed development. The comments from SMDC highways take into account the width of access not being wide enough and proposing that the access road would not be adopted. I would say that the access and the whole aspects of this area should be looked into again. Although site visits are informative for the Planning Committee but it has to be pointed out that all visits to this site have been post school drop off and as is this week’s meet ... during school holidays. Before this contentious green space is lost forever, with the loss of habitat and visual amenity tossed aside ... I would urge the Committee to look out of the box and appreciate the dreadful public safety issues we have to endure in Cheddleton before it’s too late”.</p> <p><u>Cheddleton Residents Analysis of Applicant’s Great Crested Newt Surveys (received 7th August 2019):</u></p> <p><i>Preliminary Ecological Appraisal</i> The applicant’s Preliminary Ecological Appraisal (PEA) carried out by Absolute Ecology (AE) on 24th September 2018 stated that: “There is one pond within 250m of the application site... The pond is located over a main road (A520)...”. No attempt was made to consult residents about ponds or request access to gardens. In fact, there are many ponds within a few metres of the site.</p> <p><i>Presence / Absence Surveys</i> The presence of Great Crested Newts (GCNs) close to the proposed site was reported to the SER on 11/03, and to the SMDC Ecology Officer on 13/03. Following this the applicant commissioned AE to carry out presence/absence surveys on nearby ponds. AE did letter</p>	

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	<p>drops to properties that back onto the application site, i.e. those within a maximum of 40m of the southern and western edges, asking whether ponds were present. No attempt was made to identify all ponds within 250m of the site, consequently several ponds have been missed.</p> <p>AE took eDNA samples from 6 ponds at 5 properties. These surveys took place between 16/04 and 07/05 inclusive.</p> <p>In mid-May AE became aware of the presence of the pond at No.19 Ox Pasture. Had they included No.19 in their letter drop area and/or requested an up-to-date SER search they would have known this from mid-March. They were given permission to survey at No.19 on 14/05.</p> <p>An eDNA sample was taken on 20/05 not, as reported by AE, 21/05. The presence of GCN DNA was confirmed on 28/05. Natural England indicate use of eDNA surveys “to find out if newts are present and whether to conduct population size class surveys...”. AE report that there were four presence/absence surveys after the eDNA samples were taken. These must be those on 20/05/2019, 29/05/2019, 10/06/2019 and 12/06/2019; but are superfluous as eDNA is the only evidence required for presence/absence. Notwithstanding the previous point these do not comply with the Natural England requirements that, for presence/absence surveys, you should:</p> <ul style="list-style-type: none"> • use 3 methods per visit (preferably torch survey, bottle trapping and egg searching) • visit between mid-March and mid-June with at least 2 visits in peak season (usually mid-April to mid-May) <p>AE only used two methods per visit and none of the visits were in peak season. They also claim that surveys took place on 14/05 and 15/05. The 15/05 survey was also irrelevant and only used two methods. No survey took place on 14/05.</p> <p><i>Population Size Survey</i> AE report “two additional surveys carried out to assess population size”. Presumably these are the last two surveys again (10/06 and 12/06). These do not comply with the Natural England requirements that, for population size surveys, you should:</p> <p>use torch surveys and bottle trapping on each visit make at least 6 visits (if you found newts during the first 4 presence/absence visits) visit between mid-March and mid-June with at least 3 visits in peak season (usually mid-April to mid-May)</p>	

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	<p>The AE report specifically says that torching and bottle trapping were not used. They only made two visits after the first relevant presence/absence visit found evidence of newts on 20/05. Both of the population size visits were outside the peak season.</p> <p>Obviously, egg searching can only establish the presence/absence of laying females. These searches plus net sweeping are inadequate to establish the population size. The earlier three presence/absence surveys do not meet the criteria for population size surveys.</p> <p>An SER search would have revealed that a female newt was present in Feb 2019. The eDNA evidence indicates the presence of at least one newt at the beginning of May, i.e.3-4 weeks prior to the sample being taken. SureScreen Scientifics state:</p> <p><i>“A positive result is indicative of GCN presence at the time of sampling or within the 3-4 weeks (GCN eDNA degrades to below detectable levels between 7-21 days).”</i></p> <p>Given this period of at least two months it is reasonable to assume a resident population of at least one newt.</p> <p><i>Summary and Conclusion</i> The development site habitats identified in AE’s own PEA included grassland, scrub and hedgerows; all of which are listed as potential GCN refuges by Natural England. The PEA states:</p> <p><i>“The scrub forms a dense vegetative structure which offers foraging and shelter for a range of wildlife species.”</i></p> <p>This scrub is extensive, undisturbed by agriculture, and is mainly situated at the southern end of the site i.e. closest to No.19.</p> <p>Due to the lack of pond surveys beyond the immediate boundary of the site it is impossible to know whether there are more GCNs in ponds in the surrounding area.</p> <p>The garden of No.19 is enclosed, so the newt present in Feb must have entered from the direction of the site and must have crossed Ox Pasture. Clearly this minor road is not a significant dispersal barrier. The pond has only been present for four years, indicating a source population nearby within the recent past. Thus, the population cannot be isolated. Other amphibians are regularly seen along the route between the pond and the site. AE themselves state that:</p> <p><i>“As a population common toads and common frogs were recorded within P119, care should be taken during site clearance to avoid</i></p>	

