

Application No: 17/3915C

Location: LAND SOUTH OF MIDDLEWICH ROAD AND EAST OF, ABBEY ROAD,
SANDBACH

Proposal: Approval of reserved matters (appearance, landscaping, layout and scale) following outline approval 12/1463C - Erection of 126 two storey detached, semi detached and mews dwellings, landscaping, open space, parking and associated works.

Applicant: Mr Chris Dobson, Redrow Homes & Anwyl Homes

Expiry Date: 12-Jan-2018

SUMMARY

The letters of objection from local residents and the Town Council have been noted. However the principle of development has already been accepted as part of the outline approval on this site.

Despite the concerns raised in the letters of objection the development will not have a detrimental impact upon residential amenity, it would provide benefits in terms of much needed affordable housing provision and would help in the Councils delivery of 5 year housing land supply. The development would comply with Policy GR6 (Amenity and Health) of the CLP.

In terms of the POS and play space provision this is considered to be acceptable and would be a benefit to this scheme.

The proposed landscaping scheme is acceptable and the development is acceptable in terms of its impact upon ecology and trees/woodlands and would comply with Policies SE1 (Design), SE3 (Biodiversity and Geodiversity), SE4 (The Landscape), SE5 (Trees, Hedgerows and Woodland) and SE6 (Green Infrastructure) of the CELPS and PC2 (Landscape Character) and PC4 (Biodiversity and Geodiversity) of the SNP.

The drainage/flood risk implications for this proposed development are considered to be acceptable.

The proposed access point is acceptable and the traffic impact as part of this development has already been accepted. The internal design of the highway layout and parking provision is considered to be acceptable.

The design/layout of the development is considered to be acceptable and has been subject to negotiation with the developer. The design/layout is considered to comply with the Design Guide SPD and Policies SE1 (Design) of the CLP and H2 (Housing Layout) of the SNP.

RECOMMENDATION

APPROVE with conditions

PROPOSAL

Planning permission 12/1463C gave approval for the erection of 280 homes together with associated public open space, and highway improvements.

Reserved matters approval was given under application 15/0446C for a total of 154 dwellings.

This application seeks Reserved Matters approval for the details of appearance, landscaping, layout and scale of the development.

This application relates to a development of 126 dwellings and the site is split between Anwyl and Redrow.

SITE DESCRIPTION

The application site is part of a larger development which measures approximately 15.6ha of land, situated on the southern side of Middlewich Road, west of Park Lane and east of Abbey Road. The site included two residential properties 170 and 172 Middlewich Road which have now been demolished. The site is bordered by residential properties to its north, western and eastern boundaries, with open fields to the south.

The site is relatively flat although the land level drops slightly to the south/east of the site. There are a number of hedgerows running along the existing field boundaries. There are a number of trees within the residential curtilages of the properties surrounding the site with a number of mature trees within the grass verges along Abbey Road and Park Lane.

At the time of the case officers site visit the approved development was under construction and some of the approved dwellings are now occupied

RELEVANT HISTORY

17/5107C - Non material amendment to 16/2728C; Substitution of House types to plots 76 & 77 - Plot 76 from a PENRHOS to a GLYN, Plot 77 from a DOLWEN to a PENRHOS – Approved 26th October 2017

17/3916C - Erection of 25 two storey detached dwellings, landscaping, open space, parking and associated works – No decision made at the time of writing this report

17/0702C - Non-material amendment to approval 16/2728C – Approved 28th February 2017

16/6068C - Variation of condition 1 (plot 08 house type substitution) on approved application 16/0223C – Application undetermined

16/2728C - Variation of conditions 2 (housetypes on Plots A26 and A56) and 10 (landscaping) on application 15/0446C - Erection of 154 two storey detached, semi detached and mews dwellings landscaping, formation of community park, open space, parking and associated works – Approved 14th September 2016

16/2260C - Changes to Section 106 agreement: Affordable housing – Application undetermined

16/1550C - Non material amendment to approval 12/1463C – Refused 22nd April 2016

16/0223C - Variation of Condition 2 on application 15/0446C to change the roof design to 5no house types as approved under the approval and as such, submit replacement planning layout and the house type elevations – Approved 11th March 2016

15/0446C - Erection of 154 two storey detached, semi detached and mews dwellings landscaping, formation of community park, open space, parking and associated works – Approved 10th September 2015

12/1463C - Demolition of 170 and 172 Middlewich Road, Sandbach, Formation of New Access to Serve Residential Development of up to 280 Dwellings, Landscaping, Open Space, Highways and Associated Works – Approved 7th October 2014

14/0191C - Removal of Condition 14 (25% of Housing with no more than 2 bedrooms) on approval 10/3471C - Proposed Residential Development of up to 280 Dwellings, Landscaping, Open Space, Highways and Associated Works – Withdrawn

11/0440C - Demolition of 170 and 172 Middlewich Road, Sandbach and Formation of New Access to Serve Residential Development – Approved subject to the completion of a Unilateral Undertaking 18th October 2012

10/3471C - Proposed Residential Development of up to 280 Dwellings, Landscaping, Open Space, Highways and Associated Works - Refused 18th November 2010 – Appeal lodged – Appeal dismissed – High Court challenge – Decision quashed, Appeal to the Court of Appeal – Appeal Dismissed. Appeal Allowed by Secretary of State

