

Northern Planning Committee

Agenda

Date:	Wednesday, 12th August, 2015
Time:	10.00 am
Venue:	The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

Please note that members of the public are requested to check the Council's website the week the Planning/Board meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Declarations of Interest/Pre Determination**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have a pre-determination in respect of any item on the agenda.

3. **Minutes of the Meeting** (Pages 1 - 12)

To approve the Minutes of the meeting held on 15 July 2015 as a correct record.

4. **Public Speaking**

Please Contact: Sarah Baxter 01270 686462
E-Mail: sarah.baxter@cheshireeast.gov.uk with any apologies or request for further information
Speakingatplanning@cheshireeast.gov.uk to arrange to speak at the meeting

A total period of 5 minutes is allocated for each of the planning applications for Ward Councillors who are not members of the Planning Committee.

A period of 3 minutes is allocated for each of the planning applications for the following individuals/groups:

- Members who are not members of the planning committee and are not the Ward Member
- The relevant Town/Parish Council
- Local Representative Groups/Civic Society
- Objectors
- Supporters
- Applicants

5. **13/2765M-Residential development comprising 39 dwellings, access and associated works, Land Off, Redhouse Lane, Disley for Lucy Hawley, Persimmon Homes North West** (Pages 13 - 42)

To consider the above application.

6. **15/2180M-Outline application for redevelopment of existing site with demolition of existing building and erection of two no. detached dwellings with new access arrangements, 29, Glebelands Road, Knutsford for Mrs J Calam** (Pages 43 - 54)

To consider the above application.

7. **15/1126C-Demolition of existing house and stables and construction of new dwellings, Hiverley, Macclesfield Road, Twemlow for Mrs Andrea Jackson** (Pages 55 - 70)

To consider the above application.

8. **15/2127N-To enable direct access to agricultural land off the highway, Lodge Farm, Crewe Road, Walgherton, Cheshire East for Rachel Bailey, S N Bailey & Partners** (Pages 71 - 76)

To consider the above application.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**
held on Wednesday, 15th July, 2015 at The Capesthorne Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

Councillor G M Walton (Chairman)
Councillor C Browne (Vice-Chairman)

Councillors C Andrew, E Brooks, T Fox, S Gardiner, M Hardy, A Harewood,
G Hayes, O Hunter and L Jeuda

OFFICERS IN ATTENDANCE

Mrs N Folan (Planning Solicitor), Mr N Jones (Principal Development Officer)
and Mr N Turpin (Principal Planning Officer)

14 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M Beanland, S
Gardner, J Macrae and N Mannion.

15 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness Cllr S Gardiner declared that the agent for the
applicant on applications 14/5635M and 14/2777M was a former work
colleague and that he was also known to three of the public speakers at
the meeting; Councillor J Jackson, Councillor P Findlow and Town
Councillor C Dodson.

In the interest of openness, in respect of application 15/0711M, Councillor
M Hardy declared that he attended meetings with a number of residents to
discuss various issues, including this application.

In the interest of openness, in respect of application 14/5159M Councillor
E Brooks declared that she was known to Town Councillor Christopher
Dodson who was speaking on the application.

Councillor A Harewood declared a non pecuniary interest in application
15/2544M, as her husband's daughter worked at Park Royal Community
School and in the interest of openness, in respect of application 14/2147M,
she declared that she had met with residents.

In the interest of openness, in respect of application 15/2265C, Councillor
G Hayes, declared that he knew the applicant.

In the interest of openness in respect of application 14/5159M, Councillor Mrs O Hunter declared that she knew Town Councillor Christopher Dodson who was speaking on the application.

16 MINUTES OF THE MEETING

RESOLVED

That the minutes be approved as a correct record and signed by the Chairman subject to the following amendments:-

- (i) In respect of application 14/5471M condition 19 to be amended to use the words 'bin storage' rather than 'refuse'.
- (ii) In respect of application 15/1581M condition 28 to be amended to use the words 'bin storage' rather than 'refuse'.
- (iii) In respect of application 15/0646M to include reference to the fact that a statement was summarised on behalf of Councillor Mrs J Jackson, the Ward Councillor.
- (iv) In respect of applications 15/0334M and 15/0335M, the words 'the Ward Councillor' to be inserted after Councillor Mrs J Jackson.

17 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

18 15/0585M-ERECTION OF RESIDENTIAL DEVELOPMENT (75 UNITS) SET IN ATTRACTIVE LANDSCAPING WITH ASSOCIATED CAR PARKING, CONSTRUCTION OF A NEW ROUNDABOUT ACCESS FROM CHESTER ROAD AND LANDSCAPE AND ECOLOGICAL ENHANCEMENTS TO THE ADJOINING OPEN SPACE, FORMER TA CENTRE, CHESTER ROAD, MACCLESFIELD FOR THE HOUSE MAKER (MACC) LIMITED

Consideration was given to the above application.

(Councillor Mrs Janet Jackson, the Ward Councillor and Caron Corden, the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report the application be approved subject to the completion of a S106 agreement securing the following:-

- 20% Affordable Housing (i.e. 15 units as proposed);

- Provision of £50 000.00 towards Public Open Space.
- Grassland Habitat to be maintained in perpetuity

And subject to the following conditions:-

1. A01GR - Removal of permitted development rights
2. A01HP - Provision of car parking
3. A01LS - Landscaping - submission of details
4. A02EX - Submission of samples of building materials
5. A02FP - Commencement of development
6. A02LS - Submission of landscaping scheme
7. A03AP - Development in accord with revised plans
(unnumbered)
8. A04LS - Landscaping (implementation)
9. A04NC - Details of drainage
10. A06HP - Use of garage / carport
11. A06NC - Protection for breeding birds
12. A07HP - Drainage and surfacing of hardstanding areas
13. A12LS - Landscaping to include details of boundary
treatment
14. A15HA - Construction of highways - submission of details
15. A17LS - Submission of landscape management plan
16. A17MC - Decontamination of land
17. A21HA - Submission of details of turning facility
18. A22GR - Protection from noise during construction (hours
of construction)
19. A23GR - Pile Driving
20. A23MC - Details of ground levels to be submitted
21. A30HA - Protection of highway from mud and debris
22. A32HA - Submission of construction method statement
23. Acoustic mitigation
24. Flood Risk Assessment compliance
25. Travel Plan
26. Cycle Parking
27. Arboricultural Impact Assessment / Construction Management Plan,
28. Grass land habitats – Ecological Management Plan
29. Applicant to submit proposals for the fencing off and safeguarding
of the retained marshy grassland habitats during the construction
process
30. Habitat Survey – further survey required
31. Updated badger survey
32. Submission of bin storage details
33. Levels to be submitted
34. Details of a Construction Management Plan (Environmental Health)

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Strategic & Economic Planning, in consultation with the Chairman (or in his absence the Vice Chairman) of Northern 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.

- 19 **15/0711M-RESERVED MATTERS APPLICATION FOR THE ERECTION OF A TWO STOREY OFFICE BUILDING TO ACCOMMODATE B1 AND ANCILLARY D1 (CLINICAL AND MEDICAL USES) AND PROVIDING 1190 SQ M OF FLOORSPACE (OUTLINE APPROVAL 12/3786M), MACCLESFIELD D G HOSPITAL, PRESTBURY ROAD, MACCLESFIELD FOR MR STUART BINKS, KEYWORKERHOMES (MACCLESFIELD) LTDTDP**

Consideration was given to the above application.

RESOLVED

That for the reasons set out in the report and in the written update to Committee, the application be approved subject to the following conditions:-

1. A05RM - Time limit following approval of reserved matters
2. A02RM - To comply with outline permission
3. A01AP - Development in accord with approved plans
4. A04LS - Landscaping (implementation)
5. A06EX - Materials as application
6. Cycle parking
7. Submission of Construction Management Plan

- 20 **15/2544M-DEMOLITION OF TWO EXISTING SINGLE STOREY BUILDINGS CURRENTLY USED AS PART OF THE PRIMARY SCHOOL (NURSERY AND EARLY YEARS TEACHING AND SCHOOL DINING). ERECTION OF A NEW SINGLE STOREY DINING EXTENSION TO THE EAST SIDE OF THE MAIN SCHOOL BUILDING. ERECTION OF A NEW TWO STOREY EXTENSION EARLY YEARS CENTRE TEACHING AND ADMINISTRATION WING ATTACHED TO THE SOUTH OF THE MAIN SCHOOL BUILDING. TEMPORARY MOBILE CABIN BUILDING FOR SCHOOL ADMINISTRATION STAFF USE DURING COURSE OF BUILDING CONTRACT, PARKROYAL COMMUNITY SCHOOL, LYON STREET, MACCLESFIELD FOR CARON CORDEN**

Consideration was given to the above application.

RESOLVED

That for the reasons set out in the report and in the verbal update to Committee the application be approved subject to the following conditions:-

1. A01AP - Development in accord with approved plans
2. A02FP - Commencement of development
3. A05EX - Details of materials to be submitted

4. Construction Management Plan to be submitted and agreed prior to commencement to detail HGV movements, contractors compound and staff car park.
5. Access position to remain as existing and revised parking layout to be submitted
6. Contaminated land
7. Hours of operation
8. Dust control
9. Floor floating
10. Pile driving

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Strategic & Economic Planning, in consultation with the Chairman (or in his absence the Vice Chairman) of Northern 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.

(During consideration of the application, Councillor S Gardiner left the meeting and returned, however he did not take part in the debate and abstained during the vote).

21 14/5316M-CONSTRUCTION OF 18NO. 1 & 2 BEDROOM APARTMENTS ON THE SITE OF FORMER COUNCIL-OWNED DEPOT, FORMER DEPOT AT JUNCTION OF GREEN STREET AND CUCKSTOOLPIT HILL, MACCLESFIELD, CHESHIRE FOR MS JO FALLON

Consideration was given to the above application.

RESOLVED

That the application be delegated to the Head of Planning (Regulation) for approval subject to clarification on the number of dwellings as 17 or 18 as the Committee report was unclear.

And subject to the following conditions:-

1. A01LS - Landscaping - submission of details
2. A02LS - Submission of landscaping scheme reference to recycle stone from boundary wall into the landscaping of the site (where possible)
3. A03AP - Development in accord with revised plans (unnumbered)
4. A03FP - Commencement of development (3 years)
5. A05EX - Details of materials to be submitted
6. A07GR - No windows to be inserted
7. A12LS - Landscaping to include details of boundary treatment
8. A25GR - Obscure glazing requirement
9. A30HA - Protection of highway from mud and debris

10. A32HA - Submission of construction method statement
11. Piling-Hours and details to be submitted
12. Parking-Number of spaces
13. Dust Control
14. Hours of Construction
15. Development in accordance with noise impact assessment
16. Contaminated Land
17. Drainage
18. No Gates
19. Levels
20. Cycle Storage
21. Visibility access splay to be provided at Cuckstoolpit Hill
22. Submission of Construction Management Plan

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chairman) of Northern 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.

22 15/0053C-CONSTRUCTION OF 4 NEW HOUSES, BIG STONE CATTERY, GOOSTEY LANE, CRANAGE FOR MR ROBERT NEWTON

Consideration was given to the above application.

(Miss Julia Ashall, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report the application be approved subject to the following conditions:-

1. Time Limit
2. Development in accordance with approved plans
3. Prior submission of facing and roofing material details
4. Prior submission of surfacing material details
5. Prior submission of a foul and surface water drainage scheme
6. Hours of Piling and prior submission of a piling method statement
7. Prior submission of a dust mitigation scheme
8. Implementation of acoustic insulation scheme
9. Prior submission of land contamination report (Phase I)
10. Prior submission of boundary treatment details to include closure of access onto the A50
11. Submission of landscaping scheme and implementation
12. Development to proceed in accordance with tree works specification and tree protection measures
13. Electromagnetic screening measures for Jodrell Bank
14. Scheme for the provision of high speed broadband

15. Withdrawal of permitted development rights for extensions and outbuildings
16. Submission of a Construction Management Plan
17. Submission of bin storage details

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chairman) of Northern 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.

(The meeting adjourned for a short break. Prior to consideration of the following application, Councillor S Gardiner left the meeting and did not return).

23 14/5159M-TWO STOREY EXTENSION AT REAR TO PROVIDE FIRST FLOOR REHEARSAL ROOM WITH STORAGE AREAS AT GROUND FLOOR, 85, CHAPEL LANE, WILMSLOW FOR WILMSLOW GREEN ROOM THEATRE

Consideration was given to the above application.

(Town Councillor Christopher Dodson, representing Wilmslow Town Council, Craig Barker, an objector, Jonathan Bradley an objector and Ronnie Dykstra, representing the Wilmslow Green Room Society, the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused for the following reason:-

1.The approval of the development proposed would be contrary to the provisions of the Development Control chapter of the Macclesfield Borough Local Plan, in particular policies DC3 and DC38 and would thereby cause harm to the objectives of those policies by virtue of the proposed being overbearing and overdevelopment of the land. The proposed would also be contrary to one of the core principles of the NPPF (securing a good standard of amenity for occupants of buildings), which is a material consideration in the determination of the application.

(The meeting adjourned for lunch from 1.00pm until 1.30pm).

24 15/2069M-PROPOSED 4 BEDROOM HOUSE USING EXISTING ACCESS, WILLOWMEAD, WILLOWMEAD DRIVE, PRESTBURY FOR GEMMA SCHOFIELD, WILLOWMEAD LLP

Consideration was given to the above application.

(Councillor P Findlow, the Ward Councillor, David Hawkins, an objector and Gemma Schofield, the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report the application be approved subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A06EX - Materials as application
4. A01LS - Landscaping - submission of details
5. A04LS - Landscaping (implementation)
6. A02TR - Tree protection
7. A04TR - Tree pruning / felling specification
8. A15LS - Submission of additional landscape details
9. A04NC - Details of drainage
10. A23MC - Details of ground levels to be submitted
11. A01GR - Removal of permitted development rights
12. A06GR - No windows to be inserted
13. A26GR - Obscure glazing requirement
14. A06HP - Use of garage / carport
15. A03HA - Vehicular visibility at access (dimensions)
16. Contaminated Land
17. Pile Foundations
18. Dust Control
19. Floor Floating
20. Construction Hours
21. No dig construction for driveway
22. Submission of Construction Management Plan (to cover Environmental Health and Highways issues).

It was also noted that an informative be included relating to drainage.

25 14/5635M-OUTLINE APPLICATION FOR PROPOSED DEMOLITION OF ARMITT STREET WORKS AND THE ERECTION OF 10 NO. TERRACED HOUSES, CHESHIRE WINDOWS AND GLASS, ARMITT STREET, MACCLESFIELD FOR MR D HARPER

Consideration was given to the above application.