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	<p><i>injury harm”.</i></p> <p>Contrary to AE’s assertion the garden between No.19 and the site is not fenced, it has open bottomed hedges, and the site has no impermeable boundaries.</p> <p>The site constitutes the majority of the favourable terrestrial habitat locally and it has minimal dispersal barriers to the surrounding gardens and fields. Development on the only nearby undisturbed green space with potential GCN refuges would have a substantial negative effect on the habitat. On a site only ~85m from the pond terrestrial presence surveys should have been carried out. Natural England states:</p> <p><i>“Presence surveys on land You should:</i></p> <ul style="list-style-type: none"> • <i>use pitfall trapping with drift fencing (and refuges if possible)</i> • <i>trap on at least 60 nights in suitable weather conditions (above 5°C, no high winds or heavy rain)</i> • <i>visit between March and October</i> <p><i>This method is less reliable than a pond survey and shouldn’t be used to establish the absence of great crested newts.”</i></p> <p>AE have not assessed the impacts of this development as required by Natural England:</p> <p><i>“Assess the impacts</i></p> <p><i>Provide an assessment of the impacts this development will have on great crested newts before, during and after the planned work. Include qualitative and quantitative information with your planning application.</i></p> <p><i>Use these factors to assess the site’s importance, and submit this with your planning application:</i></p> <ul style="list-style-type: none"> • <i>the number and size of newt populations</i> • <i>the nature of the habitats and population, eg whether it includes a breeding site</i> • <i>how significant the site is to the local population and the wider status of great crested newts”.</i> <p>Insufficient information has been collected to assess the impact against these criteria.</p> <p>The SER record and eDNA result confirm the presence of at least one GCN located ~85m from the site. The site measures</p>	

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	<p>approximately 0.8ha and provides suitable terrestrial habitat for supporting GCNs. Consequently, the development is likely to require a European Protected Species Mitigation Licence.</p> <p><i>“You must apply for a mitigation licence if your work will have impacts on great crested newts that would otherwise be illegal, such as:</i></p> <ul style="list-style-type: none"> • <i>capturing, killing, disturbing or injuring them (on purpose or by not taking enough care)</i> • <i>damaging or destroying their breeding or resting places (even accidentally)</i> • <i>obstructing access to their resting or sheltering places (on purpose or by not taking enough care)”.</i> <p>In this case the high pond density (including several un-surveyed ponds), good terrestrial habitat, and large development footprint could increase the risk of committing an offence.</p> <p>It is also critical that development takes account of potential newt dispersal. Where GCNs are present, land use must ensure there is adequate connectivity. The site has been identified as a corridor for wildlife. Elite Ecology’s PEA stated:</p> <p><i>“The proposed development site could be a pivotal ecological network and developments need to ensure resilience to current and future change by preserving said networks (as per the NPPF, 2019).”</i></p> <p>Impacts of this development on GCNs are potentially significant. GCN have been shown to be present in the garden of No.19, and may well be present on the site and in nearby un-surveyed ponds. There are no reasons why the population could not migrate between the ponds and the site. Population size surveys have not been carried out correctly or at an appropriate time. Terrestrial surveys have not been carried out at all.</p> <p>On 18/06 the SMDC Ecology Officer stated:</p> <p><i>“To establish the population of great crested newts six surveys are required. Ideally a combination of egg search, torch survey and bottle trapping and netting. To assess the population of great crested newts visit between mid-March and mid-June with at least three visits in peak season (usually mid-April to mid-May) is advised by Natural England. Consequently to assess the size of the great crested newt population in the pond there is insufficient time to carry out an adequate survey according to best practice methods. Additional survey would only reconfirm presence of great crested newts.</i></p>	

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	<p><i>The size of the population of great crested newts needs to be known to be able to devise proportionate avoidance, mitigation and compensation.</i></p> <p><i>Destruction of terrestrial habitat over 80m is classed as a medium impact.</i></p> <p><i>Any measures to avoid and compensate for impacts would should be based on the following information as advised by Natural England:</i></p> <ul style="list-style-type: none"> <i>• the number and size of newt populations</i> <i>• the nature of the habitats and population, eg whether it includes a breeding site</i> <i>• how significant the site is to the local population and the wider status of great crested newts</i> <p><i>ODPM Circular_06/2005 external link 'Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System' advises that surveys should only be conditioned under exceptional circumstances. If surveys are not carried out before planning permission is granted there is a risk that not all material considerations will have been addressed. There are some occasions when it is appropriate to condition surveys only if the full impacts of the proposal are understood at the planning application stage.</i></p> <p><i>A European Protected Species mitigation licence may be required from Natural England to permit work to proceed. The licence application will be required to be supported by details of the population size of great crested newts that are likely to be impacted.</i></p> <p><i>My view is that survey information on the size of great crested newt populations should be provided in advance of determining the planning application. Until the information is provided what avoidance , mitigation and compensation is required is unknown.</i></p> <p><i>The applicant has provided ecological survey data in respect of great crested in response to information generated by local residents gradually. It would have been prudent for the ecological consultants to consult residents within a risk based radius of the development for the presence of gardens ponds. Garden ponds are not always obvious on aerial photographs. Such an approach may have allowed time to carry out surveys in time in advance of submitting a planning application."</i></p> <p><i>None of the surveys carried out postdates the Officer's assessment. This application should not be considered at this time.</i></p>	