22739/1 – 18 hole golf course, club house, open space, residential development and associated supporting infrastructure – Refused 2nd January 1991

17611/1 – Residential Development – Refused 10th June 1986

NATIONAL & LOCAL POLICY

Cheshire East Local Plan Strategy (CELPS)

PG1 – Overall Development Strategy
PG2 – Settlement Hierarchy
PG7 - Spatial Distribution of Development
SC4 – Residential Mix
CO1 - Sustainable Travel and Transport
CO4 – Travel Plans and Transport Assessments
SC5 – Affordable Homes
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE 1 - Design
SE 2 - Efficient Use of Land
SE 3 - Biodiversity and Geodiversity
SE 4 - The Landscape
SE 5 - Trees, Hedgerows and Woodland
SE 6 – Green Infrastructure
SE 8 – Renewable and Low Carbon Energy
SE 9 – Energy Efficient Development
SE 13 - Flood Risk and Water Management
IN1 – Infrastructure
IN2 – Developer Contributions

Congleton Borough Local Plan First Review

The relevant Saved Policies are:

PS8 - Open Countryside
NR4 - Non-statutory sites
GR6 - Amenity and Health
GR7 - Amenity and Health
GR9 - Accessibility, servicing and provision of parking
GR14 - Cycling Measures
GR15 - Pedestrian Measures
GR16 - Footpaths Bridleway and Cycleway Networks
GR17 - Car parking
GR18 - Traffic Generation
NR3 - Habitats
NR5 - Habitats

Sandbach Neighbourhood Plan

PC2 – Landscape Character
PC3 – Policy Boundary for Sandbach
PC4 – Biodiversity and Geodiversity
PC5 – Footpaths and Cycleways
HC1 – Historic Environment
H1 – Housing Growth
H2 – Housing Layout
H3 – Housing Mix and Type
H4 – Housing and an Ageing Population
H5 – Preferred Locations
IFT1 – Sustainable Transport, Safety and Accessibility
IFT2 – Parking
CW1 – Amenity, Play, Recreation and Outdoor Sports
CW3 – Health
CC1 – Adapting to Climate Change

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.
50. Wide choice of quality homes
56-68. Requiring good design

Supplementary Planning Documents

The EC Habitats Directive 1992
Conservation of Habitats & Species Regulations 2010
Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System
Interim Planning Statement Affordable Housing
Interim Planning Statement Release of Housing Land
Cheshire East Design Guide

CONSULTATIONS

CEC Strategic Housing Manager: Concerns have been raised by the Councils Housing Officer who has confirmed that he would have no issue with the application subject to a Deed of Variation to the original S106 Agreement as long as the total amount is not less than 30% and the 30% is then split to 65% Affordable/Social Rent and 35% Intermediate Tenure.

CEC Flood Risk Manager: Conditions suggested

Natural England: No comments to make

CEC Strategic Highways Manager: No objection.

United Utilities: United Utilities has reviewed the drainage proposals and confirm the proposals are acceptable in principle. A condition is suggested in relation to Sustainable Drainage Systems.

CEC Environmental Health: Conditions suggested in relation to a Piling Method Statement, Noise Mitigation Dust Control, Environment Management Plan, Travel Plan and Electric Vehicle Infrastructure and an informative has been suggested in relation to hours of construction and contaminated land.

Cheshire Archaeologist: The current reserved matters application covers only the western extent of the proposed development area where no significant archaeological deposits were encountered. No further archaeological mitigation is required within this area.

Ansa (Public Open Space): Following the adoption of Cheshire East Local Plan Policy SE6 requires the development to provide 9,060sqm of public open space equating to 3020sqm over three land typologies – Children’s Play Space, Amenity Green Space and Green infrastructure Connectivity.

The outline application provided two NEAPs one within the community park and the other to the south-west of the site. The NEAP to the south west has been replaced by attenuation and a kick about area. Following discussions with the applicant it has been agreed the Phase II NEAP can be replaced with a LEAP and for 4 additional items of equipment to be added to the NEAP in the Community Park. Some discussions have taken place as to the choice of equipment that would be acceptable. The bund proposed to demark the play facility and protect from the SUDS scheme should be no higher than 0.5m to enable good natural surveillance.

A LEAP sized play facility will complement the NEAP located in the Community Park with adjacent amenity green space for informal games. The LEAP should be to Fields in Trust standards embracing the DDA ethos, low level planting to aid natural surveillance with a 20m minimum depth buffer to separate the activity zone and the boundary of the nearest property to reduce potential nuisance to residents. The amenity green space should be fit for the purpose it is intended, available all year round for the enjoyment of the community.

Environment Agency: No comments received.

Cheshire Wildlife Trust: No comments received.

Cheshire Gardens Trust: No comments received.

Ramblers Association: No comments received.

Cheshire Brine Subsidence Board No comments received.

CEC PROW: The development does not appear to affect a PROW. The proposed accesses onto Abbey Road are variously described in the application documents as 'pedestrian', 'emergency' and 'pedestrian/cyclist' access routes. It is understood that these are not proposed as vehicular routes, but should be designed and constructed to best practice standards for the use of pedestrians and cyclists in order to increase the permeability of the site. Further, it is not clear from the application plans that linking paths connect between the southern access onto Abbey Road and the Full application development estate roads.