RESOLVED

That for the reasons set out in the report the application be approved subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A01OP - Submission of reserved matters
3. A06OP - Commencement of development

4. A100P - Details to be submitted - restriction on 2 storey opposite existing 3 storey dwellings on Hatton Street and Armit Street.
5. A02EX - Submission of samples of building materials
6. A22GR - Protection from noise during construction (hours of construction)
7. A01GR - Removal of permitted development rights
8. A08OP - Ground levels to be submitted with reserved matters application
9. A32HA - Submission of construction method statement
10. A19MC - Refuse storage facilities to be approved
11. Foul drainage / surface water drainage
12. Piling - contractor to be members of the Considerate Construction Scheme
13. Hours of construction/noise generative works
14. Contaminated land
15. A scheme to minimise dust emissions
16. Units to be up to a maximum of 10
17. Visibility Splays

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chairman) of Northern 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.

26 14/2147M-DEMOLITION OF EXISTING GARAGES AND ERECTION OF NEW THREE STOREY BLOCK OF APARTMENTS AND TWO STOREY HOUSES, GARAGES AND OPEN LAND, TENBY ROAD, MACCLESFIELD FOR PEAKS AND PLAINS

Consideration was given to the above application.

RESOLVED

That for the reasons set out in the report the application be approved subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A03AP - Development in accord with revised plans (unnumbered)
3. A02EX - Submission of samples of building materials
4. A01LS - Landscaping - submission of details
5. A05LS - Landscaping – implementation
6. A12LS - Landscaping to include details of boundary treatment
7. A02TR - Tree protection
8. A06NC - Protection for breeding birds
9. A23MC - Details of ground levels to be submitted

10. A22GR - Protection from noise during construction (hours of construction)
11. A23GR - Pile Driving
12. A13HA - Construction of junction/highways
13. A19MC - Refuse storage facilities to be approved
14. A32HA - Submission of construction method statement
15. Tree method statement for the removal of the existing garages and hard standing within the identified retained trees Root Protection Areas
16. Floor floating
17. A scheme to minimise dust emissions
18. Details of Bin and cycle store to be submitted
19. Parking to be provided and made available prior the occupation of the dwellings and permanently so maintained. Prior to the provision of parking an amended layout plan is required showing the re-location of the three proposed spaces away from the open space
20. Amendment to layout plan to re-locate the proposed footpath located to the south of the proposed 7 parking spaces
21. Details of play area to be submitted and agreed, provided prior to occupation and permanently so maintained
22. Drainage details
23. Contaminated land
24. Affordable housing

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chairman) of Northern 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.

27 14/2777M-OUTLINE APPLICATION FOR PROPOSED ERECTION OF 10NO. TERRACED HOUSES, LAND TO THE NORTH OF, PARK ROYAL DRIVE, MACCLESFIELD FOR MR D HARPER

Consideration was given to the above application.

RESOLVED

That for the reasons set out in the report the application be approved subject to the following conditions:-

1. A06OP Commencement of development
2. A03OP Time limit for submission of reserved matters
3. A01OP Submission of reserved matters- appearance, landscaping, layout, scale
4. A01AP - Development in accord with approved plans
5. A05EX - Details of materials to be submitted
6. A01LS - Landscaping - submission of details

7. A04LS - Landscaping (implementation)
8. A07GR - No windows to be inserted
9. A06TR - Levels survey
10. A05TR - Arboricultural method statement
11. A04TR - Tree pruning / felling specification
12. A02TR - Tree protection
13. A01TR - Tree retention
14. A07TR - Service / drainage layout
15. A11EX - Details to be approved-Bin Stores
16. A30HA - Protection of highway from mud and debris
17. A32HA - Submission of construction method statement
18. A04NC - Details of drainage
19. A12LS - Landscaping to include details of boundary treatment
20. Contaminated Land
21. Dust Control
22. Piling Method Statement
23. Piling
24. No Gates
25. Ground Levels
26. Hours of Construction
27. Turning Facility
28. Parking to be surfaced and marked out
29. Public Sewer
30. Planting around public sewers
31. Cycle Storage
32. Structural Information

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chairman) of Northern 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

- 28 **15/2265C-RELOCATION OF EXISTING KITCHEN AND DINING ROOM FACILITIES WHICH WILL INVOLVE THE FOLLOWING: DEMOLITION OF EXISTING CANTEEN BUILDING; EXTENSION TO PROVIDE NEW STORE FOR TABLE STORAGE (15SQM); EXTERNAL AIR HANDLING UNITS FOR NEW KITCHEN INSTALLATION, RECONFIGURATION OF PLAY AREA FENCING IN PRESCHOOL AREA; RECONFIGURATION OF CAR PARKING LAYOUT AND NEW EXIT RAMPS; NEW SAFETY FENCING TO BANK, DAVEN PRIMARY SCHOOL, NEW STREET, CONGLETON FOR M LORD, DAVEN PRIMARY SCHOOL**

Consideration was given to the above application.

(Brian Lewis, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report the application be approved subject to the following conditions:-

1. Standard Time Limit (3 years)
2. Development to be carried out in accordance with approved plans
3. Development to be carried out in accordance with submitted details
4. Prior to their installation, submission of details of acoustic enclosure of fans / compressors for external air handling units

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Strategic & Economic Planning, in consultation with the Chairman (or in his absence the Vice Chairman) of Northern 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.

The meeting commenced at 10.00 am and concluded at 2.47 pm

Councillor G M Walton (Chairman)

Application No: 13/2765M

Location: LAND OFF, REDHOUSE LANE, DISLEY, SK12 2EW

Proposal: Residential development comprising 39 dwellings, access and associated works.

Applicant: Lucy Hawley, Persimmon Homes North West

Expiry Date: 02-Oct-2013

REASON FOR REPORT:

The proposal is a major development requiring a Committee decision.

SUMMARY:

It is acknowledged that the Council is unable to robustly demonstrate a five-year housing land supply and that, accordingly, in the light of the advice contained in the National Planning Policy Framework (NPPF), it should favourably consider suitable planning applications for housing that can demonstrate that they meet the definition of sustainable development.

It is considered that a scheme for housing falls in line with policies contained within the NPPF. The principle of developing land which is allocated for employment purposes has been established elsewhere and will help to contribute to both local housing needs, and the Council's five year housing supply. It is also considered that housing on the application site will have a more positive impact on the local area than employment development.

The proposal would satisfy the economic and social sustainability roles by providing for much needed housing adjoining an existing settlement where there is existing infrastructure and amenities. The proposal would provide policy compliant levels of affordable housing, and contributions to public open space.

The boost to housing supply is an important benefit – and this application achieves this in the context of a deliverable, sustainable housing land release, where it cannot be demonstrated that there is a need for the site to be safeguarded for employment purposes.

Local concerns of residents are noted, particularly in respect of highway matters but the impact is not considered to be severe under the NPPF test. In fact, the impact from a residential scheme would be less than that of the previously approved schemes and historic use of the site.

The design is considered to be appropriate as too is any impact on amenity, subject to a revision to the area around plot 152. Subject to conditions, the proposal is considered to be acceptable in terms of its impact upon highway safety, amenity, flood risk, drainage, landscape and ecology.

RECOMMENDATION:

Approval is recommended subject to conditions and completion of a S.106 Agreement.

DETAILS OF PROPOSAL

Full Planning Approval is sought for the construction of a residential housing development comprising a total of 39 units, comprising 14 detached dwellings, 8 semi-detached and 17 terraced properties. The application would also include 12 affordable dwellings.

All properties would be provided with off street parking spaces. All the properties would have private gardens.

It should be noted that initially the scheme was submitted for 42 units, however, revised plans were submitted, which resulted in the number of dwellings being reduced from 42 to 39 units and a loss of the apartments adjacent to the access point.

SITE DESCRIPTION:

The site lies east of Redhouse Lane and west of Lower Greenshall Lane. Access to the site has previously been from Redhouse Lane and the proposed development access will be based on the existing site entrance.

The site largely resembles an open builders yard. The buildings which formed part of the Fibrestar works have largely been demolished and removed from the site. There is a significant difference in levels on site, with the site sloping steeply down from the main entrance on Redhouse Lane down towards the Peak Forest Canal at the north of the site. The site is considered to be in a sustainable location, with good access to public transport and local amenities.

The development site benefits from an extant outline planning permission (08/2718P) for employment uses B1 and B8 and assisted living C2 and C3 uses. An Employment Land report has been submitted with the application which outlines the marketing which was undertaken prior to the submission of the application for the approved uses and details the lack of interest and enquiries since its approval.

The south of the site borders the existing Persimmon housing development, which originally gained planning permission for 121 dwellings in 2013. The residential properties on the Persimmon estate are two storey detached properties.

The site area is 1.12 hectares and previously constituted part of the Fibrestar/Harcostar Factory site.

RELEVANT HISTORY:

The south of the site borders the existing Persimmon housing development, which originally gained planning permission in 2013. However, at an early stage in the build, Persimmon erected a wall (approximately 120m in length and up to 5m in height), following which, Officers concluded that the development was not being constructed in accordance with the approved plans, and therefore, a new application would be required to secure a lawful development. A retrospective application was submitted and approved by the Strategic Planning Board in March 2015, subject to completion of a S106 Agreement. The S106 Agreement is currently being progressed, however, it should be noted that no formal consent has yet been issued.

- 14/4172M Residential development for the erection of 122 dwellings, access and associated works (amendment to previously approved application 12/0165M) – approved by SPB subject to S106 on 21.01.15 – awaiting completion of S106 and formal issuing of decision notice.
- 13/2765M Residential development comprising 42 dwellings, access and associated works – Decision awaited. This application constitutes phase 2 of Persimmon Homes' recently approved wider development site, and lies to the northwestern corner of the old Fibrestar site, which was considered under outline application 08/2718P.
- 13/3685D Discharge of conditions 4, 5, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, 28, 29, 30, 32, 33, 34, 35, 37, 42, 44, 46, 47 on Application 12/0165M to Vary Condition 30 (Pertaining to Highways) of Planning Approval 08/2718P.
- 12/4837M Reserved matters application for the erection of 121 residential dwellings, including details of appearance, scale, layout and landscaping in relation to outline permission 12/0165M (Original permission 08/2718P) – Approved 11th September 2013.
- 12/0165M Application to Vary Condition 30 (Pertaining to Highways) of Planning Approval 08/2718P - Approved with conditions and varied S106, 18 June 2012
- 08/2718P Outline Planning Application For The Demolition Of Existing Buildings And Erection Of C3 Residential; C2/C3 Senior/Assisted Living And B1/B8 Employment - Approved with conditions and a S106, 27 June 2011

NATIONAL & LOCAL POLICY

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
47 – 50 Wide choice of quality homes

- 56-68.1 Requiring good design
- 69-78 Promoting healthy communities

Development Plan:

The Development Plan for this area is the 2004 Macclesfield Local Plan, which allocates the whole site under policy E4. This policy allows for general industry (Class B2), warehousing (Class B8), high technology (Class B1b), and light industry (Class B1c) usage.

The relevant Macclesfield Local Plan Saved Policies are considered to be: -

Built Environment

- BE1– Design Guidance
- BE2 – Historic Fabric

Development Control

- DC1 – New Build
- DC3 – Amenity
- DC5 – Natural Surveillance
- DC6 – Circulation and Access
- DC8 – Landscaping
- DC9 – Tree Protection
- DC35 – Materials and Finishes
- DC36 – Road Layouts and Circulation
- DC37 – Landscaping
- DC38 – Space Light and Privacy
- DC40 – Children’s Play Provision and Amenity Space
- DC41 – Infill Housing Development
- DC63 – Contaminated Land

Employment

- E1 – Retention of existing and proposed employment sites
- E4 – General Industrial Development

Transport

- T2 – Integrated Transport Policy

Environment

- NE11 – Protection and enhancement of nature conservation interests
- NE17 – Nature Conservation in Major Developments

Housing

- H1 – Phasing policy
- H2 – Environmental Quality in Housing Developments
- H5 – Windfall Housing
- H13 – Protecting Residential Areas

Recreation and Tourism

- RT5 – Open Space

Implementation

IMP1 – Development Sites

IMP2 – Transport Measures

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

- MP1: Presumption in favour of sustainable development;
- PG6: Spatial Distribution of Development;
- SE1: Design;
- SE2: Efficient Use of Land;
- SE3: Biodiversity and geodiversity;
- SE4: The Landscape;
- SE5: Trees, Hedgerows and Woodland;
- SE6: Green Infrastructure;
- SE9: Energy Efficient Development;
- SE12: Pollution, Land contamination and land instability;
- SE13: Flood risk and water management;
- EG3: Existing employment sites;
- IN1: Infrastructure
- IN2: Developer Contributions:
- SC4: Residential Mix
- SC5: Affordable Homes
- SD1: Sustainable Development in Cheshire East;
- SD2: Sustainable Development Principles; and
- CO1: Travel Plans and Transport Assessments.

Supplementary Planning Documents:

The following Supplementary Planning Documents (SPDs) have been adopted and are a material consideration in planning decisions (within the identified former Local Authority areas):-

- Interim Planning Statement: Affordable Housing (Feb 2011)
- Strategic Housing Market Assessment (SHMA)
- Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994
- North West Sustainability Checklist
- SPG on Section 106 Agreements (Macclesfield Borough Council)

CONSULTATIONS (External to Planning)

HIGHWAYS:

The Strategic Highways Engineer raises no objections to the proposals.

The technical designs of the access points are acceptable and visibility has been provided at both junctions. The parking provision for the residential units within the site meets current standards.

It is clear that a recommendation of refusal for this application on highway grounds could not be supported, the principal reason for this statement is that there is already an existing consent for development on the site that would produce slightly more traffic generation than is being proposed in this planning application. In this scenario, it would not be possible to prove severe harm on the road network given that it has already been accepted in another application. The proposed access to the site is located in a position that has been used previously and therefore is considered acceptable. Some of the development is accessed from the Phase 1 spine road.

The implementation of signals at the Redhouse Lane junction is in the Strategic Highways Managers view important, as traffic levels increase on the A6 Buxton Road and finding sufficient gaps in the flow to turn right will be particularly difficult and queues will form. Under the S106 Agreement for application 14/4172M it is agreed to investigate the introduction of signals. This is considered sufficient to deal with this application and the Strategic Highways Manager would not propose changing the S106 Agreement for the signals in this application.

Mitigation measures to provide additional pedestrian facilities and traffic management measures in Redhouse Lane are required as part of this development and the Strategic Highways Manager proposes that if approved these measures would be delivered through a S278 Agreement, the specific details of which is to be agreed prior to commencement of development.

Therefore, no objections are raised to the application subject to the implementation of pedestrian and traffic management measures on Redhouse Lane and if required measures to close Hollinwood Lane to through traffic.