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	<p><u>Cheddleton Residents response to SMDC Ecology Officer (received 8th August 2019).</u></p> <p>All bats are European Protected Species and several species are Species of Principal Importance in England. Slow worms are a European Protected Species. Grass snakes are a Protected Species.</p> <p>ODPM Circular 06/2005 BIODIVERSITY AND GEOLOGICAL CONSERVATION – STATUTORY OBLIGATIONS AND THEIR IMPACT WITHIN THE PLANNING SYSTEM states:</p> <p><i>“98. The presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Local authorities should consult English Nature before granting planning permission.</i></p> <p><i>99. It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted. However, bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development.”</i></p> <p>1. Bats. Bat roosts are present immediately adjacent to the site as recorded in the SER. Video and photographic evidence is available on request (info@cheddletonresidents.org). Any development on the site has the potential to affect the foraging and commuting habitat on the site. SMDC should require bat surveys before this application can be determined, and know that they should. On 15/05/2019 the SMDC Ecology Officer wrote:</p> <p><i>“Bats To inform layout and landscaping surveys using best practice methods should be carried out to determine the presence of roosting, foraging or commuting bats as a condition of granting planning permission. Full details shall be received to the local planning authority . Recommendations for avoidance and mitigation to ensure</i></p>	

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	<p><i>negligible impacts must be adhered to. Reason: To avoid impacts on bats. To prevent an offence under the Habitat Regulations 2017 and Wildlife and Countryside Act 1981.”</i></p> <p>No evidence has been provided by the applicant that postdates the Officer’s assessment. Conditioning surveys is contrary to para 99 of ODPM Circular 06/2005. In addition, the lack of bat surveys is contrary to Natural England standing advice and the advice of the Bat Conservation Trust (see Appendix).</p> <p>2. Reptiles. Grass snakes have been sited immediately adjacent to the site as recorded in the SER. Photographic evidence is available on request (info@cheddletonresidents.org). There is anecdotal evidence of grass snakes entering the site. There is anecdotal evidence of a slow worm immediately adjacent to the site. On 14/05/2019 the SMDC Ecology Officer wrote:</p> <p><i>“following a the precautionary principal further reptile surveys are justified as detailed in the survey report before the application can be determined”.</i></p> <p>On the 15/05 he wrote:</p> <p><i>“Reptiles The applicant is requested to investigate existing and new records of reptiles on land adjacent to the development site. The applicant should submit a report with appropriate recommendations. Reason: To avoid impacts on reptiles. To prevent an offence under and Wildlife and Countryside Act 1981. Grass snake is a Staffordshire Biodiversity Action Plan priority species.”</i></p> <p>On the 26/06 he wrote:</p> <p><i>“The planning application is outline only. For both reptiles and bats it is appropriate to add a condition requiring further surveys to inform avoidance, mitigation and compensation.</i></p> <p><i>I have already indicated the appropriate wording for bats and for reptiles I would suggest a similar condition:</i></p> <p><i>Surveys are required to be carried out according to best practice for the presence of reptiles to establish appropriate avoid, mitigation and compensation. Survey results will inform on site landscaping and working methods to avoid impacts. Full details shall be received to the local planning authority.</i></p> <p><i>Reason: Reptiles are protected for killing or injury under the Wildlife</i></p>	

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	<p><i>and Countryside Act 1981.”</i></p> <p>No evidence has been provided by the applicant that postdates the Officer’s assessments. Conditioning surveys is contrary to para 99 of ODPM Circular 06/2005. The Officer recognised this on 14/05, but has made an unexplained reversal of his previous advice.</p> <p>Appendix. <i>Natural England. Natural England standing advice for local planning authorities includes: “Activities that can harm bats Activities that can affect bats include: removing ‘commuting habitats’ like hedgerows, watercourses or woodland changing or removing bats’ foraging areas When applicants need a species survey You only need to ask an applicant to carry out a survey if it’s likely that protected species are: present on or near the proposed site, such as protected bats at a proposed barn conversion affected by the development, such as the effect of a wind turbine proposal on protected birds</i></p> <p>Decide if you need to survey <i>Survey for bats if: records show that there are bat roosts in the development site or roosts in the area..... there are trees with features that bats tend to use nearby distribution and historical records suggest they may be present ”</i></p> <p>The Bat Conservation Trust. <i>The Bat Conservation Trust advises in relation to day to day planning that: If a bat survey has not already been undertaken to determine the potential for bats on site, and or the presence of bats: The authority should request that the developers commission an appropriate survey If a bat survey demonstrates that development is likely to affect bat foraging and/or commuting habitat: Linear features such as tree lines should be retained, and compensatory planting should be considered wherever possible.</i></p>	