Local user groups are particularly keen to see the delivery of the 'potential link to the Wheelock Rail Trail and future sports pitches'. The application documents do not clearly or consistently propose this link. The developer should be tasked to make provision for this route.

VIEWS OF THE PARISH COUNCIL

Sandbach Town Council: Sandbach Town Council object to this application for the following reasons;

- The housing within this phase of development is far too dense.
- There is no green space of any significance.
- There are no bungalows on the development for older residents who wish to downsize.
- There are no front gardens for affordable houses. These houses shouldn't be made to stand out and should be Tenure Blind.
- This development would impose unacceptably on air quality levels. In view of the Air Quality numbers being revisited for the adjacent Middlewich Road, the amount of housing on this site should be substantially reduced.
- Members are in full support of Mr Whitworth's comments on Air Quality which can be found on application 17/3916C but are also applicable to this application.

As a result of the above, this application is in contravention of policies H2, H3, H4 of the Sandbach Neighbourhood Development Plan and policy SD2 of the Cheshire East Local Plan.

REPRESENTATIONS

Letters of objection have been received from 20 local households raising the following points:

Principal of development

- The provision of new housing is not providing any benefit to existing residents in Sandbach
- The Local Plan states that Sandbach will provide 2000 new homes and the Town is on track to meet its commitment
- A further 150 dwellings is not necessary
- Further housing will detract from the semi-rural character of the area
- The development is little more than profiteering by a large corporation
- The development will erode the gap between Sandbach and Elworth and undermines the Neighbourhood Plan

- Sandbach has taken its fair share of housing development already
- Sandbach is becoming over-developed
- Loss of green open space
- It is already difficult enough to sell existing houses in the town

Highways

- The development will increase traffic on Middlewich Road and Abbey Road which are both very busy
- Cumulative highways impact from other approved developments
- Existing traffic queues at the Waitrose roundabout and along Middlewich Road
- Traffic congestion in the area when the M6 is closed
- Increased traffic will pose a risk to children crossing Abbey Road
- Further traffic congestion in Sandbach
- The junction with Middlewich Road is poor
- Pedestrian safety
- Vehicles mount the pavement along Middlewich Road
- The road network within the vicinity of the site is already at capacity
- It is difficult to exit private driveways on Abbey Road/Middlewich Road
- The first phase of construction on this site has resulted in continuous disruption at the site entrance with regular temporary traffic lights being installed
- The proposed development will create a suburb of Manchester commuters
- The traffic models do not take into account caused when delays on the motorway cause tailbacks up the slip roads and through into Sandbach
- Car-parking is limited in Sandbach
- Problems along Middlewich Road during the school run
- There have been 8 sets of road works along Middlewich Road in the last 12 months
- Inefficiency of utility providers in undertaking numerous road works along Middlewich Road
- Narrow country roads are now being used as rat runs and this is a danger to pedestrians/cyclists
- The proposed pedestrian access points are surprisingly wide and the original access condition should be enforced to prevent use by any motorised vehicles
- Concern that the developer will install vehicular access points onto Abbey Road
- Would it not be better to consider an alternative access to this site to the south. One access is not sufficient

Green Issues

- The submitted Ecological Report is out of date

Infrastructure

- With all the approved developments there have been no extensions to schools, parking or medical infrastructure
- Schools are overcrowded
- Dentists and Doctors are full

Design Issues

- The development will create a soulless housing development with no community feel
- There is a lack of green space proposed as part of this development

Amenity Issues

- Dirt, dust, noise and fumes during the construction phase of the development
- The bungalows at 204, 206 and 208 Middlewich Road have very short back gardens
- Overshadowing of bungalows on Middlewich Road – there should be greater separation distances
- Loss of light to solar panels on Middlewich Road
- Appropriate boundary treatment will be required to the surrounding boundaries with adjacent dwellings
- Negative visual impact of the proposed development
- Loss of privacy – overlooking of rear gardens

Air Quality

- The submitted Air Quality Report is out of date
- Further pollution and impact upon local air quality
- Increase in traffic will impact upon air quality
- It is widely known that false air quality figures have been used in the assessment of some planning applications
- A new Air Quality Assessment should be undertaken with the correct data
- Can residents be sure that the development will be assessed using accurate air quality data
- The application should not be determined until the air quality reports have been compiled by an independent Inspector
- Residents of the elderly peoples home and children's nurse's home at Abbey Road need protection from air quality
- Health impact from increased air pollution

Other Issues

- Typo within the submitted Design and access Statement
- It is not clear how many houses are being proposed as part of this application
- There is a further proposal for an additional 25 dwellings on this site

A representation has been received from Sandbach Woodland and Wildlife Group which raises the following points;

- The SWWG supports the comments made by the Sandbach Footpath Group and Cycling UK (Sandbach)
- The SWWG considers that serious account should be made of the SANDBACH Neighbourhood Plan – particularly PC5 (Footpaths and Cycleways) and Appendix 2 (Footpaths – Action Plan)
- Policy PC5 of the SNP requires that developments will be expected to establish publicly accessible links from development sites to the wider footpath and cycleways network and green spaces wherever possible. Initiatives for improvement and enhancement to public footpaths and cycleways will be strongly supported. Proposals which lead to the loss or degradation of any public right of way or cycleway will not be permitted other than in very special circumstances.
- The Footpaths Action Plan identifies that developments will extend the footpath network in and around Sandbach to provide more continuity of the footpath system and to eliminate, as far as possible, having to resort to road walking between sections of footpath, ensure that wherever developments take place, these are supported by the creation of suitable landscaped dedicated footpaths and ensure that all replacement or new footpaths are genuine dedicated footpaths, of an adequate width to act as a green corridor and suitably planted with appropriate species.
- The following new footpaths are required – Link from Congleton Road to the Wheelock Rail Trail (Abbeyfields)