GREENSPACES:

Comments awaited.

ENVIRONMENTAL HEALTH:

No objection subject to conditions relating to hours of operation, dust control, floor floating, pile driving and contaminated land.

There is insufficient information contained within the application to determine whether there will be a loss of amenity caused to the occupiers of the proposed dwellings by noise from the nearby railway line. In order to ensure that future occupants of the development do not suffer a substantial loss of amenity due to noise, the applicant is required to submit a noise impact assessment report. If noise mitigation is found to be necessary then any mitigation shown as part of the report must achieve the internal noise levels defined within the "good" standard within BS8233:1999.

An Air Quality Impact Assessment accompanied the application and has been submitted to consider the cumulative impact of both developments. The conclusions of the report confirm

the development is not likely to have a significant impact on air quality within the Air Quality Management Area, or other nearby areas. The conclusions of the report are accepted. The Environmental Health Officer would therefore recommend the same conditions be attached to this application as 12/4837M

The application area has a history of industrial use and therefore the land may be contaminated. The report submitted with the application identifies potentially complete contaminant linkages, which require further investigation to allow a full assessment of their presence and to determine suitable remedial options. The application is for new residential properties which are a sensitive end use and could be affected by any contamination present. The Phase I contaminated land report recommends that a Phase II investigation is required to assess any actual/potential contamination risks at the site.

UNITED UTILITIES:

No objections, providing the following conditions are met: -

- A public sewer crosses this site and United Utilities will not permit building over it. United Utilities will require an access strip width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement.
- The site must be drained on a separate system, with only foul drainage connected into the foul sewer.
- No objection is raised provided that the Flood Risk Assessment is adhered to for the management of surface water.

There is a 300mm sewer crossing the development. Although no legal easement protects this pipe, United Utilities would want a 5m easement strip to allow for any maintenance issues. Nothing should be erected within the easement strip.

PUBLIC RIGHTS OF WAY:

Clarification is requested as to the legal status and future maintenance of the footpath proposed within the public open space adjoining the canal.

The Peak Forest Canal will provide a key route for residents of the proposed development, both as part of a circular leisure route and as part of an off-road active travel route to nearby communities and facilities. Therefore, contributions would be sought from the developer in order to bring the towpath up to a standard suitable for those uses and to accommodate the additional traffic resulting from the proposed development. The aspiration to improve the route has been logged under the Council's statutory Rights of Way Improvement Plan (Ref. T1), and will be required to a greater extent as a result of increased footfall from the proposal.

Appropriate and adequate destination signage and interpretation should be placed on-site and off-site to inform local users about the availability of routes, and the developer should be tasked to provide new residents with information about local routes for both leisure and travel purposes.

ENVIRONMENT AGENCY:

The Environment Agency has no objection in principle to the proposed development but request that the following conditions are attached to any decision.

With regards to Flood Risk - the development hereby permitted shall not be commenced until such time as a scheme for the provision and implementation of a surface water regulation system has been submitted to, and approved in writing by, the Local Planning Authority. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of Sustainable Drainage Systems (SuDS) and the results of the assessment provided to the Local Planning Authority.

The development hereby permitted shall not be commenced until such time as; a scheme to manage the risk of flooding from overland flow of surface water, has been submitted to and approved in writing by the local planning authority.

With regards to Contaminated Land, the EA has reviewed the submission of a Preliminary Risk Assessment for Phase 2 of the Redhouse Lane development. The EA has not reviewed the detailed remediation strategy report (dated July 2013), as this report appears to solely apply to the rest of the former Fibrestar Ltd development. Comments have previously been provided for this phase of the development.

Having reviewed the maps showing historic land uses, this small area appears to have been in industrial use since c. 1875 until the present date.

The EA consider that planning permission could be granted for the proposed development as submitted, if a planning condition is included to prevent the pollution of controlled waters.

CANALS AND RIVERS TRUST:

The proposed 42 dwellings, in addition to the 121 previously approved on the adjacent site, will result in the increased use of the Peak Forest Canal towpath, which can be accessed adjacent to the site at Dryhurst Bridge (No. 26). The towpath will potentially be used by the residents of the proposed dwellings, as a sustainable route for walking and cycling to Marple and Romiley to the north and New Mills and Whaley Bridge to the south, in addition to providing opportunities for local leisure and recreation.

The Canal & River Trust requests that the local planning authority seeks to secure a developer contribution towards improvements to the canal towpath from Bridge 26, extending approximately 360m eastwards to join the tarmac surfaced section of towpath adjacent to Bridge 27. The contribution should cover the cost of re-surfacing the towpath to an appropriate surface and width, in addition to any repairs to the canal washwall necessary to facilitate the towpath works. The Trust is satisfied that this request meets the statutory requirements of the CIL Regulations 2010 for planning obligations to be necessary to make development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

On the basis of the information provided, the Canal & River Trust is unable to fully assess the potential impact of the development on the Peak Forest Canal Site of Biological Importance and the visual amenity of canal users. The Trust therefore requests the submission of the following details, prior to determination of the application:

- An amended Flood Risk Assessment including a detailed assessment of the impact of the proposed surface water drainage arrangements on the Peak Forest Canal, when compared to the existing surface water drainage arrangements. The consequences of the proposed surface water drainage arrangements should be fully assessed in terms of the potential impact on water levels in the canal,
- The applicant should be aware that a historic breach of the canal in the vicinity of the site was caused by over-topping due to increased water levels. We would also request full details of the existing surface water discharges into the canal from the site, including the storm water drainage network referred to in the RSK Risk Assessment, and the proposals in respect of stopping-up the discharges and removing the existing drainage infrastructure on the canal edge.
- A revised Preliminary Risk Assessment including a detailed assessment of the risks of pollution to the canal SBI from the application site. The preliminary risk assessment highlights risks from various substances, based on limited sampling within the site. The leaching of polluting matter into the canal is seen as probable with a medium consequence, yet there is no further expansion on this. We would therefore request a more detailed ground investigation and mitigation strategy which clearly highlights any risks and means of control.
- The Woodland Management Plan and drawing D3573.003B. These are referred to in the Landscape Strategy Report and Habitat & Landscape Management Plan but have been omitted from the Arboricultural Impact Assessment (AIA). In the absence of these details the impact on the trees on the canal embankment (Group W5) is unclear. In addition, at the western end of the site, the Landscape Strategy Plan indicates “vegetation to retaining wall to be retained” but the AIA indicates the removal of these trees (Group G8) and we would be grateful for clarification.
- Full details of the materials and method of construction of the proposed new 4.5m high retaining wall on the canal edge and any works to the existing retaining wall adjacent to Bridge 26 (as indicated in the Engineering Plan).
- A more detailed method statement for the protection of the Peak Forest Canal SBI. Once the further information and details requested above (in respect of drainage, contamination, tree works and measures to retain the site adjacent to the canal) have been provided, the method statement should be revised on the basis of this information and should set out the measures proposed to prevent any risk of harm to the canal in appropriate detail.

HOUSING:

The Housing Strategy and Needs Manager requires confirmation on the tenure split of the scheme.

The amended plans show a revised number of 39 dwellings in Disley. As per the Council's Interim Planning Statement on Affordable Housing (IPS) sites of 15 units or more are required to provide 30% affordable housing. The site will therefore be required to deliver 12 units of affordable housing.

The proposal is compliant in that it offers 12 units as affordable. The amended plans outline where the affordable housing units are located and this is suitable pepper-potting as required by the IPS.

THE SCHOOL ORGANISATION AND CAPITAL STRATEGY MANAGER:

This development will generate 8 primary pupils. Therefore, the contribution would be $8 \times £11,919 \times 0.91 = £86,770$.

NATURAL ENGLAND:

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

Bats

It is noted that a survey for European Protected Species has been undertaken in support of this proposal. Natural England **does not object** to the proposed development. On the basis of the information available to us, our advice is that the proposed development would be unlikely to affect bats.

Natural England has not assessed the survey for badgers, barn owls and breeding birds, water voles, white-clawed crayfish or widespread reptiles. These are all species protected by domestic legislation and the LPA should use Natural England protected species standing advice to assess the adequacy of any surveys, the impacts that may result and the appropriateness of any mitigation measures.

Natural England also recommends that the Council consults its in-house or retained ecologist on the implications of this application for protected species and other nature conservation interests.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, Natural England draw the LPA's attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'*. Section 40(3) of the same Act also states that *'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'*.

REPRESENTATIONS

The planning application was originally advertised by the Council through neighbour notification letters that were sent to all adjoining land owners and by the erection of a site notice.

Two petitions with approximately 20 signatures have been received from local residents.

In addition, approximately 50 letters of objection, 3 letters of support and 3 general observations have been received from local residents. The following is a brief summary of their views: -

Design/Layout

- Not in keeping with stone built cottages
- Visually obtrusive because of height
- Layout is too dense
- Space should be made for car parking safe access and pavements
- Surrounding properties are either brick and stone and are two storey

Amenity

- Too close to existing cottages loss of privacy and sunlight

Access

- Access is not designed for dwellings, road is narrow and dangerous
- Only designed for one car at a time
- No pavements road is dangerous
- Object to the installation of traffic lights at the junction of Redhouse Lane and Buxton Road. This application assumes that traffic lights will be installed but the need for traffic lights has not yet been demonstrated
- Hollinwood Road, Dryhurst Lane and Redhouse Lane are already used as cut through/rat runs further development will exacerbate this
- Objections raised to proposed second access
- Suggest: Stopping up of the road at the Hollinwood Road / Ashwood Road / Oakwood Road junction., this would instantly solve the current problems, and the problems we will face with the new housing development
- Blocking the road off, where Hollinwood Road, meets Hagg Bank Lane would solve rat run problem
- Alternatively, restricted access/ controlled speed/ restricted speed controls should be implemented.
- Most definitely another entrance is required say Greensall Lane to dilute the traffic
- Do not include a sufficient road infrastructure to support this development
- Development will create pollution
- More traffic lights and increased traffic will make life very difficult for local residents and village shops with congestion
- Another access point to the site is required further up the A6
- A secondary exit via Lower Greenshall Lane is required
- The impact of the traffic is not adequate -mitigated against within the development
- New access to the A6 is required
- Traffic calming measures need to be given serious consideration
- The original traffic report produced at the outline stage assumed that cars from the development would not use Hollinwood Road or travel down Redhouse Lane towards Strines. This is wrong
- When the new residents leave the development they will find it difficult to walk or cycle safely to any facilities as there are few pavements and the extra traffic will significantly increase the danger to pedestrians and cyclists on the local roads and therefore does not comply with para 29 of the NPPF

- Nearest bus stop is in an unsuitable location
- Traffic survey did not take into account the extra SEMMS traffic
- Council needs to consider the wider impact of traffic lights within an Air Quality Management Area, especially with the predicted increase of traffic from SEMMS
- Can the traffic lights be 'smart' traffic lights
- Impact on the Disley Air Quality Management Area
- Limited pavements on Hollinwood and Redhouse lane
- Where will local residents park if traffic lights put up.
- Like to see no parking on the A6 near the rehouse lane junction
- Developer should pay for costs to upgrade/enhance pedestrian access to canal towpath
- Traffic models submitted do not reflect current volume of traffic on Redhouse Lane
- Redhouse lane offer very limited viability with bend in the road and blind summit.
- A new access route should be created either by creating a bridge over the railway to the A6 or through an embankment.
- Already been serious accidents along red house lane along this road and the increased traffic will exacerbate this more
- If the greenery along Redhouse Lane was cut back maybe pavement could be introduced?
- Roads are impassable in the winter months
- Road safety, queuing traffic, noise, vibration, air quality, reduced resident parking, the removal of two bus stops, also the removal of a pedestrian crossing opposite the children's playground.

Miscellaneous comments

- Local services can not support proposed development surgery and schools
- Hope that some of the dwelling will be affordable
- When development completed consideration should be given to a weight restriction to preserve listed bridges

Comments received in support

- Regeneration of the site
- Development will help community and business
- 300 cars will never be leaving the property all at the same time
- The planning application has taken into account the impact of traffic and new road is not required.

VIEWS OF THE TOWN COUNCIL

Disley Parish Council make the following comments on the application: -

Disley Parish Council has supported the development of this site from the outset in 2008 but, at the same time, has continued to raise concerns over several aspects which do not conform to our adopted Village Strategy on Housing and Development (see pages 11-14 of copy attached). In relation to this application the Parish Council welcomes the early development of the remaining plot of land but wish to make the following comments:

Concerns about access, egress and the impact on adjacent roads have been consistently raised by the Parish Council at all stages of this development. Since the original outline planning consent was obtained in 2009 there has been a significant development with the advent of the SEMMMS A6 to Manchester Airport Relief Road which is projected to increase traffic through Disley village by 40%.

The Parish Council is aware that many residents living in the vicinity of the development are extremely anxious about the potential impact of increased traffic on Redhouse Lane and rat runs on Hollinwood Road and Dryhurst Lane in particular. The Parish Council is also aware of the residents' petition for a secondary exit from the site via Lower Greenshall Lane and we would strongly urge that Cheshire East Council obliges the developer to undertake a feasibility study of this option before consideration of Phase 2 of the development.

The Parish Council is very concerned about pedestrian safety and access to the village and the nearby Arnold Rhodes play area given that part of Redhouse Lane does not have pavements.

Disley Parish Council therefore urges Cheshire East Council to ensure that the developer uses Section 106 Highway Works monies to provide safe walking and cycling space on Redhouse Lane in addition to traffic management measures.

Disley Parish Council is disappointed that this land, which was originally designated for employment units and senior /assisted living dwellings, is now going to be developed as residential.

It is also concerned that its request for Persimmon to include some bungalows in the housing mix has not been considered given Disley's ageing population and lack of suitable 'downsizing' accommodation.

The design and access statement refers to Disley Primary school and a further 10 schools within a 3 mile radius. However, Disley Primary is currently running at full capacity and all the other schools mentioned are in different authorities.

The statement also refers to the nearest health facility being in New Mills, Derbyshire when in fact it is the School House Surgery in Disley and Disley Parish Council would request that the practice is consulted about whether they are able to manage the influx of new patients.

Supplemental comments were made from the Parish Council following the receipt of the revised plans, which replaced the apartment block with three houses due to concerns about the height of this particular block and its impact on other properties on the development. Disley Parish Council has no objection to this amendment.

Disley Parish Council did also register serious concerns about the raft of pre-construction conditions which had not been discharged despite the commencement of work on the site. Comments were also made on the five metre high retaining wall that has been constructed adjoining the canal and was concerned about the impact on the planned canal side footpath and wildlife area. It is also concerned that there has been no discussion or plans showing the type of safety barrier that is being proposed for the roadway and the visual impact that this may have on the canal area.