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	<p><i>If a bat survey demonstrates that bats and/or a known roost are likely to be affected by the proposed development and planning permission is to be granted:</i></p> <p><i>A condition should be placed on the decision notice requiring the developer to apply for, and obtain, a <u>European Protected Species Licence</u> before work commences.</i></p> <p><u>Cheddleton Resident’s response (italics) to Officer (italics) and Absolute Ecology (bold) comments (received 11th August 2019)</u></p> <p><i>Response to Residents Analysis of great Crested Newt Surveys The letter by the residents indicate that Absolute Ecology has failed to carry out surveys at ponds within 250m of the development site. There is no indication as to the exact location of these ponds. No grid references or precise locations are provided.</i></p> <p>(Please eDNA report May 2019 with pond location indicated on page 13 which gives a precise location of the ponds surveyed).</p> <p><i>The substantive point about the 250m zone is that AE did not attempt to identify all ponds within that zone as they should have. The resident’s group do not necessarily know the location of all ponds, that is AE’s job, but a thorough letter drop could have found them. We are aware that there are un-surveyed ponds at SJ97139 52267, SJ97145 52217 and SJ97202 52102. The third of these is shown on the aerial view in the AE report, it is incorrectly labelled as P104. The actual location of P104 is not shown. This illustrates their poor record keeping.</i></p> <p><i>Presence / absence Surveys The description of the survey timings detailed under presence absence surveys conflicts with the survey description as detailed in in the Absolute Ecology report. The report states that surveys using netting and egg searches were carried out between 14/5/2019 and 20/5/2019. (The population report July 2019 indicates on page 9, 13 and 21-23 that the surveys were conducted on the 14/05/19, 15/05/19, 20/05/19, 29/05/19, 10/06/19, 12/06/19. Please read eDNA report for presence and Absence which shows we conducted the eDNA in the appropriate time).</i></p> <p><i>The netting and egg searches are irrelevant since the eDNA survey confirms presence. The AE report states that the eDNA sample was taken on 21/05 but no visit was made on that day, illustrating the unreliability of AE’s record keeping. We have not contested that the eDNA result shows the presence of newts or whether the sampling was done at an appropriate time for that type of presence/absence</i></p>	

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	<p>survey.</p> <p><i>Population size survey</i> <i>According to guidance 'ideally' a variety of survey methods are advised. I considered the survey methods used were appropriate to the size and scale of the pond. Effectively every part of the pond whole could be surveyed with a net.</i></p> <p><i>The Natural England standing advice specifically states:</i></p> <p><i>"You <u>should</u> use torch surveys and bottle trapping on each visit"</i></p> <p><i>"netting - this should only be used in addition to other methods and <u>not to indicate population size</u>"</i></p> <p><i>There's no mention of "ideally".</i></p> <p><i>According to the Absolute Ecology report six visits were made to assess the size the population. I had assumed two of these were within the peak time period. The third visit on 20/4/19 was only marginally outside this time period. Given the very small size of the pond and its isolated nature I considered the timing of surveys adequate.</i></p> <p><i>The AE report is wrong. Below is a signed letter from the owner of No.19 Ox Pasture confirming that no survey took place on the 14/05. Only five actual surveys are reported. The 15/05 survey is the only one in the peak period, <u>at least three</u> are required, and it used inappropriate methods. 5 days late (15th to 20th) after a period 30 days long (mid-April to mid-May) is not marginal, it is around 16%. The size of the pond is irrelevant to the timing of surveys. The pond is not isolated, it is 80m from the site and other ponds. There are no dispersal barriers between the site and P119, which can easily be verified via a site visit by the Officer. Perhaps AE can suggest how the recorded newt, frogs and toads got to the pond, and where the newt's parent population is. They should be aware that spontaneous generation is a discredited theory.</i></p> <p><i>To avoid any confusion Absolute Ecology need to confirm re-clarify what type of survey was carried out when i.e. What method to define presence/ absence were used on which date.</i></p> <p><i>If netting/ egg search surveys to assess population size were carried out on 20/5/19, 29/5/19, 10/6/19 and 12/6/19 outside the advocated time period to carry out at least three surveys then further surveys will be required according to best practice guidance. (The population size was conducted prior to receiving the eDNA result given the confirmation by the resident that GCN were</i></p>	