A representation has been received from UK Cycling Sandbach which raises the following points;

- Would like to see access for cyclists from the site to Abbey Road. This link would extend across the wide grass verge on Abbey Road to reach the road itself
- It would be useful to secure the pedestrian links to Middlewich Road and Abbey Road
- The potential link to the Wheelock Rail Trail and Sports Pitches should be secured
- Should developer funding be available then a pedestrian crossing should be provided at Middlewich Road/Abbey Road/The Co-op Food Store

A representation has been received from Sandbach Footpath Group which raises the following points;

- SFG considers that the following items of special interest should be given to the following; Community park through the centre of the site linking Abbeyfields and the sports pitches to the south; potential link to Wheelock Rail Trail and future sports pitches, potential pedestrian/cycle links to Middlewich and Abbey Road
- SFG would agree if that if all of the above are realised then access to footpaths will benefit. However it is not clear from the current application that all will be provided.
- It would be a great benefit if residents could walk and have access through the football pitches to the Wheelock Rail Trail without a long route through the perimeter of the estate

APPRAISAL

Principle of Development

A large number of the letters of representation refer to the principle of residential development on this site. However the principle of residential development and the point of access has already been accepted following the approval of the outline application 12/1463C.

The site is located within the Open Countryside as defined by Policy PS8 (Open Countryside) but has now been removed from this designation as part of Policy PC3 (Policy Boundary for Sandbach) of the SNP which identifies that the site is now located within the Settlement Zone Line.

This application relates to the approval of the appearance, landscaping, layout and scale of the development.

Housing Mix

Paragraph 50 of the Framework sets out that Council's should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. They should also identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.

Policy SC4 of the submission version of the Local Plan requires that developments provide an appropriate mix of housing (however this does not specify a mix). This is echoed within the SNP Policies H3 (Housing Mix and Type) which states that housing should be designed to provide a mix of houses to meet identified need (e.g. affordable housing, starter homes and provision for housing an ageing population) and Policy H4 (Housing and an Ageing Population) which states that developments will be supported that provide suitable, accessible houses for older people.

Policy SC4 of the submission version of the Local Plan requires that developments provide an appropriate mix of housing (however this does not specify a mix). This is echoed within the SNP Policies H3 (Housing Mix and Type) which states that housing should be designed to provide a mix of houses to meet identified need (e.g. affordable housing, starter homes and provision for housing an ageing population) and Policy H4 (Housing and an Ageing Population) which states that developments will be supported that provide suitable, accessible houses for older people.

For application 17/3915C (reserved matters application for 126 dwellings) the development would provide;

4 x one bed units (which includes two ground floor and two first floor apartments)
21 x two bed units
26 x three bed units
74 x four bed units
1 x five bed unit

For application 17/3916C (full application for 25 dwellings) the development would provide;

3 x two bed units
4 x three bed units
17 x four bed units
1 x five bed unit

Clearly there are a larger number of four bedroom units proposed as part of this application. In relation to this issue the applicant has stated that the four bed units vary in size and consequently they vary in price (c.£264k – c.£475K based the sales as part of the earlier phases).

In terms of house prices within Sandbach information from Rightmove dated December 2017 states that;

'Last year most property sales in Sandbach involved detached properties which sold for on average £300,439. Semi-detached properties sold for an average price of £182,169, while terraced properties fetched £145,929.'

'Sandbach, with an overall average price of £230,828, was similar in terms of sold prices to nearby Alsager (£230,016), but was more expensive than Haslington (£208,816) and cheaper than Holmes Chapel (£255,708).'

In this case it should be noted that this is a Reserved Matters application and the outline decision includes a condition which requires the Reserved Matters to follow the general parameters of the Design and Access Statement and in relation to unit sizes this document states as follows;

- Vision – To deliver a mix of housing, offering 2-5 bedroom properties
- Framework – A mix of dwelling types from 2 to 5 bedroom units
- Housing mix - Housing will range from the provision of two bedroom houses to larger four bedroom units. House types will include; 2, and 2.5 storey houses, semi detached dwellings, detached dwellings, and a small number of town houses.

From the above it is clear that the proposed dwellings which are proposed are within a price range which would appear consistent with the existing price range identified by Rightmove. The wording of Policy SC4 states that *'New residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and*

inclusive communities' and it is clear that the development meets this requirement as it would provide housing ranging from 1-5 bed units.

Affordable Housing

The S106 attached to the outline consent requires 30% affordable housing provision on this site with a tenure split of 65% social/affordable rent and 35% intermediate tenure.

This is the Reserved Matters application for 126 dwellings and there is a requirement for 30% of dwellings to be provided as affordable dwellings. This equates to 38 Dwellings and 25 units should be provided as Affordable/Social rent and 13 units as Intermediate tenure.

