

SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
15th August 2017

Agenda item 4

Application ref. 16/01101/FUL

Land off Meadow Way, Baldwin's Gate

Following the preparation of the main agenda report, **six further letters of representation** have been received. The following is a summary of the comments made in addition to those already detailed in the agenda report:

- The timing of the site visit outside of school term time is inappropriate.
- It is unclear from the documentation submitted regarding the stabilisation of peat deposits whether the proposal is a suggestion or a firm proposal. Objection is raised on the grounds that no indication of noise levels, vibration, dust levels, gas emissions and treatment, contamination or time scales have been submitted. These points need to be addressed before a decision is made on this full planning application and not simply left to be determined later.
- The vehicle swept path analysis does not show movements for the left turn off the A53 into Meadow Way or the right turn out of Meadow Way onto the A53. It has been suggested that site traffic would approach Meadow Way from the west and exit to the west but as Sandy Lane, Woodside and Manor Road have weight restrictions on them, vehicles would have to travel significant distances which is unsustainable in terms of time, fuel and emissions.

Further comments have been received from **Staffordshire Wildlife Trust** in response to comments from the applicant's Ecologist (Ecology Solutions) received on 18th July 2017. A summary of the points made in addition to those already made in previous correspondence is as follows:

- Paragraph 118 of the NPPF refers to all irreplaceable habitats 'including' ancient woodland and veteran trees. There is no definitive list of habitats considered irreplaceable but this is probably because any habitat has potential to be so classified if it meets certain criteria. If it is considered that Chorlton Moss is not of sufficient age, uniqueness or species diversity, or could be re-created, the evidence for this should be presented.
- The only standing advice provided by Natural England is for ancient woodland and veteran trees but the standing advice can be applied generally to any irreplaceable habitat. As this is the only guidance on irreplaceable habitats it should be referred to, while also referring to specific impacts and threats/requirements of lowland raised bog.
- While it is true that the moss is not statutorily protected, it is not known when or how it was last assessed and the lack of statutory protection for degraded lowland raised bog is however recognised as a serious problem in protecting it.
- The moss is physically capable of restoration and whether there are 'foreseeable' prospects of this happening in the future is irrelevant. It is argued that a smaller development that avoids impacts to the moss with a planning obligation to manage a part of the Local Wildlife Site (LWS) would be an ideal solution which would deliver net gain and a sustainable development.
- Without quantified information it is not possible for Ecology Solutions to conclude that the cost/benefit exercise of true restoration would result in the benefits outweighing the costs.
- In terms of habitat creation, a SuDS wetland feature would appear to be a better position than a degraded area of peat bog, however new wetlands should not be

created on habitat that is already of value. The SuDS pond itself could not be considered restoration and therefore the feature should be located elsewhere and the area be included in the general management/mitigation area.

- It would appear that the need to make best use of the space on the site for housing is the main driver for placing the SuDS pond in the moss. Designing SuDS into the landscaping throughout a development is generally more beneficial to the landscape and to its function than having one treatment feature. The detailed design should be considered now rather than as a planning condition.

The applicant has submitted a draft Unilateral Undertaking.

Your Officer's comments

It is considered that the issues raised within the additional representations and the further submission by Staffordshire Wildlife Trust have been addressed in the agenda report. With respect to the holding of the Committee's site visit outside of term time, assessments of the highway position have been undertaken during term time. If members wish to have sight of the Revised Transport Assessment which includes detailed observations of school related on-street parking in its section 3.5, it is available to view on the Council's website. There is no substantive reason to consider that the Planning Committee cannot determine the application based on an appropriate evaluation of the proposal in the light of this Assessment and the views of the Highway Authority upon it, without the Committee having itself undertaken a site visit during term time.

The draft Unilateral Undertaking is being reviewed by your Officers and information on "title" is being obtained (to confirm who would need to enter into such an undertaking). It is neither possible at this stage to confirm whether the draft delivers the obligations which your officers consider are required, nor is it signed. There is no completed Unilateral Undertaking "on the table" for the Committee to take into account. However the submission of the Draft is indicative of a willingness by the applicant and the landowners, in principle, to enter into planning obligations referred to in the recommendation, although the details have yet to be agreed.

On this basis the recommendation that is given to the Committee remains that which was provided in the main agenda report