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	<p>present and as the optimal survey time was coming to a close we reacted immediately with the traditional survey these were conducted on the 14/05/19, 15/05/19, 20/05/19, 29/05/19, 10/06/19, 12/06/19 which is the optimal period. The above population was conducted in the optimal, but we at Absolute ecology also conducted the eDNA (Presence & Absence) on the ponds recorded within the eDNA report on pages 29-33 it can be seen when the laboratory had received the samples. For P19 this can be seen on page 12, all the eDNA samples again were conducted in the optimal period prior to the 30th June 2019.</p> <p><i>See previous comments, also the eDNA survey is irrelevant to population size surveys.</i></p> <p><i>Impacts</i> <i>Assuming the survey has been carried out to include presence absence surveys on including netting and egg searching on 14/5/19 , 15/5/19 and 20/5/19 the pond is likely to support a very small population of great crested newts. Given only a single record impacts are considered to be low.</i> <i>It is reasonable to deduce that the impact on great crested newts using adjacent terrestrial habitat within the development is likely to be of low significance.</i></p> <p><i>We have acknowledged that the pond has a small population. This indicates nothing about the size of the population in the wider area including the site, hence the need for a terrestrial survey of the site. It is not possible to deduce the impact on newts using the terrestrial habitat without knowing how many are present in that habitat.</i></p> <p><i>The Officer should note that for application <u>SMD/2019/0302 AE</u> assessed the proposed development as being:</i></p> <p align="center"><i>“Amber: Offence Likely’ to result in an offence under the relevant legislation. Therefore, the development will require a European Protected Species Mitigation Licence (EPSML).”</i></p> <p><i>The pond in that case was 130m from the site, the site measures 0.7ha and includes suitable terrestrial habitat. Almost identical parameters to the Ox Pasture situation.</i></p> <p><i>In this case an appropriate method statement detailing avoidance and mitigation should be able to avoid impacts on great crested newt, given the population found at pond 19 Ox Pasture. However, if netting/ egg search surveys to assess population size were carried out on 20/5/19, 29/5/19, 10/6/19 and 12/6/19 outside the advocated time period to carry out at least three surveys, then further surveys will be required according to best practice guidance. (as stated</i></p>	

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	<p>again the population survey were conducted 14/05/19, 15/05/19, 20/05/19, 29/05/19, 10/06/19, 12/06/19 which is optimal and the eDNA was also conducted in the optimal period prior to the 30th June please see eDNA and population reports)</p> <p><i>See previous comments.</i></p> <p><i>AE's record keeping is clearly inadequate for producing scientific reports, consequently their reports are not credible.</i></p> <p><i>Owner's letter confirming that no surveys were carried out at No.19 Ox Pasture on 14/05.</i></p> <p><u>Cheddleton Residents Ecology Response (received 13th August 2019)</u></p> <p>"It's good to see our input being properly considered at last. There is nothing new in AE's latest response, and they have avoided the Officer's questions. The evidence is in their earlier reports, that's what we used".</p> <p><u>ADDITIONAL CONSULTATION RESPONSES:</u></p> <p><u>SMDC Ecology Officer (Received 14th August 2019):</u></p> <p><u>Great crested newt</u></p> <p><u>Scope and extent of surveys</u></p> <p>The survey by Absolute Ecology has made reasonable effort to survey ponds within 250m of the development site for great crested newts, that may use terrestrial habitat at the proposed development site. Reasonable effort has been made to locate ponds using aerial photographs and by contact with adjacent properties. An appropriate method statement, including landscaping on the development site is likely to be able to avoid and mitigate impacts, on the small populations of great crested newts present.</p> <p><u>Population and Presence and absence surveys</u></p> <p>There is differing views between the developer's ecologist and Cheddleton Residents regarding the timing and adequacy of surveys. Absolute Ecology report indicates six surveys were carried out two of which were within the time period. The third visit was only marginally outside this time period. Absolute Ecology indicates that only sweep netting and egg searching are applicable given specific site conditions. Torching was not feasible given the turbid nature of</p>	

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	<p>the site and setting a bottle trap was also not possible due to the plastic pond liner. Under these circumstances the methods used are reasonable.</p> <p><u>Number of surveys and timing</u></p> <p>Absolute Ecology has indicated that six survey visits were carried out between 15/5/19 and 20/6/19 to assess population size. Natural England's standing advice available on its website states:</p> <p>Visits should be carried out between mid-March and mid-June with at least three visits in peak season (usually mid-April to mid-May) See:</p> <p>https://www.gov.uk/guidance/great-crested-newts-surveys-and-mitigation-for-development-projects#survey-methods</p> <p>Given the very small size of the pond and its isolated location I consider the visit timings to be adequate.</p> <p><u>Impacts</u></p> <p>In the case of application number <u>SMD/2019/0302</u> cited by the Cheddleton Residents <u>the pond is directly connected to the application site via continuous unbroken grassland and scrub. In this case a more significant impact on populations of great crested newts is likely.</u></p> <p><u>The pond at 19 Ox pasture is separated from the development site by a road and gardens that include close boarded fencing. The assessment of impacts on great crested newts is different for each planning application. As indicated in my previous correspondence a method statement detailing avoidance measures and appropriate landscaping should mitigate impacts on great crested newt.</u></p> <p><u>SMDC Ecology Officer (Received 12th August 2019):</u></p> <p><u>Bats</u></p> <p>The application is for an outline planning application only. It is reasonable to conclude that key habitats that may support commuting or foraging bats can be retained via appropriate landscaping. These habitats will include lines of trees and hedges around the perimeter of the site and associated grassland buffer strips.</p> <p>The majority of the site was found to be improved grassland in the preliminary ecological appraisal by Absolute Ecology dated September 2018 indicated that the majority of the site was improved</p>	