The SHMA 2013 shows the majority of the demand in the Sandbach and Sandbach Rural area per year until 2018 is for 31 x one bedroom, 35 x two bedroom, 10 x three bedroom and 12 x four bedroom dwellings for general needs. The SHMA 2013 also shows a need for 13 x one bedroom and 5 x two bedroom dwellings for older persons.

The majority of the demand on Cheshire Homechoice is for 137 x one bedroom, 145 x two bedroom, 92 x three bedroom, 22 x four bedroom and 4 x five bedroom dwellings. Therefore a mix of 1, 2, 3 and 4 bedroom dwellings on this site would be acceptable.

The applicants have provided both an Affordable Housing plan and schedule. The requirement for the affordable housing is 38 units on this site. The applicants are providing 40 affordable dwellings on this site, the mix of property types are meeting the local need. However the tenure split of 24 Affordable rent and 16 Intermediate Tenure is both not Policy compliant and not compliant with the S106.

In this case the applicant has stated that they are intending on providing 30% affordable housing across both this application and application 17/3916C (full application for 25 dwellings) and that the percentage of affordable housing will vary on each site. In order to address this issue the applicant is proposing to amend the S106 Agreement to the original outline consent to secure a higher level of affordable housing on this reserved matters application and negotiations on this matter will continue and an update will be provided.

Public Open Space

The majority of the open space requirement for this site would be provided within the proposed community park (2.39 hectares) which would benefit residents for the whole of Sandbach and is located within an earlier phase which is now under construction.

A condition attached to the earlier outline consent requires the provision of a NEAP within the Community Park area.

In this case condition 4 attached to the outline consent states that;

'The development hereby permitted shall follow the general parameters of the illustrative Development Framework (Drwg No 4333-P-02 Rev D), the Masterplan (Drwg No 4333-P-03 Rev E), and the Design and Access Statement'

The Design and Access Statement and the Development Framework Plan state that the developer should provide Equipped Play Areas = 0.4 Ha (2no. NEAPS @ 0.2 Ha each) and that *'A minimum*

of two equipped children's play areas will be provided, offering toddler, child and teenage play provision. Each play space will be set within an area of green space and distributed evenly within the development to ensure that all parts of the site are within easy walking distance of them'

In this case the developer will not provide a second NEAP as part of this application and is instead proposing a LEAP (5 pieces of equipment) within the application area for application 17/3916C. To compensate for the shortfall in playing equipment as part of the development the developer has also proposed to provide an additional 4 pieces of equipment within the Community Park on Phase 1. This is considered to be a reasonable compromise and a condition will be attached to ensure that the 4 pieces of additional play equipment within the Community Park are provided before any dwellings are first occupied on this phase.

Education

This issue was dealt with as part of the outline application where a contribution of £513,771.11 was secured as part of the S106 Agreement.

Health

A number of the letters of objection raise concerns about the impact upon health provision in this area. In this case there was no requirement for any contribution towards health contribution at the outline stage.

Residential Amenity

In this case the Congleton Borough SPG requires the following separation distances:

21.3 metres between principal elevations

13.8 metres between a non-principal and principal elevations

In this case the separation distances proposed to the adjacent dwellings fronting Abbey Road all exceed those set out within the SPG. The separation distances between principal elevations range between 32.5 metres and 38 metres. The separation distance between non-principal and principal elevations range between 24 metres and 28 metres. As such it is not considered that the proposed development would have a detrimental impact upon adjacent residential amenity through loss of light, privacy or overbearing impact.

In this case it should also be noted that there are a number of bungalows to the north of the site which front Middlewich Road. These properties have relatively short rear gardens with low level boundary treatment and the separation distances to the dwellings on plots R81 and R82 would vary from 22m to 25m. The separation distance on plot R83 which has a side elevation (with single storey garage) facing the properties on Middlewich Road would be 19m. The applicant has also provided slab level information and cross-sections which show that the proposed dwellings would be sited at a lower level than the adjacent bungalows (the slab levels of plots R1-R83 would vary from 62.20 AOD - 62.90 AOD with the slab levels on the adjacent dwellings being 62.92 AOD - 63.25 AOD). On this basis the impact upon the adjacent bungalows is considered to be acceptable.

The non-principal elevations which face the dwellings which adjoin the site are on plots R83 R86, R94 and R132 and none of these plots would include any first floor windows to the side elevations facing Middlewich Road or Abbey Road.

Condition 4 attached to the Outline Planning Permission

This condition states that:

The development hereby permitted shall follow the general parameters of the illustrative Development Framework (Drwg No 4333-P-02 Rev D), the Masterplan (Drwg No 4333-P-03 Rev E), and the Design and Access Statement.

Reason: In order to comply with the parameters set out in the outline application and in accordance with the NPPF and Policies GR1, GR2 and GR3 of the Congleton Borough Local Plan First Review.

In this case the revised landscaping plans now provide for buffer tree planting to the boundaries of the site.

Light pollution

The concerns raised regarding light pollution have been noted and a condition could be attached to ensure that external lighting details are submitted to the Council for approval.

Noise

In terms of the impact upon the adjacent dwellings it is not considered that the proposed development would result in levels of noise from future occupiers which would harm residential amenity.

The applicant has submitted an acoustic report in support of the application. The impact of the noise from road traffic and industrial noise on the proposed development has been assessed in accordance with BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings and BS4142:2014 Methods for rating and assessing industrial and commercial sound. This is an agreed methodology for assessing noise of this nature.