The Parish Council also requested that all construction on the site be closely monitored by Cheshire East Council to ensure compliance with all planning and building regulations pertaining to this development.

APPLICANT'S SUPPORTING INFORMATION

The following detailed reports were submitted with the application:-

- Design & Access Statement;
- Planning Statement;
- Arboricultural Impact Assessment;
- Transport Note;
- Preliminary Risk Assessment;
- Ecological Assessment;
- Ecological Statement;
- Flood Risk Assessment;
- Habitat and Landscape Management Plan;
- Landscape Report;
- Engineering Appraisal; and,
- Employment Land Report.

OFFICER APPRAISAL

The key issues are:

- Principle of the Development (Windfall Housing Sites);
- Loss of land allocated for Employment purposes;
- Principle of the Development (Need for Affordable Housing);
- Impact on open space;
- Design, Layout and Visual impact;
- Landscape/Trees;
- Highways;
- Residential Amenity;
- Nature Conservation;
- Flood Risk
- Environmental Health; and
- Other Material consideration or matters raised by third parties.

Principle of the Development (Windfall Housing Sites):

The site lies within the settlement boundary of Disley and within an area allocated for employment purposes, where policies within the Local Plan indicate that there is a presumption in favour of development.

Para 14 of The Framework indicates that there is a presumption in favour of development except where policies indicate that development ought to be restricted.

Policy H5 within the Local Plan seeks to direct residential development to sustainable locations – this policy accords with guidance within the NPPF and therefore carries full weight. The site constitutes a sustainable location as it is located within the settlement boundary of Disley and by virtue of its proximity to shops and services within Disley.

It is considered that this development on this site would make effective use of the land and make a contribution to the Council's 5 year land supply.

The site is allocated as an existing employment area where policy E4 (which normally permits Use Classes B2, B8, B1b and B1c) applies. Furthermore, Policy E1 seeks to normally retain both existing and proposed employment areas for employment purposes to provide a choice of employment land in the Borough. As such, there is a presumption that the site will be retained for employment purposes. This proposal therefore constitutes a departure from the Development Plan. Planning decisions must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

In this case, there are a number of relevant material considerations when considering the proposed loss of employment land. These are:

- The principle of residential development has already been accepted by the granting of outline planning approval in June 2011 (application no. 08/2718P) and in June 2012 (application no. 12/0165M) which included the provision of up to 160 residential units on this site and the adjacent Persimmon housing site, where 122 houses are currently being erected.
- Replacement of a potentially unneighbourly, unsuitable industrial business use from a residential area, to both historic existing adjacent residents and future occupiers of the recently permitted housing development.
- HGV's associated with the allocated use would be removed from the highway.
- The site is vacant and there is an oversupply of employment land in both the former Macclesfield Borough and the wider Cheshire East area.
- The proposed scheme provides a good mix of housing types. 30% of which is offered to be affordable.
- Provision of family-sized homes in Disley.
- The site is in a relatively sustainable location. The site has good access to the major road network (Buxton Road) and a bus service. shops and schools are in walking distance.

Consequently, although contrary to the Development Plan, it is acknowledged that there are significant material considerations that indicate that the principle of a residential development

on this site is acceptable in this location and that a case to retain employment land would not be sustainable. This is looked at in more detail below.

Permission should only be withheld where any adverse impacts would significantly and demonstrably outweigh the benefits as noted above.

Loss of Employment land

The application site is designated for employment uses within the Local Plan.

Policy E1 seeks to retain employment land for employment purposes. However, Paragraph 22 of The Framework states that:

“Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.”

A comprehensive Employment Land Report was submitted by Lambert Smith Hampton to accompany the application. The report concludes that the site comprises a legacy site from historic industrial use and is not suitable for current day employment use. The dilapidated buildings present on site were unviable and removed some time ago. Market conditions combined with the tertiary location and access make redevelopment for continued employment use unrealistic.

Following analysis of the employment land position and take up rates in the Borough, it can be concluded that retention of the Redhouse Lane site in an employment allocation will not meet the aspirations of the NPPF. Retaining a site in an allocation for which there is little prospect of it coming forward for that use is contrary to the aims of national guidance.

The unlikelihood of this site coming forward for employment use has been clearly demonstrated through an extensive and robust marketing campaign undertaken by national and local agents. A marketing strategy was implemented over a sustained period, utilising multimedia initiatives with negligible unviable interest. The poor access links, and location of the site; factors which cannot be altered, render the site unattractive to the market for future employment redevelopment.

The following is a list of large employment sites in the former Macclesfield Borough where employment land is available:

- Tytherington Business Park
- Lyme Green Retail and Business Park
- Hurdsfield Industrial Estate
- Adlington Park
- Poynton Industrial Estate
- Stanley Green Industrial Estate, Handforth

In the context of NPPF paragraph 22, on the evidence to date, it would be difficult to argue that there is a reasonable prospect of the site being used for employment purposes and therefore be protected for such use.

Principle of the Development (Need for Affordable Housing):

This application includes 12 affordable units and to be in line with the IPS, should equate to 8 rent and 4 intermediate tenure.

Disley is located in the Disley sub-area for the Strategic Housing Market Assessment 2010 (SHMA), which shows that for the sub-area there is a requirement for 70 new affordable units between 2009/10 – 2013/14, this equates to a net requirement for 14 new affordable units per year made up of 6 x 1bed, 5 x 3bed and 2 x 4/5bed.

In addition to this there are currently 99 applicants on the housing register with Cheshire Homechoice (which is the choice based lettings system used to allocate rented affordable housing in Cheshire East), these applicants require 44 x 1 bed, 37 x 2 bed and 10 x 3 bed (8 applicants have not specified how many bedrooms they require).

There has been no delivery of the affordable housing need in Disley between 2009/10 – 2013/14 to date. Therefore as there is affordable housing need in Disley there is a requirement that 30% of the total units at this site are affordable, which equates to 12 dwellings

The Interim Planning Statement: Affordable Housing (IPS) states that in areas with a population of more than 3,000 the Council will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified 'windfall' sites of 15 dwellings or more or than 0.4 hectare in size. The general minimum proportion of affordable housing for any site will normally be 30%, in accordance with the recommendation of the 2010 Strategic Housing Market Assessment. The preferred tenure split for affordable housing identified in the SHMA 2010 was 65% social rented and 35% intermediate tenure.

The IPS outlines that in order to ensure full integration with open-market homes the affordable units should not be segregated in discrete or peripheral areas and therefore should be pepper-potted within the development. The external design, comprising elevation, detail and materials should be compatible with open-market homes on the development. The IPS also requires that the affordable housing should be provided no later than occupation of 50% of the open market dwellings (unless the development is phased with a high degree of pepper-potting, in which case the affordable housing can be provided no later than occupation of 80% of the market dwellings).

Furthermore the affordable homes should be constructed in accordance with Homes and Communities Agency Design and Quality Standards (2007) and should achieve at least Level 3 of the Code for Sustainable Homes (2007) or whatever standards the HCA are applying to their grant funding programme at the time.

The Housing Strategy and Needs Manager is happy with the residential mix.

Housing Land Supply

Paragraph 47 of the National Planning Policy Framework requires that Council's identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements.

This calculation of Five year Housing supply has two components – the housing requirement – and then the supply of housing suites that will help meet it. In the absence of an adopted Local Plan the National Planning Practice Guidance indicates that information provided in the latest full assessment of housing needs should be considered as the benchmark for the housing requirement.

Following the suspension of the Examination into the Local Plan Strategy and the Inspectors interim views that the previous objectively assessed need (OAN) was 'too low' further evidential work has now taken place and a fresh calculation made.

Taking account of the suggested rate of economic growth and following the methodology of the NPPG, the new calculation suggests that need for housing stands at 36,000 homes over the period 2010 – 2030. Although yet to be fully examined this equates to some 1800 dwellings per year.

The 5 year supply target would amount to 9,000 dwellings without the addition of any buffer or allowance for backlog. The scale of the shortfall at this level will reinforce the suggestion that the Council should employ a buffer of 20% in its calculations – to take account 'persistent under delivery' of housing plus an allowance for the backlog.

While the definitive methodology for buffers and backlog will be resolved via the development plan process this would amount to an identified deliverable supply of around 11,300 dwellings.

This total exceeds the total deliverable supply that the Council is currently able to identify – and accordingly it remains unable to demonstrate a 5 year supply of housing land.

If this application were to be approved, it would relieve pressure on other edge of settlement sites and the Green Belt as part of the provision of housing and strengthen the Councils 5 year land supply position.

ENVIRONMENTAL SUSTAINABILITY

Requiring good design and character and appearance of the area:

The main public view would be from both Redhouse Lane from car borne residents, and on foot by people walking along the towpath of the Peak Forest Canal. The dwellings are proposed to be constructed in brick, with man made tiles on the roof. Contrasting head and cill details would also be used. The materials can be conditioned, should planning permission be granted, and the look would be consistent with the 122 houses which Persimmon are actively building on the adjacent site. The dwellings would be predominantly 2 storeys high,

however, it is noted that The Moseley and The Lumley house types have a third storey. The design of the dwellings is considered to be appropriate to the local area.

Highways access, parking, servicing and highway safety:

The Strategic Highways and Transportation Manager has assessed the proposed development. A very important consideration in the assessment of this application is the existing permission for a mixed use scheme on the site. If the traffic generation of both the existing consent and the new proposed residential development is undertaken, then it is apparent the traffic impact is broadly very similar with the new residential application generating slightly less traffic in the morning and evening peak hours. There are also environmental and amenity benefits arising from the current residential scheme, in that the mixed use scheme would have an element of HGV traffic accessing the site in what is a predominately residential area. The current scheme would reduce the noise and vibration from traffic accessing the site.

Phase 1 of the development included an agreement to install traffic signals at the junction of Redhouse Lane/A6 Buxton Road. The applicant has undertaken a Linsig assessment of this junction as part of this application, to assess whether the introduction of the signals with the additional traffic arising from this development included, would operate within capacity levels. The results of the capacity tests at the junction show that it would operate within capacity for the opening year (2015) with all development included. The capacity tests results are not unexpected as these have been undertaken on the A6 current flows, the background flows are likely to change significantly on the A6 as a result of the SEMMMS scheme and this would affect the operation of the Redhouse Lane/ Buxton Road junction. The current submission does not include a capacity assessment of the current priority junction arrangement and how it would operate with the development added but without the introduction of the signal scheme. This information would have proved helpful in deciding when the new traffic signal junction was actually needed. At present the introduction of the signal scheme is triggered when 50% of the phase 1 development is occupied but only after capacity tests have been undertaken to show that the priority junction would be operating at capacity levels.

The access to the site is constrained by the number of routes suitable to accommodate the development traffic, there is also a low bridge in Redhouse Lane that affects large vehicles from accessing the site. The potential alternative access using Lower Greenshall Lane has been investigated and although it is possible to access the development using this route, there are many constraints. Lower Greenshall Lane is effectively a single track lane with a poor alignment and also it has a very low bridge that would need to be negotiated. To make this access viable, the road would need to be widened to accommodate two-way flow, this would need the acquisition of third party land through CPO's as the extent of the adopted highway is only the road itself. It is possible to have traffic exiting only using Lower Greenshall Lane as a one way road although the TRO would have to apply to the whole of Lower Greenshall Lane. However, the developer has not agreed to provide a one way route through the site. Additionally, due to poor visibility at the junction of Lower Greenshall Lane with Buxton Road, a traffic signal junction would be required. Therefore, overall it would be a very difficult to provide an access to the Fibrestar site using Lower Greenshall Lane and it would also require a substantial amount of funding and land take.

A number of concerns from residents have been received regarding the use of Hollinwood Road as a rat run for vehicles accessing the application site and these comments have been considered by the applicant and they have proposed a number of locations where the stopping up of Hollinwood Road could occur with the provision of a turning head. These locations are close to Hagg Bank Lane and west of Oakwood Road, both of these locations would need the acquisition of third party land in order to provide the turning head. An alternative option, is to use The Moorings as the turning facility for all vehicles including refuse vehicles, this option would not need any third party land. A one-way system was also proposed with all vehicles travelling eastbound towards Redhouse Lane. The Strategic Highways and Transportation Manager would not propose that this option is taken up as it would be problematical for emergency vehicles and also it would increase pressure on the Redhouse Lane junction with Buxton Road.

As part of the consultation process, internal comments have been sought from the Highway Departments traffic management (TM) team and waste management department. Whilst the TM team have not raised any technical concerns with the stopping up of Hollinwood Way, there is a major problem with waste collection. Due to the low bridge in Hollinwood Lane, refuse vehicles are unable to get under the bridge, so if Hollinwood lane was closed, refuse collection to premises in Hagg Bank Lane would not be possible.

Vehicular access to the site is predominately from Redhouse Lane and there is an absence of a pedestrian footway underneath the railway bridge. The applicant has proposed to provide a footway underneath the bridge and also the use of priority traffic movements through the bridge. The lack of pedestrian facilities is a problem and The Strategic Highways and Transportation Manager would support the introduction of the footway, the traffic flow is unlikely to be delayed significantly with the use of priority working.

In conclusion, it is clear that a recommendation of refusal for this application on highway grounds could not be supported, the principal reason for this statement is that there is already an existing consent for development on the site that would produce slightly more traffic generation that is being proposed in this planning application. In this scenario, it would not be able to prove severe harm on the road network given that it has already been accepted previously approved in another application. The proposed access to the site is located in a position that has been used previously and therefore is considered acceptable, some of the development is access from the Phase 1 spine road.

An alternative access using Lower Greenshall Lane to phase 1 development is theoretically possible but there are considerable problems that would need to be addressed if this was to be delivered. The developer does not need to consider this alternative access as it already has permission for access for similar levels of traffic using the extant mixed use scheme. Although, the Strategic Highways and Transportation Manager does not consider that the closure of Hollinwood Road would provide substantial benefits for residents, this can be achieved if it was deemed necessary by Members. The closure would have to use a technical design that allowed refuse vehicles to pass through as access through the bridge at Hagg Bank Lane is not possible.

The implementation of signals at the Redhouse Lane junction is in the Strategic Highways and Transportation Manager view important, as traffic levels increase on the A6 Buxton Road will mean finding sufficient gaps in the flow to turn right will be particularly difficult and queues

will form. There is an agreement in place to investigate the introduction of signals at 50% of the first phase being completed, this is sufficient to deal with this application and the Strategic Highways and Transportation Manager would not propose changing the S106 Agreement for the signals in this application.

Mitigation measures to provide additional pedestrian facilities and traffic management measures in Redhouse lane are required as part of this development and the Strategic Highways and Transportation Manager would propose that if approved these measures would be delivered through a S278 Agreement, the specific details of which is to be agreed prior to commencement of development.