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	<p>grassland. There are no buildings on site and trees on site are classed as having low potential to support bat roosts.</p> <p>With appropriate landscaping it is likely that habitats can be improved for commuting and foraging bats. For example via the creation of species rich buffer strips along hedgerows. An appropriate lighting scheme, site layout and landscaping will ensure impacts on foraging or commuting routes is avoided and mitigated. Further bat surveys to inform this design is proportionate given the value of habitats present of site and the fact the application is outline only.</p> <p><u>Reptiles</u></p> <p>A site specific method statement should avoid impacts to reptiles during the construction. Habitats on site are largely improved grassland of relatively low habitat value for reptiles. As the application is outline only appropriate landscaping to improve the quality of habitat for reptiles is feasible through landscaping.</p> <p><u>SMDC Projects Officer (Received 13th August 2019):</u></p> <p>The Officer has confirmed that the following statement is still current:</p> <p><i>“This site has not been specifically raised within the Open Space, Sport and Recreation Study. The Standards Paper states that there are no significant gaps in provision identified from catchment mapping for amenity greenspace across the District, which would be the classification of this site. The focus for amenity greenspace is therefore on ensuring quality standards are met. In the rural areas, which Cheddleton falls under, there are several amenity greenspace sites which rate low for quality. One such site is Cheddleton Recreation Ground, across from the proposed development. The recommendation is that enhancing site quality should be explored where possible (exploring options for improved maintenance, enhancement of general appearance and opportunities for additional ancillary facilities on site). We are therefore seeking off site contributions towards enhancing this site from the proposed development”.</i></p> <p><u>SMDC Conservation Officer (Received 14th August 2019):</u></p> <p>The Conservation Officer has responded to further representations received in relation to heritage matters as follows:</p> <p><i>“The site is not in the Conservation Area and the only signal of the historic core is a tapering view towards the church tower, with intervening modern development. I do not share the view that</i></p>	

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	<p><i>development of this site will significantly affect the character and appearance of the historic core of the village.</i></p> <p><i>The main thrust of this relates to views of the church tower from the south (from the informal footpath). Whilst you currently look across the fields from the footpath you only see the church tower as the rest of the building is obscured by more recent development near the church. Views of the church tower will still be achieved by careful siting of the new development but I accept that the open, green vantage point will be compromised and this is the less than substantial harm that has been highlighted”.</i></p> <p><u>OFFICER COMMENTS:</u></p> <p><u>Ecology</u></p> <p>On the issue of the GCNs (Great Crested Newts), the Conservation of Habitats and Species Regulations 2017 (the Regulations) transposed into UK law, the European Union Directive 92/43/EEC (the Habitats Directive). The Habitats Regulations include a strict system of protection for European sites and European Protected Species. Amongst other things, they place a duty on decision-makers to have regard to the requirements of the Habitats Directive in the exercise of their functions. In addition to the relevant provisions of the Wildlife and Countryside Act 1990, this role is also supported by the NPPF.</p> <p>NPPF paragraph 170.d) indicates that planning decisions should minimise impacts on and provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 175.a) indicates that if significant harm to biodiversity resulting from a development cannot be avoided (through locating it on a site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. This is referred to in PPG as the ‘mitigation hierarchy’.</p> <p>The implication of this approach is that the proposed development should ideally be designed and constructed in a way which avoids effects altogether; if this is not possible then mitigation measures should only be employed where it is not possible to avoid effects altogether, and compensation should only be used where mitigation is not possible. Proposals should ensure that there would be no net loss of biodiversity and preferably a net gain.</p> <p>The further responses from the applicant’s have further clarified the type of GCN surveys and timing. The number of surveys, timing and</p>	

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	<p>methods used are considered to be sufficient to define that a small population of GCN is present in the pond at no.19 Ox Pasture as is detailed within the SMDC Ecology Officer response below.</p> <p>In these circumstances, impacts on the GCN population are unlikely, and can be avoided and mitigated by an appropriate method statement. Appropriate compensation and enhancement for loss of terrestrial habitat at the development site is achievable via appropriate landscaping.</p> <p>In conclusion, there are clear proposals for GCN mitigation including terrestrial foraging habitat and features to provide for hibernation and refuge.</p> <p>Officers do not consider that the proposal would result in harm to GCNs. Accordingly, the proposals do not conflict with CS Policy NE1 which amongst other things, includes a requirement to protect biodiversity. Neither is there conflict with the NPPF.</p> <p><u>Other issues</u></p> <p>The reference to the restrictive covenants at no. 10 Ox Pasture is covered within the officer report at para 7.59.</p> <p>The Conservation Officer has responded to further representations received in relation to heritage matters as is set out above. This would not alter the less than substantial harm that has been highlighted already within the officer report at para 7.31.</p> <p>In terms of highway safety matters, para 7.34, confirms that the inadequate width of the service strip would not in itself cause harm to the safe operation of the highway. The scheme has demonstrated a safe and suitable access to the site and would not have a significant impact on the local transport network.</p> <p><u>AMENDED RECOMMENDATION</u></p> <p>A. That planning permission be APPROVED, subject to conditions and the completion of a s106 planning obligation securing matters of 33% onsite affordable housing provision, education contributions and off site play and playing field contributions:</p> <p>In accordance with those conditions as detailed within the report excepting Condition 13 (Reptiles), which has been reworded as follows:</p>	