The report recommends mitigation (in the form of glazing and ventilation) designed to ensure that occupants of the properties are not adversely affected by noise from road traffic and industrial noise. The conclusions of the report and methodology used are acceptable. As such, and in accordance with the acoustic report, a condition will be attached to ensure that the proposed mitigation measures are implemented as part of the proposed development.

Disturbance during the construction phase of the development

In this case there are the following conditions attached to the outline approval:

- Hours of construction
- Construction Method Statement

It is considered that these conditions attached to the outline consent would be adequate to protect residential amenity during the construction phase.

Contaminated Land

The outline planning approval 12/1463C did not contain a land contamination condition.

Intrusive works that have been carried out demonstrate that the topsoil and subsoil on site is suitable for reuse, however it would be advisable to undertake further testing of this material prior to placement in gardens to support this conclusion. A watching brief should be undertaken during groundworks, if visual or olfactory evidence of contamination is noted or soils are encountered with a high organic content then further investigation into any such material would be required. If materials are to be imported onto site for use in garden or soft landscaping areas then it should be tested for contamination to determine its suitability for use.

An informative will be attached to the decision notice at the request of the Environmental Health Officer.

Air Quality

A large number of the letters of objection refer to the air quality implications of this development. However the development has outline consent and the reserved matters are only under consideration as part of this application.

The Environmental Health Officer has requested the following conditions in relation to air quality;

- Dust Control
- Travel Plan
- Electric Vehicle Infrastructure

In this case there is a Travel Plan condition on the outline consent and a dust control is referred to within the Construction Management Plan condition.

There is no electric vehicle charging infrastructure condition attached to the outline consent and it would not be reasonable to impose a condition to require this provision on the whole site. In response to the concerns raised by local residents and the Town Council the applicants have stated that they will provide charging points in all dwellings with a garage and this equates to 65% of the development. This will be controlled through the imposition of a planning condition.

Public Rights of Way

There are no public footpaths crossing the site.

The proposed provision of new cycle infrastructure on Middlewich Road and Abbey Road would increase the permeability of the site for non-motorised users.

However, the proposed access onto Abbey Road would be an 'emergency' and 'pedestrian/cyclist' access route. These should be designed and constructed to best practice standards for the use of pedestrians and cyclists in order to increase the permeability of the site.

Highways

The letters of objection refer to the highway safety and traffic generation implications of this proposed development. However the point of access and the traffic generation as part of this development were considered as part of the outline application.

Some of the letters of objection refer to concerns that the proposed access points off Abbey Road will be used in future for vehicular access. In this case the more central access (between 35 and 43 Abbey Road) would be used as a pedestrian/cycle access.

The more southern gap between 83 and 93 Abbey Road is shown as a vehicular access serving a development to the south of the site which was allowed at appeal (outline application with access - 14/1189C for 165 dwellings). This is due to a small overlap in the red-edge between the two developments.

The Council's Highways Officer has confirmed that the internal layout of the proposed development is in line with the Council's adoptable standards and includes appropriate shared spaces and pedestrian/cycle links to Abbey Road and the earlier phases of development.

Trees and Hedgerows

The application is supported by a Tree Survey and Tree Protection Plan.

The majority of the arboricultural impacts relate to the site subject of 17/3916C and not the site subject of this application although the new emergency access/pedestrian/cycle link to Abbey Road (between 35 and 43 Abbey Road) would have impacts. A construction specification for this will be secured as part of a planning condition.

The tree protection plan does not extend to protect all the lengths of retained hedge on site. This could be addressed by an updated plan under a tree protection condition.

Design

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

Connections

Does the scheme integrate into its surroundings by reinforcing existing connections and creating new ones; whilst also respecting existing buildings and land uses along the boundaries of the development site?

The consented scheme only has a single point of vehicular access to the north off Middlewich Road whilst there is the potential for a second access point via Abbey Road between numbers 83 and 93 which is shown on the submitted plans for application 14/1189C. It is intended that that the

development layout approved as part of application 14/1189C will connect through Phase 1 and that both Phases will be able to take access via either access point to the wider highway network. The submitted plans show the proposed link but the final details will only be secured when a Reserved Matters application is received for the outline approval 14/1189C.

Internally within the site the highway network has been improved through a more prominent loop road and a hierarchy of street design with varied road widths, shared services and a varied use of surfacing materials.

Pedestrian connectivity has also been improved to provide a connection to the central Avenue Greenway through the centre of the site and provision of a link along the southern boundary of the site. This ensures that the development ties into the approved pedestrian connections approved as part of the earlier phases.

Facilities and services

Does the development provide (or is it close to) community facilities, such as shops, schools, workplaces, parks, play areas, pubs or cafes?

This issue was considered as part of the outline application. The application site is highly sustainable and is within easy walking distance of the Town Centre, schools, employment, the train station, bus routes and leisure facilities.

Public transport

Does the scheme have good access to public transport to help reduce car dependency?

Again this issue was considered as part of the outline application. The application site is highly sustainable and is within easy walking distance of the Town Centre, schools, employment, the train station, bus routes and leisure facilities.

Meeting local housing requirements

Does the development have a mix of housing types and tenures that suit local requirements?