Problems have been experienced during construction of the first phase due to the bridges that constrain access to HGV's, the SHTM would not wish to see a repeat of these problems and a detailed construction management plan should be submitted and approved by the LPA prior to commencement of development.

Therefore, The Strategic Highways and Transportation Manager does not raise objections to the application subject to the implementation of pedestrian and traffic management measures on Redhouse Lane and if required measures to close Hollinwood Lane to through traffic.

Residential Amenity:

Policy DC3 seeks to prevent development which would cause a significant injury to amenity through issues such as overbearing impact, loss of light and loss of privacy. Policy H13 seeks to retain existing high standards of amenity. Policy DC41 seeks to prevent the overlooking of existing private gardens in a housing redevelopment. Policy DC38 sets out the standards for space, light and privacy in new housing development.

The site is located adjacent to the Peak Forest Canal to the north and a previously consented, partially built residential development to the south. The main relationship with existing dwellings are those on Redhouse Lane, and the new estate road..

It is considered that the relationship with the properties on Redhouse Lane would be acceptable. The distance between the front of the properties on Redhouse Lane and the proposed dwellings within the application site would be approximately 21m. Overall, it is considered that the application proposals would not have a detrimental impact on residential amenity to the surrounding properties through overlooking, loss of privacy or by being overbearing. Final levels and boundary treatment conditions are proposed to ensure continued protection of the amenity of surrounding residents.

With regard to the inward levels of amenity provided to the occupiers of the proposed new dwellings. It is considered that this broadly satisfies the amenity standards of the local plan. However, the distance between plots 149 and 150 and 152, and 153 and 152 is too tight. The applicants' agent has been asked to address this and subject to an alteration here, it is considered that the internal relationships would be acceptable.

ARBORICULTURAL IMPLICATIONS:

The application was initially supported by an Arboricultural Implication Assessment. The report indicates that the assessment has been carried out in accordance with the recommendations of British Standard BS5837:2012 Trees in relation to design, demolition and construction. The report has been carried out to assess the environmental and amenity values of all trees on or adjacent to the development area and the arboricultural implications of retaining trees with a satisfactory juxtaposition to the new development.

The submitted plans and particulars are considered adequate to assess the impact the development proposals will have on arboricultural aspect of the Phase 2 development.

All the trees were inspected as part of the Phase 1 application and have formed part of lengthy discussion in terms of an overall arching strategy in terms of the woodland strip (W5) associated with the canal.

The key individual and groups of trees which have been accepted as Category A high value specimens are T10 and W5. This application seeks to retain the majority of W5 and T10 within a layout which seeks to accommodate the point of access to the canal side walkway which forms an interface with the previously agreed Phase 1 section which extends through the majority of the northern aspect of the site presently under construction. The previously agreed Woodland Management Plan forms the basis of the retained woodland form which has been further augmented by the need to provide an arboricultural method statement for the footpath to ensure where construction activities are located within RPA 's the adjacent tree cover within W5 is not compromised. The removal of the southern aspect of W5 is accepted with the removals and cutting back having a limited impact on the linear woodland mass and the wider landscape aspect.

T10 appears to have been retained within the woodland walk access path which extends between proposed properties. There may be an issue of levels with the tree located on a banking which formed the alteration in levels between the two sites. The tree prior to the closure of the site had been sandwiched between buildings. On balance it is probably accepted that given the trees growth potential it will become an actionable nuisance because of its relationship to the adjacent private dwellings. An identifiable net gain can be achieved between the trees removal and some additional strategic specimen planting of a species more suited to the urban situation.

The trees identified for removal are all Category B & C moderate to low value specimens which are considered to be inconsequential in amenity terms. The removal of the trees T6, 7 G3, and G4 were agreed as part of the adjacent development. G5 is formed by a limited number of multi-stemmed Sycamore, Goat Willow and Ash, all of which in terms of structural stability are considered to be limited specimen, Those trees which form G8 have in the main established as self set specimens which have colonised the canal banking retaining wall. They have been managed by coppicing which has established a collective group of poor specimens.

The detailed losses are considered acceptable which can be mitigated by a specimen landscape scheme.

ECOLOGICAL IMPLICATIONS:

The Council's Nature Conservation Officer has considered the application, which is supported by an ecological assessment and an ecological method statement for the protection of the Site of Biological Importance (SBI) located adjacent to the proposed development.

The phase one habitat survey undertaken at the site does not cover the full extent of the proposed development site. However, as this site is well known to the Council the Nature Conservation Officer is satisfied that no additional survey is required.

Peak Forest Canal Site of Biological Importance

The submitted method statement for the protection of the peak Forest canal recommends the implementation of an undeveloped 8m buffer zone between the canal and the development. The proposed development however currently is located less than 4m from the canal bank.

The Nature Conservation Officer suspects the submitted method statement was formulated to inform the determination of the 'phase 1' of the development of this site which included proposed development set back further from the canal.

The outline consent for this site was determined on the basis that a 5m buffer zone would be provided.

In order to ensure that the canal SBI and the protected species it supports are adequately safeguarded the Nature Conservation Officer recommends that the submitted method statement and layout plan be revised to show a 5m buffer zone.

Breeding birds

If planning consent is granted standard conditions will be required to safeguard breeding birds and to ensure some additional provision is made for roosting bats and breeding birds as part of the proposed development:

ENVIRONMENTAL HEALTH:

Whilst other legislation exists to restrict the noise impact from construction and demolition activities, this is not adequate to control all construction noise, which may have a detrimental impact on residential amenity in the area. Therefore, a condition is suggested to control hours of demolition and construction works in the interest of residential amenity. A condition has also been suggested by the Council's Environmental Health Section in the event that piled foundations are used. A condition to control dust from the construction is suggested to reduce the impacts of dust disturbance from the site on the local environment. Details of waste and refuse provision would also be conditioned.

Due to the proximity of the proposed residential development to the railway line, it is recommended that a noise impact assessment is carried out to gauge any impact from the railway on the future occupiers of the properties. This assessment will inform the applicant as to any mitigation measures required. Given the previous development of 122 dwelling is sited in closer proximity to the railway line, it is thought this matter can be conditioned.

Whilst this scheme itself is of a relatively small scale, and as such would not require an air quality impact assessment, there is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality. The transport statement submitted with the scheme makes reference to the accessibility of public transport, walking and cycling routes. The accessibility of low or zero emission transport options has the potential to mitigate the impacts of transport related emissions, however it is felt appropriate to ensure that uptake of these options is maximised through the development and implementation of a suitable travel plan.

In addition, modern Ultra Low Emission Vehicle technology (such as all electric vehicles) are expected to increase in use over the coming years (the Government expects most new vehicles in the UK will be ultra low emission). As such it is considered appropriate to create infrastructure to allow home charging of electric vehicles in new, modern properties.

LAND CONTAMINATION:

This application site has a history of industrial use and the land therefore may be contaminated. The application is for new residential properties which are a sensitive end use and could be affected by any contamination present. The Council's Contaminated Land officer has no objection to the application subject to the imposition of a condition to require an additional site investigation survey and any subsequent remediation required.

DRAINAGE MATTERS:

A water supply can be provided and a separate metered supply to each unit will be required. In addition, it is noted that a public sewer crosses this site and United Utilities will not permit building over it. United Utilities will require an access strip width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement.

ENVIRONMENT AGENCY:

It is noted that the Environment Agency has assessed the application, that the proposed development will meet the requirements of the NPPF.

ECONOMIC SUSTAINABILITY

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to Disley, including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

Developer Contributions:

In accordance with the Councils SPG on S106 (Planning) Agreements, the proposal triggers the need for both Public Open Space (POS) and Recreation / Outdoor Sports (ROS) provision, in line with the current CEC policy. The requirements are as follows: -

Public Open Space (POS)

The POS requirement at a rate of 40sqm per dwelling will be 1,560sqm of play and amenity open space.

No provision has been made for this open space to be on site, therefore, a commuted sum payment of £117 000 will be required for offsite provision (£3 000 per family dwelling).

Recreation Open Space (ROS)

A commuted sum for offsite ROS provision will be required. The amount for 39 family units would be £27 000.

It should be noted that a play area will be provided on the site of the adjacent Persimmon residential development for 122 homes. The commuted sum will be used to make additions, enhancements and improvements to the play, access, recreation and amenity facilities at Arnold Rhodes open space. The spend period will be 15 years.

Responses to issues raised by third parties:

The comments provided by consultees, the Parish Council and residents in relation to design, amenity, highways/access issues are noted and covered under the headings above.

The impact of the traffic which would result from the development is considered to be less than that which would be associated with both the employment use of the land and it is considered that the removal of commercial vehicles from the local area would actually provide a benefit to the local residents. This proposal also needs to be weighed up against the scheme approved at outline stage, in terms of traffic generation and access. The Strategic Highways Manager raises no objections to the scheme and considers the access arrangements to be acceptable.

The comments raised by PROW team and Canals and Rivers Trust were made to the previous application for 122 dwellings. It is considered that no further justification for any enhancements can be justified by this application.

Heads of Terms for a Legal Agreement:

- **30%** Affordable Housing (i.e. 12 units as proposed);
- A contribution of **£86 770** is required towards primary education;
- Provision of **£117 000** towards Public Open Space.
- Provision of **£27 000** towards Recreation Open Space.

Community Infrastructure Levy (CIL) Regulations

LEVY (CIL) REGULATIONS

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010, it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fair and reasonably related in scale and kind to the development.

The provision of 30% affordable housing is necessary, fair and reasonable to provide sufficient affordable housing in the area, and to comply with National Planning Policy.

The commuted sum in lieu for public open space and recreation / outdoor sport is necessary, fair and reasonable, as the proposed development will provide 39 dwellings, the occupiers of which will use local facilities, and there is a necessity to provide facilities. The contribution is in accordance with the Council's Supplementary Planning Guidance.

The development would result in increased demand for primary school places in and around Disley, where there is very limited spare capacity. In order to increase capacity of the school(s) which would support the proposed development, a contribution towards school education is required. This is considered to be necessary and fair and reasonable in relation to the development.

All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development.

On this basis the S106 contributions associated with the scheme is compliant with the CIL Regulations 2010.

CONCLUSIONS AND REASON(S) FOR THE DECISION

At the heart of the National Planning Policy Framework is a **presumption in favour** of sustainable development. Paragraph 14 of NPPF states that decision takers should be approving development proposals that accord with the development plan without delay; and

- Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole

As such Members should only be considering a refusal of planning permission if the disbenefits of the scheme significantly and demonstrably outweigh the benefits of approval.

During the application process, officers have requested further details to show the relationship between plots 156-163 and the canal, and in addition, negotiations took place between officers and the developer, which resulted in the submission of a revised layout plan, which

replaced the apartments with 3 dwellings and reduced the overall number of units from 42 to 39.

Further clarification will be provided with regards the tenure of the affordable dwellings, following the comments provided by The Housing Strategy and Needs Manager, along with an update will be provided with regards to the relationships of the dwellings around plot no 152, which currently do not comply with the standards.

It is acknowledged that local residents have repeatedly raised issues in relation to access for proposed redevelopment of this site. Previous applications have been approved on this site and both employment and further residential development has been consented. It is considered that this scheme for housing would fall in line with policies contained within the NPPF. The principle of developing land which is allocated for employment purposes has been established elsewhere and will help to contribute to both local housing needs, and the Council's five year housing supply. It is also considered that housing on the application site will also have a more positive impact on the local area than industrial development.

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 Planning & Enforcement Manager, in consultation with the Chair (or in her absence the Vice Chair) of Northern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

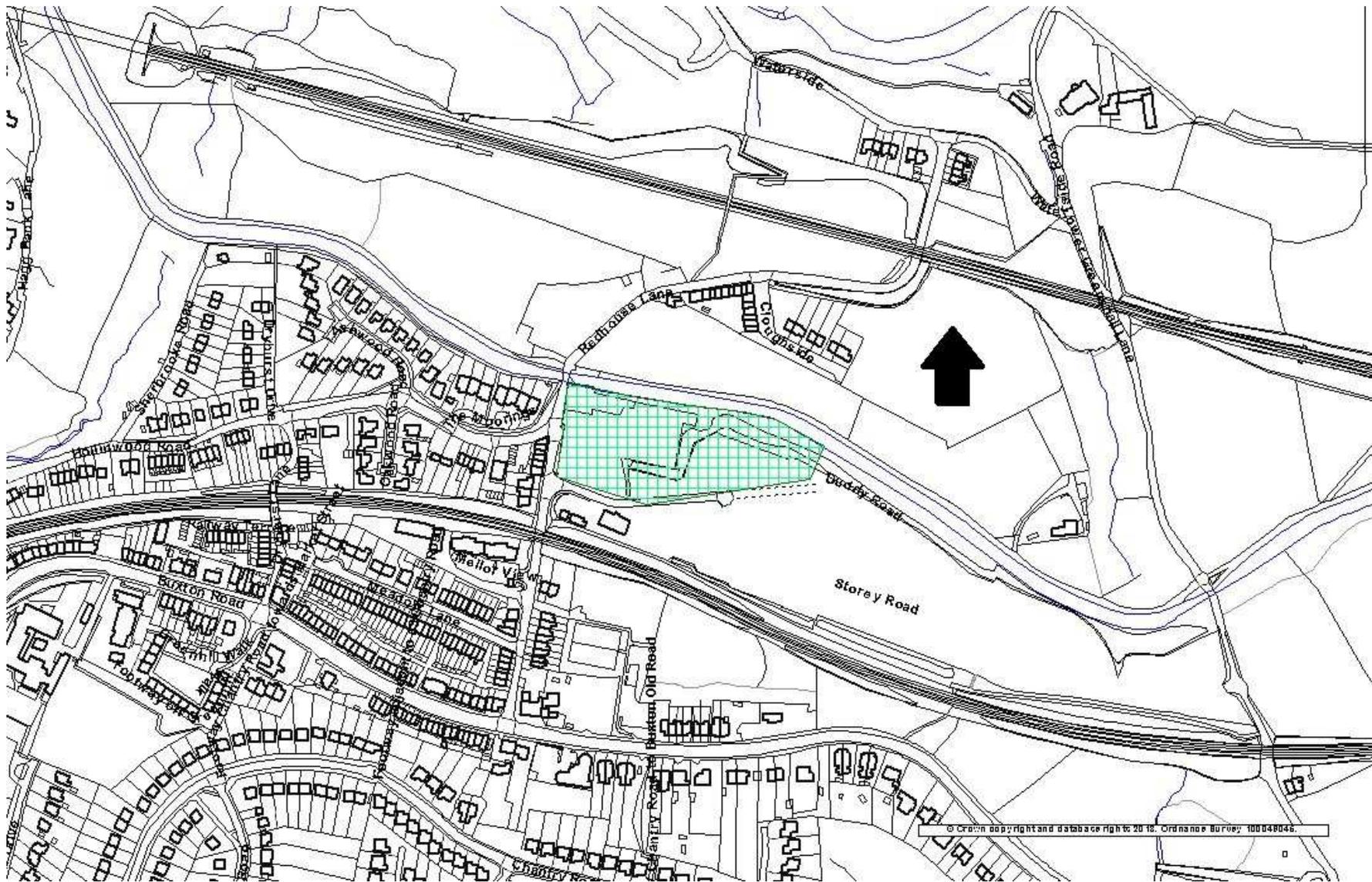
Should this application be the subject of an appeal, authority be delegated to the Planning & Enforcement Manager, in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to ensure that the Heads of Terms for aa S106 Agreement.