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	<p>13. No development shall take place including site clearance or ground works, until surveys have been carried out according to best practice for the presence of reptiles. Survey results shall inform working methods and on site landscaping. Survey details and methods to avoid, mitigate and compensate impacts on reptiles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and timescales specified. Reason:- In the interests of nature conservation.</p>																																								
<p>SMD/2019/0080</p>	<p><u>Endon Riding School, Stanley Moss Lane, Stockton Brook</u></p> <p><u>ADDITIONAL INFORMATION RECEIVED FROM THE APPLICANT:</u></p> <p>The Plot House Area & Volume has been confirmed as follows:</p> <table border="1" data-bbox="432 1070 807 1525"> <thead> <tr> <th>Plot</th> <th>Area</th> <th>Volume</th> </tr> <tr> <td></td> <td>sqm</td> <td>cum</td> </tr> </thead> <tbody> <tr><td>1</td><td>201</td><td>640</td></tr> <tr><td>2</td><td>182</td><td>560</td></tr> <tr><td>3</td><td>182</td><td>560</td></tr> <tr><td>4</td><td>222</td><td>707</td></tr> <tr><td>5</td><td>208</td><td>665</td></tr> <tr><td>6</td><td>222</td><td>707</td></tr> <tr><td>7</td><td>208</td><td>665</td></tr> <tr><td>8</td><td>222</td><td>707</td></tr> <tr><td>9</td><td>182</td><td>560</td></tr> <tr><td>Garages</td><td>252</td><td>756</td></tr> <tr><td>TOTAL</td><td>2081</td><td>6527</td></tr> </tbody> </table> <p><u>OFFICER COMMENTS</u></p> <p>Render as a selective facing material has been removed from affected plot types and replaced with brick.</p> <p>In respect of nature conservation matters, the landscaping scheme is fully and well specified, comprising mixed native species hedgerow (also incorporating some new standard hedgerow trees) to boundaries of Plots 1, 2, 3, 8 and 9 to comply with CS Policies DC1 and NE1 in particular and the NPPF.</p> <p><u>AMENDED OFFICER RECOMMENDATION:</u></p> <p>APPROVE subject to those planning conditions as detailed</p>	Plot	Area	Volume		sqm	cum	1	201	640	2	182	560	3	182	560	4	222	707	5	208	665	6	222	707	7	208	665	8	222	707	9	182	560	Garages	252	756	TOTAL	2081	6527	<p>63-84</p>
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	<p>within the report with the addition of a further condition to secure appropriate finished levels on site as follows:</p> <p>10. No development hereby permitted shall be commenced until detailed plans and sections showing existing and proposed site levels for that phase and showing the proposed relationship with adjacent phases have been received to and approved in writing by the Local Planning Authority and the development thereafter shall only be carried out as approved.</p> <p>Reason:- In the interests of visual amenity.</p>	
SMD/2019/0379	<p>Public Representation:</p> <p>1 further letter received in support of the application, making the following comments;</p> <ul style="list-style-type: none"> - building is required and will help with the sustainability of the farm; - proposed facilities will not detract from day to day farming activities; - Building is in-keeping with others that have recently been erected; - Location would be sympathetic to surrounding landscape/topography and highway infrastructure with good access; - Farming is an integral part of the working village of Hollington; - Would help create a more efficient and expanding business. 	85-100
SMD/2019/0126	<p>REPRESENTATION RECEIVED FROM CHEADLE UNITE:</p> <p>An objection was raised in April by residents for potential on-road parking just prior to a fast traffic blind bend on Rakeway road Cheadle in order to accommodate residents and visitors/callers on the above proposed development. The objection details images and text of the potential for vehicles to have to overtake On-road vehicles just prior to a blind bend (attached below). Suggestions were made to address safety concerns with on-road parking near to the blind bend in Rakeway road:</p> <ol style="list-style-type: none"> 1. Increased off-road parking per household, and: 2. Prohibition of on-road parking. <p>My understanding is the suitability of the site proposal and any potential modifications is a matter which should be considered by Planning Officers with clear consultation and written responses from the Highways Agency and other interested parties, before</p>	101-114