In terms of the affordable housing on site and as discussed above the development would provide a mix of affordable housing and the developer intends to provide 30% affordable housing across both this application and application 17/3916C.

In terms of the open market housing this is discussed above and is considered to be acceptable on balance given the requirement that the development follows the outline application Design and Access Statement.

Character

Does the scheme create a place with a locally inspired or otherwise distinctive character?

The design guide identifies that Sandbach to the east is located within the Silk, Cotton & Market Towns area of the Design Guide and Elworth to the west is located within the Salt & Engineering Towns area of the design guide. This site is split between the two areas but given the surrounding residential development to Middlewich Road, Abbey Road and Park Lane it is considered that the site is more closely related to Sandbach. Sandbach is identified as an example settlement within the Design SPD and the design cues for this area include the following;

- Tudor, Georgian, Victorian and Edwardian architecture are all found within the town.
- A fine grain of residential lanes/secondary streets lie immediately adjacent to the main streets.
- Streets are well overlooked.
- Streets and lanes curve up the hills into the town centre creating unfolding views.
- Strong well enclosed urban spaces.
- Town centre is surrounded by rows of terraces, beyond which is a mix of 20th Century housing suburbs and estates.
- Mature 'Garden Suburb' style housing (i.e. Park Lane)

There is a variation of house-types adjoining the site. The majority are two-storey in height although there are some single-storey units in the area (to the north along Middlewich Road). The age of the surrounding dwellings also varies. To all sides and specifically to Park Lane and Abbey Road the residential areas are characterised by wide grass verges with mature trees planted within them. The dwellings surrounding the site vary from detached to semi-detached.

The surrounding dwellings have largely hipped roofs but there are some properties with pitched roofs located around the site. As a general rule the dwellings further west which are along Park Lane (specifically referred to within the Design Guide as 'Garden Suburb' style housing) are more detailed, with a greater mix of dwellings along Middlewich Road and simpler designed semi-detached units located along Abbey Road. The dwellings in the locality of the site include a number of design features such as projecting gables (some with timber infill details but the majority in brick, render or with hanging tiles), bay windows (single and two-storey), window header and sill details (brick, arched and flat-topped) and chimneys. The materials in the locality are largely red brick with some render properties and hanging tile detailing. The roofs are largely tiled (relatively even split of blue and red).

The proposed dwellings would all be two-storeys in height. The proposed dwellings would have a mixed roof design and there appears to be an even split between hipped and pitched roofs. The roof heights vary across the development which would add some interest. The height variation across the proposed development is consistent with the wider locality in this part of Sandbach and is considered to be acceptable.

Largely it is considered that the proposed development respects this character of the area. Many of the design cues within this location are incorporated into the development with a modern design. The development includes projecting gables (some with a timber and render infill), window design includes bay windows, brick cill and header details, brick banding, hanging tiles to two-storey bay windows (the design guide refers to single and full height bay windows) and finial detailing.

The perimeter block type layout is at an appropriate density (27.6 dwellings per hectare) with corner turning houses providing active frontages and removing the requirement for prominent blank gables within the street-scene. However it is considered that further work could be done to improve the side elevations to certain plots; R98, R128, R127, A2, A18, A5, A68, A58, A74, A52, A50, A26 and A27. An update will be provided in relation to this matter.

The proposed materials would match the first phase of the development and complies with the Cheshire East Design Guide.

Working with the site and its context

Does the scheme take advantage of existing topography, landscape features (including watercourses), wildlife habitats, existing buildings, site orientation and microclimates?

The site is currently open former farmland with no existing buildings with the retention of the majority of existing hedgerows to the southern and south-east edge of the site.

The only concern was the relationship to the existing dwellings and the lack of buffer as discussed above. However the amended plans now show that this would be provided.

Creating well defined streets and spaces

Are buildings designed and positioned with landscaping to define and enhance streets and spaces and are buildings designed to turn street corners well?

The proposed dwellings are generally positioned well in a loose perimeter block layout, front doors face the street, blocks turn corners effectively in a variety of ways creating good passive surveillance and they do define the streets and spaces.

However it is considered that further work could be done to improve the side elevations to certain plots; R98, R128, R127, A2, A18, A5, A68, A58, A74, A52, A50, A26 and A27. An update will be provided in relation to this matter.

Easy to find your way around

Is the scheme designed to make it easy to find your way around?

The layout is legible with a wide variety of house types and a varied and interesting layout including corner turning blocks and properly terminated views all of this will aid navigation around the proposed development. The proposal now provides pedestrian/cycle linkages with the earlier phase of development and Abbey Road.

Streets for all

Are streets designed in a way that encourage low vehicle speeds and allow them to function as social spaces?

There is a clear hierarchy of streets with variations in materials and shared-space mews turnings. It can be seen that all streets are designed in such a way as to reduce vehicle speeds. There is a real potential for the streets to be used as social/play spaces, specifically the shared-space areas. Overall the streets are pedestrian and cycle friendly as well as being safe for vehicles.

Car parking

Is resident and visitor parking sufficient and well integrated so that it does not dominate the street?

The level of off street parking is suitable and complies with the Councils standards. This is provided predominantly in curtilage on driveways to the front and side of homes and in small parking courts serving the terraces of smaller two and three-bed houses. These parking courts are landscaped with short runs of adjacent bays which are located close to properties and are well overlooked.