Application for Full Planning

RECOMMENDATION: Approve subject to a Section 106 Agreement and the following conditions

1. Development in accord with revised plans
2. Notwithstanding the submitted details -Submission of landscaping scheme
3. Landscaping (implementation)
4. Additional landscaping details required including street furniture, public art and interpretation; vehicular/pedestrian barriers; surfacing material; and secure railway boundary fencing

5. Construction of junction/highways
6. Protection from noise during construction (hours of construction)
7. Pile driving details to be submitted and approved by LPA
8. Commencement of development (3 years)
9. Development carried out in accordance with method statement for the protection of the SBI
10. Details of wheel washing facilities to be submitted and approved
11. Construction Management plan to be submitted and approved prior to commencement of construction on site.
12. Submission and approval of scheme to minimise dust emissions prior to commencement
13. Prior to first occupation submission and approval of residents travel plan
14. Development to be carried out in accordance with Arboricultural Impact Assessment
15. Materials to be submitted
16. Noise Impact Assessment with any remediation required to be submitted
17. bin storage
18. Environment Agency requested condition related to Flood Risk and contaminated land



© Crown copyright and database right © 2015. Ordnance Survey: 100048046.

This page is intentionally left blank

Application No: 15/2180M

Location: 29, GLEBELANDS ROAD, KNUTSFORD, WA16 9DZ

Proposal: Outline application for redevelopment of existing site with demolition of existing building and erection of two no. detached dwellings with new access arrangements

Applicant: Mrs J Calam

Expiry Date: 24-Aug-2015

SUMMARY

The application site lies within the boundaries of the Knutsford Predominantly Residential Area as defined by the Macclesfield Borough Local Plan (2004).

Para.49 of the NPPF states that relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites and therefore housing applications should be considered in the context of the presumption in favour of sustainable development.

It is therefore necessary to make an assessment as to whether the proposal constitutes sustainable development in order to establish whether it benefits from the presumption under para.14 by evaluating the three aspects of sustainable development described by the framework (economic, social, environmental).

In this case the site is located within an existing residential area whereby the plot is sufficiently sized to provide an additional housing unit within a sustainable urban location. Although limited due to the scale of the development, the proposal would provide positive social and economic benefits through the provision of additional housing and a boost to the local economy.

These benefits need to be balanced against any environmental impacts.

The scheme seeks outline permission (access, layout and scale) for the redevelopment of an unusually large site within an existing residential area. The scale of the proposed dwellings is considered to be proportionately sized and suitably positioned to integrate appropriately with the pattern of development across the residential estate.

On this basis, it is considered that the proposal represents a sustainable form of development and is therefore compliant with para.14 of the NPPF (2012). It is considered that any adverse impacts of the development are significantly and

demonstrably outweighed by the benefits of providing additional housing within a sustainable urban location. Accordingly the application is recommended for approval.

RECOMMENDATION

APPROVE subject to conditions.

REASON FOR REFERRAL TO PLANNING COMMITTEE

This application has been referred to the Planning Committee at the request of Councillor Tony Dean on the following grounds: - this constitutes over-development of the plot and is seriously out of keeping with the surrounding properties.

PROPOSAL

The application seeks outline planning permission for access, layout and scale for the construction of two detached properties on the site of an existing dwelling. Access is gained via two entrance points on Glebelands Road with provision made for the parking of three vehicles per dwelling.

SITE DESCRIPTION

The application site measures approximately 775sqm and forms part of a post-war residential estate (1960's) of two storey detached dwellings on generous plots.

The surrounding built form is characterised by properties of varying architectural design with the majority now being extended through the construction of single storey; first floor; or two storey side extensions. Those properties which have yet to be extensively altered or extended largely retain single storey flat roofed garages to the side elevations.

The existing dwelling is located at the end of a row of properties and sited centrally within the plot, facing east with access gained via Glebelands Road. The property is constructed in red brick with part rendering to the principal elevation under a shallow gabled ended pitched roofscape. Evidence of extension is visible to the northern (side) elevation through the construction of a two storey addition providing a double garage and bedroom above.

The rear curtilage lies to the west with first floor habitable room windows facing towards the rear curtilages of two neighbouring properties, No.27 to the west and No.31 to the north west. Both properties have been extended within close proximity to the boundaries of the application site.

RELEVANT HISTORY

65092P – Extensions and alterations
Approved with conditions 02/01/1991

56591PB – Bedroom and bathroom extension
Approved with conditions 26/01/1989

NATIONAL & LOCAL POLICY

POLICIES

Local Plan Policy

BE1	– Design Guidance
NE11	– Nature Conservation
H5	– Windfall Housing
H13	– Protecting Residential Areas
DC1	– New Build
DC3	– Amenity
DC6	– Circulation and Access
DC8	– Landscaping
DC9	– Tree Protection
DC38	– Space, Light and Privacy
DC46	– Demolition

Cheshire East Local Plan Strategy

The following draft policy are material considerations

- MP1 – Presumption in Favour of Sustainable Development
- SD1 – Sustainable Development in Cheshire East
- SD2 – Sustainable Development Principles
- SE1 – Design

National Planning Policy Guidance

National Planning Policy Framework

The National Planning Policy Framework reinforces the system of statutory development plans. When considering the weight to be attached to development plan policies, paragraphs 214 and 215 enable ‘full weight’ to be given to Development Plan policies adopted under the 2004 Act. The Macclesfield Local Plan policies, although saved in accordance with the 2004 Act are not adopted under it. Consequently, following the guidance in paragraph 215, “*due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the framework, the greater the weight that may be given)*”.

The Local Plan policies outlined above are all consistent with the NPPF and should therefore be given full weight.

Other Material Planning Considerations

National Planning Policy Guidance (NPPG)

CONSULTATIONS

Strategic Infrastructure Manager: The proposals for access are satisfactory; however, only two off street parking spaces per dwelling appear to be proposed. To accord with CEC minimum off-street parking standards for four bedroom dwellings, three off-street parking spaces are required per dwelling.

Furthermore, the commuter peak hour and daily traffic generation associated with the development of two dwellings would not be expected to have a material impact on the operation of the adjacent, or wider highway network.

Accordingly, the Head of Strategic Infrastructure has no objection in relation to the above planning application.

Nature Conservation: No ecological issues associated with this site.

Environmental Protection: No objections subject to conditions.

Arboriculture and Forestry: No arboricultural implications associated with the proposed development.

Knutsford Town Council: No response received at the time of the writing.

REPRESENTATIONS

At the time of writing 7 letters of objection have been received detailing the following concerns:

- The drawings of the proposed street view in the submission are incorrect. They show the house on the eastern side of the development to be positioned approximately 60cm. from the flanking wall of No.31 whilst the actual boundary line is approximately 3 metres from (and parallel to) the flanking wall;
- Overbearing impact and loss of privacy from the rear windows overlooking Nos.27 and 31;
- Loss of privacy and overlooking to properties opposite the site to the principal elevation;
- Constitutes an overdevelopment of the site and would set an undesirable precedent within the local area;
- The design and scale of the development of two properties on a single plot is completely out of keeping with the character of existing properties in the surrounding area;
- Adverse impact on size of plots and style of the road;
- The loss of garden land and new driveways crossing existing green public areas would have an adverse effect on the open aspect of the neighbourhood;
- Risk to highway safety given that the parking provision is located on a blind bend which is already congested due to the number of cars/visitors on the estate; and

- A restrictive covenant is in force on the estate stating that no building shall be erected upon the land hereby conveyed except one detached two storey dwellinghouse.' or more than 10 dwellings per acre.

In the event the proposal is accepted it is requested that the following apply:

- A condition should be placed on developers that the boundary between the application site and No.31 is re-established in its correct position and that the new house on the eastern side of the site is positioned at least 1 metre from that boundary.
- The site layout should be altered by keeping the original driveway/road access and building two properties that face the same direction as the present property.

Full copies of the representations received can be viewed via the Council's public access portal.

<http://planning.cheshireeast.gov.uk/ApplicationSearch.aspx>

APPRAISAL

The key issues are:

- The Principle of the Development;
- Housing Land Supply; and
- Sustainability

Principle of Development

The site lies within the settlement boundary of Knutsford and within a Predominantly Residential Area where policies within the Local Plan indicate that there is a presumption in favour of development.

Paragraph 14 of The Framework indicates that there is a presumption in favour of development except where policies indicate that development ought to be restricted. Policy H5 within the Local Plan seeks to direct residential development to sustainable locations – this policy accords with guidance within the NPPF and therefore carries full weight.

The site constitutes a sustainable location due to its position within a predominantly residential area and by virtue of its proximity to major transport networks, shops and services within Knutsford. In this respect permission should only be withheld where any adverse impacts would significantly and demonstrably outweigh the benefits as noted above.

It is considered that given the highly sustainable location within an identified predominantly residential area the proposal complies with policies BE1, H1, H2 and H5 of the Macclesfield Borough Local Plan (2004)

Housing Land Supply

Paragraph 47 of the National Planning Policy Framework requires that Council's identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements.

The calculation of Five Year Housing supply has two components – the housing requirement – and then the supply of housing sites that will help meet it. In the absence of an adopted

Local Plan the National Planning Practice Guidance indicates that information provided in the latest full assessment of housing needs should be considered as the benchmark for the housing requirement.

Following the suspension of the Examination into the Local Plan Strategy and the Inspectors interim views that the previous objectively assessed need (OAN) was 'too low' further evidential work has now taken place and a fresh calculation made.

Taking account of the suggested rate of economic growth and following the methodology of the NPPG, the new calculation suggests that need for housing stands at 36,000 homes over the period 2010 – 2030. Although yet to be fully examined this equates to some 1800 dwellings per year.

The 5 year supply target would amount to 9,000 dwellings without the addition of any buffer or allowance for backlog. The scale of the shortfall at this level will reinforce the suggestion that the Council should employ a buffer of 20% in its calculations – to take account 'persistent under delivery' of housing plus an allowance for the backlog.

While the definitive methodology for buffers and backlog will be resolved via the development plan process this would amount to an identified deliverable supply of around 11,300 dwellings.

This total exceeds the total deliverable supply that the Council is currently able to identify – and accordingly it remains unable to demonstrate a 5 year supply of housing land.

Although limited, the proposal would help in the delivery of an additional dwelling to aid the supply of housing within Cheshire East, in line with policy H5 of the MBLP (2004) and paragraph 47 of the NPPF (2012).

Sustainability

Paragraph 34 of the NPPF states that decisions should ensure that developments that generate travel movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

As indicated above the proposal is sited amongst a sustainable urban location. Nevertheless locational sustainability is only one factor to be weighed in the planning balance. The NPPF determines that sustainable development includes three dimensions:- economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right

time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being;

These roles should not be undertaken in isolation and they are mutually dependent.

Environmental role

Layout and Scale of Development

As indicated on the application forms the proposal seeks outline permission for access, layout and scale with all other matters reserved.

Further to discussion with the agent, in which the scale and layout of the proposal was discussed, it was concluded that notwithstanding the scheme representing an acceptable level of built form, amended plans would be submitted to help alleviate the concerns raised by Councillor Dean and neighbouring occupiers.

At the time of writing this report, the amended plans have not been received, however, it is understood that the proposed development has been reduced in width to improve upon the distance between the application site and neighbouring properties whereby helping to enforce local distinctiveness. To this end an update report detailing the revised plans will be presented to Members before the Planning Committee.

Please note that the proposed streetscene on plan 02 for aspect B is incorrect in that the proposed dwelling would be sited further away from the neighbouring property (4 meters not 1.5 meters) than illustratively shown here.

The surrounding built form is characterised by a variety of different housing styles which have been modified since original construction through extension or external alteration, particularly to the side elevations. The properties are set back from the public highway with open and wide frontages, established boundary treatments and sizeable curtilages depending on position amongst the estate.

The subsequent impact of development to the side elevations has resulted in a gradual loss of openness between dwellings and therefore the initial spatial characteristics of the estate has changed to appear more tight knit.

Taking this into account the proposal, in terms of scale and massing, is considered to represent an appropriate level of development which would integrate proportionately with the general pattern of development and separation distances between dwellings within the residential estate. Details of appearance i.e. fenestration patterns and materials are subject to a reserved matters application and therefore do not form a basis in the determination of this application.

It is considered that the layout and scale of the dwellings is acceptable and that the proposal is unlikely to have a significant impact upon the character and appearance of the streetscene having regard to Policies BE1, H5 and DC1 of the Local Plan.

In respect to the restrictive covenant mentioned within the representations received by neighbouring occupiers, this is a legal matter and not a material consideration in the determination of this proposal.

Landscaping

The submission of landscaping details is to be submitted through reserved matters however it has been indicated by the applicant that landscaping treatments will be incorporated into the scheme to complement the prevailing character and appearance of the area.

Access

In the determination of this application the Council's Strategic Highways Manager raises no objection to the siting of the proposed driveways off Glebelands Road, however the Council's Strategic Highways Manager reiterates the requirement for three car park spaces to be provided to meet the CEC standards. In this instance it has been requested that amended plans are submitted which will appear on an update sheet before the Committee meeting.

Given the limited scale of this development is unlikely that any residual impacts upon the local highway network would be severe and as such it is considered that the development accords with guidance within the NPPF and Policy DC6 of the Local Plan.

Conclusion

The proposed development would not create any significant landscape, tree or hedgerow issues, access, design, flooding or drainage concerns subject to conditions.

As such, it is considered that the proposed development can be considered to be environmentally sustainable having regard to the three dimensions of the NPPF.

Economic Role

Whilst limited due to the size of the proposal, it is accepted that the construction of the development would contribute in the short term to local economic activity for the duration of the build and would potentially provide local employment opportunities and the wider economic benefits to the construction industry supply chain. There would be some economic and social benefit by virtue of new resident's spending money in the area and using local services.

Social Role

Residential Amenity

Policies DC3 and DC38 seek to protect the residential amenity of nearby properties having regard to space, light and privacy.