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	<p>presentation to Councillors on the Planning Committee. Following an email (8th Aug 2019) from SMDC Planning Department regarding the planning application going to the Planning Committee, with very limited time to respond and likely unavailability to attend the hearing or fully consult with our (Cheadle Unite) committee, the following points have been raised for consideration by the Planning Committee on the 15th Aug 2019. I have looked at the documentation on the SMDC website regarding the above application, and wish to highlight the following:</p> <p>There is (as of 11th Aug 2019) no written Highways Agency documentation relating to this application on the SMDC website. The Agenda Pack page 106 'Highways' highlights a consultation regarding visibility splays (for vehicles entering and exiting the proposed site) in section 6.18. This does not address the above concerns. Section 6.19 References a marginal reduction in the number of bedrooms on the site (2 bedrooms) retaining 6 developments of 3 bedroom semi detached properties (3 of semi pairs), with provision for 2 cars per property in line with an adjustment for landscaping (section 2.3). This is a marginal reduction from 20 to 18 bedrooms overall. Details of any improvements to the off road parking (item 1 above) are not on file as of the 11th Aug 2019 for comment. The allocation of only 2 spaces per dwelling for both residents and visitors should be considered inadequate against national recognition that the number of cars per household is rising dramatically [1] with 2 spaces alone required for the owners commute to work (highly likely for this development). Numerous councils now recommend between 2.5 and 3 parking spaces [2] per dwelling for a 3 bedroom semi in a similar location and in circumstances where overspill would not likely compromise road safety on a highway. Section 6.18 States that 'Further space within the site could be made available for visitor parking if required. It is not apparent from the existing plans, where these additional spaces are without overspill onto the public highway. Any such space should surely be made a requirement (not a 'could be'). Given any on-road parking could have road safety implications it is important that the Highways Agency detail their position on the level of off-road parking and potential impacts to the highway. Section 6.19 of the Agenda Pack states that: 'Amendments have also been made to the off-street parking arrangement and in light of these changes the Highway Authority have been re-consulted. Further comments have not been received at the time of preparing this report and will be presented to members via the update report'.</p> <p>Given that statement and the concerns raised above, before considering the application, please ensure that the Highways Agency have commented fully in writing on the off-road parking provision and the potential for on-road parking adjacent to the blind bend on</p>	

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	<p>Rakeway Road and any measures (such as parking prohibition) required to ensure the safety of road traffic.</p> <p><u>Officer response:</u></p> <p>The comments received from Cheadle Unite were forwarded to the Highway Authority to consider. The following comment has been received:</p> <p>You'll recall I originally recommended refusal due to inadequate visibility. Subsequent drawings have included adequate visibility as required by my initial refusal.</p> <p>SMDC now has draft parking standards which have been approved by members. The proposed parking layout meets the parking standards within the draft Core Strategy of 2 spaces for 3 bed dwellings.</p> <p>The frontage of the development is clearly visible from Manifold Drive a point which is subject to 30mph speed limit and requires forward visibility of 43m.</p> <p>There are no objections on Highway grounds to the proposed development subject to the following conditions being included on any approval:-</p> <p>1. The development hereby permitted shall not be brought into use until the visibility splays of 2.4mX120m shown on plan 00839 AI(0) 01 D have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level. Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.</p> <p>2. The development hereby permitted shall not be brought into use until details of the following highway works have been submitted to and approved in writing by the Local Planning Authority - widening of the footway on the site frontage to a minimum of 1.8m; The highway works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use. Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety. To comply with SMDC Core Strategy T1 and T2</p> <p>3. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in</p>	

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	<p>accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development. Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.</p> <p>4. Before the proposed development is brought into use, details shall be first submitted to and approved in writing by the Local Planning Authority indicating a bin store adjacent to, but clear of the footway to store bins on collection day clear of the footway to avoid obstruction of the footway. The bin store area shall thereafter be provided in accordance with the approved plans for the life of the development. Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.</p> <p>5. The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been surfaced and thereafter maintained in a bound material in accordance with details to be first submitted to and approved in writing by the Local planning authority. The access shall thereafter be surfaced in accordance with the approved details. Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.</p> <p>6. The development hereby permitted shall not be brought into use until details of a surface water drainage interceptor sited immediately rear of the highway boundary and connected to a surface water outfall (or drained to SUDS principles), has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall thereafter be constructed in accordance with the approved details prior to the development being first brought into use. Reason:- To comply with NPPF Paragraph 108; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.</p> <p>OTHER MATTERS</p> <p>The following further conditions are recommended to protect the landscape setting and character and appearance of the site:</p> <p>1. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any Order revising, revoking or re-enacting that Order with or without modification, there shall be no enlargement or extension of the dwelling(s) hereby permitted by virtue of Class A or B, without the prior approval of the Local Planning Authority. Reason:- To protect the visual amenities of the area and to protect</p>	

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	<p>the character and appearance of the site.</p> <p>2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any Order revising, revoking and re-enacting that Order with or without modification, no new hardstanding forward of the north elevation of the dwelling(s) hereby approved shall be formed, laid out or constructed within the site without the prior written approval of the Local Planning Authority.</p> <p>Reason:- In order to protect the character and appearance of the site and wider local vernacular.</p>	
SMD/2019/0192	None.	115-124

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