Public and private spaces

Will public and private spaces be clearly defined and designed to be attractive, well managed and safe?

All areas of public open space are well overlooked and would feel safe. With regard to private space, every house has a private but independently accessible rear garden that is clearly defined and most homes also have gardens to the front.

External storage and amenity space

Is there adequate external storage space for bins and recycling as well as vehicles and cycles?

All houses have adequately sized rear gardens with external access that are suitable for the storage of refuse and recycling bins as well as potentially cycles.

Design Conclusion

On the basis of the above assessment it is considered that the proposed development does score well and on this basis it is considered that the design of the development is acceptable and would comply with the Cheshire East Design guide.

Land Levels

The applicant has provided a plan which shows the land levels of the proposed development. There would be some minor changes to the levels on the site which are considered to be acceptable.

Landscape

The applicant has now provided a landscaping scheme for the site. This includes tree planting to form a buffer to the dwellings which surround the site and follows on from that approved on the earlier phase, The detailed landscaping scheme has been considered by the Councils Landscape Architect and the details are considered to be acceptable.

Ecology

Bats

Bat surveys were undertaken at the two properties proposed for demolition to facilitate the proposed site access as part of the outline application at this site. These buildings are outside the boundary of the current application and the updated survey has not identified any potential for roosting bats. The proposed development is not likely to result in an adverse impact upon roosting bats.

Other Protected Species

Evidence of other protected species activity was previously recorded on this site during surveys completed in support of previous planning applications.

No evidence of other protected species was recorded during the updated survey and so the proposed development is unlikely to have an impact upon this species.

In the event that planning permission is granted a condition could be imposed which requires the submission of an updated badger survey to be undertaken prior to the commencement of development.

Hedgerows

Hedgerows are a priority habitat and hence a material consideration. The existing hedgerows occur on the sites western, northern and southern boundaries. The hedgerows on the northern and western boundaries are not shown as being retained on the submitted landscape masterplan and a condition to ensure the protection of all hedgerows on the site is proposed.

Ecological Enhancements

The open space areas towards the site eastern edge provide an opportunity to secure an enhancement for biodiversity in accordance with the NPPF. The detailed landscaping scheme shows the provision of meadow grassland in this area as well as the use of native tree planting.

Nesting Birds

If planning consent is granted the conditions are required to safeguard nesting birds and ensure some additional provision is made for roosting bats and nesting birds as part of the proposed development.

Flood Risk/Drainage

The application site is located within Flood Zone 1 (low probability of river/tidal flooding) according to the Environment Agency Flood Maps. A Flood Risk Assessment (FRA) was submitted as part of the outline application and judged to be acceptable at that stage.

The outline consent relating to the disposal of surface water, as a result it is not necessary to repeat the drainage conditions suggested by the Council's flood risk engineer as part of this reserved matters application.

Archaeology

This reserved matters application covers only the western extent of the proposed development area where no significant archaeological deposits were encountered and therefore the Cheshire Archaeology Planning Advisory Service (APAS) advise that no further archaeological mitigation is required within this area.

CONCLUSION

The letters of objection from local residents and the Town Council have been noted. However the principle of development has already been accepted as part of the outline approval on this site.

Despite the concerns raised in the letters of objection the development will not have a detrimental impact upon residential amenity, it would provide benefits in terms of much needed affordable

housing provision and would help in the Councils delivery of 5 year housing land supply. The development would comply with Policy GR6 (Amenity and Health) of the CLP.

In terms of the POS and play space provision this is considered to be acceptable and would be a benefit to this scheme.

The proposed landscaping scheme is acceptable and the development is acceptable in terms of its impact upon ecology and trees/woodlands and would comply with Policies SE1 (Design), SE3 (Biodiversity and Geodiversity), SE4 (The Landscape), SE5 (Trees, Hedgerows and Woodland) and SE6 (Green Infrastructure) of the CELPS and PC2 (Landscape Character) and PC4 (Biodiversity and Geodiversity) of the SNP.

The drainage/flood risk implications for this proposed development are considered to be acceptable.

The proposed access point is acceptable and the traffic impact as part of this development has already been accepted. The internal design of the highway layout and parking provision is considered to be acceptable.

The design/layout of the development is considered to be acceptable and has been subject to negotiation with the developer. The design/layout is considered to comply with the Design Guide SPD and Policies SE1 (Design) of the CLP and H2 (Housing Layout) of the SNP.

RECOMMENDATION:

APPROVE subject to the following conditions;

- 1. Approved Plans**
- 2. Implementation of the approved landscaping**
- 3. Prior to the first occupation of the development a scheme to provide an additional 4 pieces of play equipment within the Community Park on phase 1 in accordance with the submitted plans**
- 4. Submission of an updated Tree Protection Plan to include all lengths of boundary hedgerow**
- 5. Construction specification details for the emergency access/pedestrian/cycle link to Abbey Road (between 35 and 43 Abbey Road) to be submitted and approved**
- 6. Updated survey for other protected species**
- 7. Nesting birds timing of works**
- 8. Scheme of nesting bird/roosting bat mitigation**
- 9. A scheme of boundary treatment to be submitted and approved**
- 10. Submission of Electric Vehicle Charging Specification for all properties with a garage**
- 11. Materials in accordance with the approved plans**

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.