The representations received from neighbouring properties have been duly noted however further to undertaking a site visit and reviewing the submitted documentation it is not considered that there would be any significant loss of amenity of adjoining occupiers to warrant a reason for refusal.

At this stage issues surrounding loss of privacy from the first floor front/rear elevations cannot be fully established given that no internal floor plans or external fenestration patterns have been submitted. Nonetheless, the proposal meets the criteria as set out under DC38 of the Local Plan for distances between neighbouring occupiers and therefore it is not envisaged that the proposed development would significantly or demonstrably impact upon the amenities of neighbouring occupiers to warrant a reason for refusal. Additionally, it is also noted that the existing dwelling has direct views to the rear first floor habitable room windows over the curtilages of Nos.27 and 31.

To this end and subject to appropriately located fenestration patterns to the proposed development the scheme is unlikely to make a discernible increase to the level of overlooking than the existing built form.

In respect to overbearing impact the position and distances involved of the proposed development to adjoining properties is considered to be acceptable and is unlikely to impact upon sunlight.

As such it is considered that the proposed development would adhere with policies DC3 and DC38 of the Local Plan.

Planning Balance

The application site lies entirely within the predominantly residential area of Knutsford where there is a presumption in favour of sustainable forms of development.

Paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites and that where this is the case housing applications should be considered in the context of the presumption in favour of sustainable development.

It is therefore necessary to make a free-standing assessment as to whether the proposal constitutes "sustainable development" in order to establish whether it benefits from the presumption under paragraph 14 by evaluating the three aspects of sustainable development described by the framework (economic, social and environmental).

In this case, the development would deliver additional housing and be of a scale, which sympathetically integrates with the general pattern of development across the residential estate. The application is also acceptable in terms of highway safety with the impact on residential amenity of neighbouring occupiers of the adjoining properties within acceptable limits as defined by local policy.

On the basis of the above, it is considered that the proposal represents sustainable development and paragraph 14 is engaged. Furthermore, applying the tests within paragraph

14, it is considered that the adverse effects of the scheme are significantly and demonstrably outweighed by the benefits. Accordingly, the proposal is recommended for approval.

In order to give proper effect to the 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 his 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.

Application for Outline Planning

RECOMMENDATION: Approve subject to following conditions

1. Submission of reserved matters
2. Time limit for submission of reserved matters
3. Time limit on outline permission
4. Submission of samples of building materials
5. Landscaping - submission of details
6. Landscaping (implementation)
7. Tree retention
8. Tree protection
9. Tree pruning / felling specification
10. Arboricultural method statement
11. Service / drainage layout
12. Proactive Working
13. Dust
14. Pile Driving
15. Construction hours
16. Parking provision
17. Access



This page is intentionally left blank

Application No: 15/1126C

Location: HIVERLEY, MACCLESFIELD ROAD, TWEMLow, CHESHIRE, CW4 8BP

Proposal: Demolition of existing house and stables and construction of new dwellings.

Applicant: Mrs Andrea Jackson

Expiry Date: 08-Jun-2015

REASON FOR THE REPORT:

The proposal is a small scale major application that is required to be determined by Committee under the Council's scheme of delegation.

SUMMARY:

The proposal is situated within the Open Countryside and is therefore contrary to development plan policies PS8 and H6 (Open Countryside) and therefore the statutory presumption is against the proposal unless material considerations indicate otherwise.

The most important material consideration in this case is the NPPF which states at paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, which has been accepted in recent appeals.

The proposal is considered to be sustainable both locationally and in the context of the social, economic and environmental dimensions of sustainability. It will assist the Council's 5 year housing land supply position by utilising a previously developed site and will promote economic growth. It is the view of officers that these considerations outweigh the site's conflict with adopted local plan. Furthermore, it is considered that any harm arising from these issues would not be substantial or demonstrable, and therefore the presumption in favour of development, under paragraph 14 of the NPPF applies.

The proposal is acceptable in terms of its impact on Jodrell Bank, highways and residential amenity. Subject to amended plans, the affordable housing requirement would be met by the proposals through on site provision. The design and layout is also considered to be acceptable and will respect the character and appearance of the surrounding area. The proposal will be acceptable in terms of its impact on ecology,

trees and landscape. It will also assist in meeting local housing needs subject to conditions and a S106 agreement to mitigate the relevant impacts.

RECOMMENDATION:

APPROVE subject to conditions and S106 Agreement.

PROPOSAL:

The application seeks full planning permission for the demolition of the existing house and stables and the erection of 10 houses at the property referred to as 'Hiverley', Macclesfield Road, Twemlow.

SITE DESCRIPTION:

The application site is located at the very eastern edge of the rural settlement of Twemlow, adjacent to Macclesfield Road. The site is largely screened by an existing hedgerow and a number of trees, located around a pond within the southern part of the site.

The site hosts a large detached two-storey dwellinghouse fronting Macclesfield Road and a number of stables towards the rear of the site. It sits amongst a loose cluster of properties situated on the south and northern side of Macclesfield Road near to its junction with Forty Acre Lane.

The application site is located outside of the infill boundary line for Twemlow and is within Open Countryside as designated in the adopted Congleton Borough Local Plan First Review (2005).

RELEVANT HISTORY:

None

NATIONAL & LOCAL POLICY

National Policy:

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs 7, 14, 17, 34, 47, 49 and 55.

Development Plan:

The Development Plan for this area is the adopted Congleton Borough Local Plan First Review (2005), which allocates the site within Open Countryside under Policy PS8.

The relevant Saved Policies are: -

- PS8 Open Countryside
- NR4 Non-statutory sites
- GR1 New Development
- GR2 Design
- GR3 Residential Development
- GR5 Landscaping
- GR9 Accessibility, servicing and provision of parking
- GR14 Cycling Measures
- GR15 Pedestrian Measures
- GR17 Car parking
- GR18 Traffic Generation
- NR1 Trees and Woodland
- NR3 Habitats
- NR5 Habitats
- H2 Provision of New Housing Development
- H6 Residential Development in the Open countryside
- H13 Affordable Housing and low cost housing

The relevant saved Local Plan policies are consistent with the NPPF and should be given full weight.

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

- Policy SD 1 Sustainable Development in Cheshire East
- Policy SD 2 Sustainable Development Principles
- Policy SE 1 Design
- Policy SE 3 Biodiversity and Geodiversity
- Policy SE 5 Trees, Hedgerows and Woodland
- Policy SE 9 Energy Efficient Development
- Policy IN 1 Infrastructure
- Policy IN 2 Developer Contributions
- Policy PG 1 Overall Development Strategy
- Policy PG 2 Settlement Hierarchy
- Policy PG 5 Open Countryside
- Policy SC 4 Residential Mix

Supplementary Planning Documents:

Interim Planning Statement: Affordable Housing (Feb 2011)

CONSULTATIONS:

Highways:

No objection subject to condition

Environmental Protection:

No objection subject to conditions / informatives relating to hours of construction / piling, dust control, and air quality measures.

Jodrell Bank:

No objection subject to a condition requiring the incorporation of electromagnetic screening measures into the development.

United Utilities:

No objection provided that the site is drained on a separate system with foul water draining to the public sewer and submission of a surface water drainage scheme.

Environment Agency:

No comment

VIEWS OF THE TWEMLOW PARISH COUNCIL

Object on the grounds that:

“The development is setting a precedent for a cul- de- sac development, the residential properties along the A535 in Twemlow only lend themselves to ribbon development. Although a restricted speed of 30 mph this is still an extremely dangerous and busy road. The parish has statistics to enforce this comment as does Cheshire East.

The rural parish is still a through route for large HGV’s leaving the M6 at junction 18 travelling north and the extra traffic leaving this development, close to a bend, will again impact of the amount of accidents we already encounter.

The sustainability must be questioned, the local primary school is full and the secondary school has the added pressure of five new large housing developments in Holmes Chapel and recently one on our direct border (Saltersford Farm) which it seems opportunistic developers has a given a miscalculation to future school places. The indicators are already proving in accurate; there are now the school places are at the limit for the next year 7.

We have local doctor services that have been already stretched.

Yet a small development, this again is putting more unnecessary pressure on Holmes Chapel and Goostrey by opportunists trying to destroy a rural hamlet which already has its housing supply fulfilled. We must question the housing need first. The Parish Council was recently misled by although a different need, by the requirement of affordable housing in the area which was inaccurate”.

REPRESENTATIONS:

Representations have been made by 5 properties objecting to this application on the following grounds:

- The site is in Open Countryside outside of the infill boundary line
- Proposal does not comply with local or national planning policies
- Site is not in a sustainable location
- Local bus services are poor
- No pavements in vicinity of site
- Section of road is an accident blackspot
- Traffic impact
- Noise impact from increased number of residents and traffic
- Impact on amenity during construction
- Infrastructure cannot cope with more house (drainage . Water pressure / electricity supply)
- Loss of privacy, sunlight / daylight and overlooking
- Increased noise, vibrations and pollution
- The design of the development is out of keeping
- Housing too dense for the area and does not follow building line
- Houses are too large
- Loss of trees, vegetation and impact on landscape
- Impact on protected species
- Impact on the operation of the Jodrell Bank Telescope
- Inaccuracies in submissions

APPRAISAL:

The key issues are:

Principle of Development

Design Considerations

Affordable Housing

Trees & Landscape

Highways

Residential Amenity

Ecology

Jodrell Bank

CIL – S106 Obligations

Planning Balance

Principle of Development

The site lies in the open countryside as designated in the Congleton Borough Local Plan First Review, where policies H6 and PS8 state that only development which is essential for the purposes of agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.

Sec.38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications and appeals must be determined "*in accordance with the plan unless material considerations indicate otherwise*". The most important consideration in this case is the National Planning Policy Framework (NPPF).

One of the NPPF's 12 key principles is to '*encourage the effective use of land by reusing land that has been previously developed*'. This is reiterated in para 111 of the NPPF. This states that Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (Brownfield land), provided that it is not of high environmental value. As well as replacing the existing dwelling, this proposal seeks to redevelop the existing stables at the site. In determining a number of appeals, Inspectors have held that stables and the curtilage associated with them (where there are structures and / or associated fixed surface infrastructure) falls within the definition of previously developed land cited within Annex 2 of the NPPF.

Thus, whilst the proposal represents a departure from adopted local plan policy, Paragraph 215 of the NPPF states that "*due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)*". Policies PS8 and H6 do not contain the exception as laid down in paragraph 111 and as such, in this case the NPPF takes precedence.

(i) Housing Land Supply

Paragraph 47 of the National Planning Policy Framework requires that Council's identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements.

This calculation of Five year Housing supply has two components – the housing requirement – and then the supply of housing sites that will help meet it. In the absence of an adopted Local Plan the National Planning Practice Guidance indicates that information provided in the latest full assessment of housing needs should be considered as the benchmark for the housing requirement.

The current Housing Supply Position Statement prepared by the Council employs the figure of 1180 homes per year as the housing requirement, being the calculation of Objectively Assessed Housing Need used in the Cheshire East Local Plan Submission Draft.

The Local Plan Inspector has now published his interim views based on the first three weeks of Examination. He has concluded that the council's calculation of objectively assessed housing need is too low. He has also concluded that following six years of not meeting housing targets a 20% buffer should also be applied.

Given the Inspector's Interim view that the assessment of 1180 homes per year is too low, we no longer recommend that this figure be used in housing supply calculations. The Inspector has not provided any definitive steer as to the correct figure to employ, but has recommended that further work on housing need be carried out. The Council is currently considering its response to these interim views.

Any substantive increase of housing need above the figure of 1180 homes per year is likely to place the housing land supply calculation at or below five years. Consequently, at the present time, our advice is that the Council is unable to robustly demonstrate a five year supply of housing land. Accordingly recommendations on planning applications will now reflect this position.

(ii) Open Countryside Policy

Countryside policies in existing local plans can be considered as consistent with NPPF and are not housing land supply policies in so far as their primary purpose is to protect the intrinsic value of the countryside in accordance with paragraph 17 of the NPPF– and thus are not of date, even if a 5 year supply is not in evidence. However, it is acknowledged that where the Council cannot demonstrate a 5 year supply, they may be out of date in terms of their geographical extent, in that the effect of such policies is to restrict the supply of housing. They accordingly need to be played into the planning balance when decisions are made. Where appropriate, as at Sandbach Road North, conflict with countryside protection objectives may properly outweigh the benefit of boosting housing supply.

Therefore, the proposal remains contrary to Open Countryside policy regardless of the 5 year housing land supply position in evidence at any particular time and a judgement must be made as to the value of the particular area of countryside in question and whether, in the event that a 5 year supply cannot be demonstrated, it is an area where the settlement boundary should be “flexed” in order to accommodate additional housing growth.

Consequently, the main issues in the consideration of this application are the sustainability of the site and whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits in terms of housing land supply.

(iii) Sustainability

In addressing sustainability, Members should be mindful of the key principles of the National Planning Policy Framework. This highlights that the principal objective of the planning system is to contribute to sustainable development. As the Planning Minister states in his preamble:

“Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world.”

Paragraph 34 of the NPPF states that decisions should ensure that developments that generate travel movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

The site is located on the easterly edge of the rural settlement of Twemlow. Recent appeal decisions within the vicinity of the site have held that in locational terms, including the adjoining site ‘Hiverley Cottage’) it is not isolated. The Inspector stated that:

“Although the site is in a rural area it is close to the IBL of Twemlow Green village. Both local and national planning policy encourages sustainable travel choices by modes other than the private car. There is access to a circular bus service, school and college buses and there is a restaurant close by. The site is about 2 km walking/cycling distance from Goostrey, where there is a primary school post office and surgery and is located on the A535, some 3 km from Holmes Chapel which also has a range of services. These larger settlements are defined as Local Service Centres in the emerging CELP and both have a railway station; the Goostrey Railway Station is about

1.2 km from the site. There are also a number of job opportunities locally in Goostrey and Holmes Chapel and at Jodrell Bank Observatory and Terra Nova School, which are respectively about 2 and 2.5 km away”.

On this basis, the Inspector concluded that the ‘future occupiers of the adjoining development would be able to access local services and facilities either walking/cycling and despite poor pedestrian links, services and facilities would be within very short journeys by car’. The site subject of this application is next door and therefore in light of the conclusions drawn by the Inspector, it is considered that this site is also sustainably located.

Locational factors and the carbon footprint associated with car borne travel are an important aspect of sustainability. However, the Framework advises that there are three interdependent dimensions to sustainable development, these being economic, social and environmental. These include, meeting general and affordable housing need, reducing energy consumption through sustainable design, and assisting economic growth and development, which this proposal will help to do.

There is an economic benefit to be derived from the construction of the scheme. A housing development of this size would bring the usual economic benefit to the closest shops, services and amenities and would potentially provide local employment opportunities in construction and the wider economic benefits to the construction industry supply chain. There would be some economic and social benefit by virtue of new resident’s spending money in the area and using local services in the nearby service centres. Affordable housing is also a social benefit for which there is an identified need.

Having regard to the current housing land supply, the fact that this site is sustainably located, the economic growth and social benefits are considered, on balance, to outweigh the conflict with local plan policy. Consequently, the adverse impacts are not considered to be significant or demonstrable and as such the principle of the development is found to be acceptable.

Design Considerations

The proposed development would comprise of an access road running north into the site which would then turn 90 –degrees to the east where the development would terminate on a cul-de-sac. Owing to the dense screen planting at the front of the site, and its layout with development extending north away from the frontage with Macclesfield Road, the development would not be overly prominent from this viewpoint. The units towards the rear of the site have been amended so they are smaller in size and scale to ease the transition with the countryside beyond. The impact on the visual appearance of the site and the area would therefore be minimised.

The units themselves would be varied in terms of their size, scale and architectural detail. This would introduce some variation amongst the house types and would aid visual interest. Subject to the use of good materials (secured by condition) the appearance of the scheme would be acceptable in this rural context. As such, the scheme is found to be acceptable in design terms.

Trees and Landscape

The submitted Arboricultural Impact Assessment (AIA) demonstrates that the internal area of the development could be accommodated with limited arboricultural impacts. The trees identified for removal are mainly ornamental. The trees to the east of the pond, which are protected by Tree Preservation Order (TPO) should not be directly impacted.

With respect to hedgerows, it is proposed to 'claw back' the road side hedge to accommodate the visibility splays identified in the transport note. The 'claw back' means translocation or dragging back. The success of hedge translocation cannot be guaranteed and there are trees present in the area which would restrict access. However, the agent has submitted an updated arboricultural impact assessment which confirms that in this case, the establishment of the translocated hedge would be effective. On this basis, it is not considered that a refusal could be sustained.

Housing development on this site would obviously change the character of the site itself; however, given the context and the proximity to the development making up the settlement of Twemlow, the proposal would not have any significant impacts on the character of the wider landscape or have any significant adverse visual impacts. As such, subject to protection measures and a detailed landscaping scheme, which can be secured by condition, there are no landscape or tree issues.

Highways

The Head of Strategic Infrastructure (HSI - Highways) has examined the application and confirmed that the proposed access strategy is acceptable and that the junction design and geometry meets required standards. The proposed off-street parking provision is in accordance with CEC minimum parking standards for residential dwellings.

In terms of traffic generation, the commuter peak hour and daily traffic generation associated with the development proposals would not be expected to have a material impact on the operation of the adjacent or wider highway network. In light of this, the HSI is satisfied with the scheme having regard to matters of highways safety. As such, the scheme is deemed compliant with Local Plan Policy GR9.

Residential Amenity

Policy GR6 (Amenity and Health) of the Local Plan advises that the proposal should not have a detrimental impact upon neighbouring amenity by way of loss of privacy, loss of light or visual intrusion.

The proposed layout would allow sufficient separation to be achieved between the proposed dwellings and the property comprising of 'Hiverley Cottage' to the west. The separation achieved would be 18 metres between the west facing elevation of the nearest unit and the east elevation of 'Hiverley Cottage' which faces the site. This would exceed the 5 metre separation between the existing property at 'Hiverley'. As such, the impact would be less than at present and as there are no primary windows within the east elevation of this neighbour, there would be no material harm by reason of loss of light or visual intrusion. Any overlooking

of the rear garden at 'Hiverley Cottage' would not be sufficient to sustain a refusal as there would be a minimum separation of 18 metres.

With regard to the proposed units within the site, the relationship between the proposed dwellings and spacing would be acceptable and would achieve a satisfactory standard of amenity for the future occupants. As such, the scheme is deemed to accord with policies GR6 and SPG2.

Ecology

The application is supported by an updated Extended Phase 1 Habitat assessment. The Council's Nature Conservation Officer (NCO) has confirmed that the application site supports a number of habitats including grasslands, hedgerows, and trees/woodland belts. The grassland habitats on site are of limited nature conservation value and the majority of the existing hedgerows and the site pond and associated habitats would be retained as part of the proposed development.

With respect to other species, no evidence of Great Crested Newts was recorded during the submitted surveys and would not be reasonably likely to be present or affected by the proposed development. No evidence of roosting bats or barn owls was recorded within the existing buildings on site and none of the trees on site appear to have potential to support these species. Accordingly, it is considered that the proposed development would not harm species protected under the Wildlife and Countryside Act 1981.

Affordable Housing

The Interim Planning Statement on Affordable Housing advises that the Council will require the *"provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified windfall sites of 0.2 ha or 3 dwellings or more in all settlements in the rural areas with a population of less than 3,000 population"*. It goes on to state that *"the general minimum proportion for any site will normally be 30%"*.

Whilst, the recent Written Ministerial Statement by the Department for Local Government and Communities (DCLG) introduced a threshold beneath which affordable housing contributions should not be sought, this has now been the subject of challenge in the judgment in R (on the application of West Berkshire District Council and Reading Borough Council) v Secretary of State for Communities and Local Government [2015]).

The IPS states that sites in rural settlements with a population below 3,000 will be required to provide 30% affordable housing if the site is for 3 or more units, or greater than 0.2 hectares in size. The IPS also states that the desired split between tenures is 65% social/affordable rent and 35% intermediate, this is based on the evidence from the Strategic Housing Market Assessment Update (SHMA) 2013.

The site falls within the Holmes Chapel Rural sub-area for the purposes of the SHMA update 2013. This identified a net requirement for 17 affordable homes per annum for the period 2013/14 – 2017/18. This equates to 10x 2bd, 7x 3bd general needs units and 2x 1bd and 4x 2bd older persons accommodation. The SHMA identified an over-supply of 4+bd units. In addition to this information taken from Cheshire Homechoice, shows there are currently 3

applicants who have selected the Twemlow lettings area as their first choice. These applicants require 1x 1bd, 1x2bd and 1x3bd units.

Consequently, there is an identified need. Following discussions with the applicant, the proposal will provide the required provision which will require the receipt of amended plans. Such amended plans will ensure that the affordable units are the size required to meet the identified need. This will be reported to Members by way of an update. Subject to this, the proposal accords with relevant policy.

Jodrell Bank

In the absence of any objection from the University of Manchester, subject to appropriate conditions, it is not considered that a refusal on the grounds of the impact on Jodrell Bank could be sustained.

S106 contributions Levy (CIL) Regulations:

Policy IN1 of the Cheshire East Local Plan Strategy – Submission Version, advises that the Local Planning Authority should work in a co-ordinated manner to secure funding and delivery of physical, social, community, environmental and any other infrastructure required to support development and regeneration.

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The Council's Strategic Housing Officer, has advised that the proposed development will need to address a need for affordable housing by providing 3 units on site. Without such, the scheme would exacerbate the need for affordable housing. Thus, the affordable housing requirement is necessary to meet an identified need and accords with the Council's IPS, and is directly and reasonably related to the scale of development.

Subject to this, the scheme would be in compliance with the development plan and Policy IN1 of the Cheshire East Local Plan Strategy – Submission Version. The S106 recommendation is compliant with the CIL Regulations 2010.

Planning Balance & Conclusions

The proposal is contrary to development plan policies PS8 and H6 (Open Countryside) and therefore the statutory presumption is against the proposal unless material considerations indicate otherwise.

The most important material consideration in this case is the NPPF which states at paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be

considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The development plan is not “absent” or “silent”. The relevant policies are not out of date because they are not time expired and they are consistent with the “framework” and the emerging local plan. Policy PS8, whilst not principally a policy for the supply of housing, (its primary purpose is protection of intrinsic character and beauty of the countryside,) it is acknowledged has the effect of restricting the supply of housing. Consequently the application must be considered in the context of paragraph 14 of the Framework, which states:

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.....For decision taking means:

- *approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - n *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
 - n *specific policies in the Framework indicate development should be restricted.”*

It is therefore necessary to consider whether the proposal constitutes “sustainable development” in order to establish whether it benefits from the presumption under paragraph 14. The cases of Davis and Dartford have established that that “*it would be contrary to the fundamental principles of the NPPF if the presumption in favour of development, in paragraph 14, applied equally to sustainable and non-sustainable development. To do so would make a nonsense of Government policy on sustainable development*”. In order to do this, the decision maker must reach an overall conclusion, having evaluated the three aspects of sustainable development described by the framework (economic, social and environmental) as to whether the positive attributes of the development outweighed the negative in order to reach an eventual judgment on the sustainability of the development proposal. However, the Dartford case makes clear that this should be done simultaneously with the consideration of whether “*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole*” as required by paragraph 14 itself and not on a sequential basis or as a form of preliminary assessment.

In this case, the development would provide market and affordable housing to meet an acknowledged shortfall by developing a previously developed site and would therefore make efficient use of brownfield land. The proposal would also have some economic benefits in terms of jobs in construction, spending within the construction industry supply chain and spending by future residents in local shops.

Balanced against these benefits must be the negative effects of an incursion into Open Countryside. However, this incursion and adverse impact would be limited and it is not considered that this is sufficient to outweigh the benefits in terms of housing land supply in the overall planning balance.

On the basis of the above, it is considered that the proposal is acceptable subject to an amendments to accommodate 3 affordable units, the imposition of appropriate conditions and the necessary Section 106 obligations.

RECOMMENDATION

APPROVE subject to conditions and a S106 Agreement making provision for:

Affordable Housing comprising:

- **3 units on site 2 for social rented and 1 for shared ownership**

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chair (or in his absence the Vice Chair) of Northern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should this application be the subject of an appeal, authority be delegated to the Planning and Enforcement Manager in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

Application for Full Planning

RECOMMENDATION: Approve subejct to a Section 106 Agreement and the following conditions

1. 3 year time limit
2. Development in accordance with amended plans
3. Access to be constructed with visibility splays of 2.4m x 95m prior to first occupation.
4. Contaminated land Phase 1 to be submitted
5. Electric vehicle charging points to be included for each dwelling
6. Landscape scheme and to be submitted
7. Implementation of landscaping
8. Accordance with submitted Arboricultural Impact Assessment
9. Accordance with tree protection scheme / measures
10. Implementation of recommendations in Phase I Habitat Survey
11. Survey for breeding birds and protection during breeding season
12. Incorporation of features into the scheme suitable for use by breeding birds

13. Levels to be submitted to and approved
14. Details of drainage to be submitted. Only foul drainage connected to foul sewer
15. Jodrell Bank Electromagnetic screening measures to be included
16. Materials to be submitted to and approved
17. Detailed scheme for dust mitigation during demolition and construction to be submitted
18. Precise details of all boundary treatments within the site to be agreed
19. Removal of permitted development rights classes A-E



© Crown copyright and database right © 2018. Ordnance Survey: 100048046.

This page is intentionally left blank

Application No: 15/2127N
Location: Lodge Farm, Crewe Road, Walgherton, Cheshire East, CW5 7LG
Proposal: To enable direct access to agricultural land off the highway.
Applicant: Rachel Bailey, S N Bailey & Partners
Expiry Date: 05-Aug-2015

SUMMARY

The proposal is considered to be acceptable in principle.

The evidence submitted to accompany the application justifies the agricultural need for the proposal and the development would accord with Policy NE2 of the Borough of Crewe and Nantwich Local Plan 2011.

The proposal is not considered to create any adverse impacts on visual or residential amenities in this countryside location and would not riase any highway safety issues.

RECOMMENDATION

APPROVE subject to conditions.

REASON FOR REPORT:

The applicant is a Cheshire East Councillor and under the Council's terms of delegation, the application is required to be dealt with by Committee.

PROPOSAL:

The proposal seeks planning permission for a new agricultural access.

SITE DESCRIPTION:

The application site is Lodge Farm in Walgherton.

The new access would be located directly off Crewe Road (B5071).

The proposal would involve replacing part of the existing post and rail fence with a typical agricultural gate measuring 4.6m (width) x 1.3m (height).

RELEVANT HISTORY:

None.

NATIONAL & LOCAL POLICY

National Policy:

NPPF (National Planning Policy Framework)

Development Plan:

The Development Plan for this area is the Borough of Crewe and Nantwich Local Plan 2011.

The relevant Saved Policies are: -

NE.2 - Open Countryside

BE.1 - Amenity

BE.2 - Design Standards

BE.3 - Access and Parking

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

Policy PG 5 - Open Countryside

Policy SD 1 - Sustainable Development in Cheshire East

Policy EG 2 - Rural Economy

Policy SE 1 – Design

CONSULTATIONS:

Highway department: No objection subject to a condition restricting the height of the roadside boundary.

View of the Parish/Town Council: No objection provided the proposal does not raise adverse highway implications.

REPRESENTATIONS:

None received.

APPRAISAL:

The key issues are:

Principle of Development

Character, Appearance and Landscaping

Residential Amenity

Access and Parking

Principle of Development

Policy NE.2 states that within the open countryside, development which is essential for the purposes of agriculture will be permitted.

The proposed access would serve the agricultural operations associated with the applicants farming business, located approximately 11km south west of the application site.

The applicant has provided evidence to accompany the application, in the form of letters from Barbers Rural and Lambert, Leonard and May to justify the need for the proposal.

The evidence states that the applicant purchased Lodge Farm in its entirety (approx 76 acres) in February 2015, which included the farmhouse, adjacent outbuildings and agricultural land. It was purchased with an initial view to house livestock at the premises and farm in conjunction with the applicants' main holding near Audlem.

The application states that the outbuildings located adjacent to Lodge Farmhouse do not meet the required animal health and welfare requirements and there are no appropriate cattle handling facilities. This would pose a risk to animal and human safety, particularly when testing

for Bovine Tuberculosis and during the movement of animals. It would not therefore be possible to link Lodge Farm to the applicants' main holding.

Lodge Farmhouse and its associated outbuildings are currently being marketed for sale, for which the existing access serves the property and its outbuildings.

This has resulted in the need for an additional agricultural access to serve the land to the south of Lodge Farm, which the applicant has retained in ownership.

Although the application site is some distance away from the main farm holding, it is considered that the principle of development is acceptable, given the proposal would serve a genuine agricultural purpose to which Policy NE.2 allows, subject to compliance with design, residential amenity and highway considerations.

Character, Appearance and Landscaping

The proposed entrance gate would have a typical agricultural appearance and would not appear discordant in this countryside location. The proposal would involve the construction of a small area of hardstanding upon entry into the field. There is no defined access track proposed as part of the application.

The proposal would replace part of the existing post and rail fence and would not involve any hedgerow removal. The proposal would retain the soft landscape features of the area and is considered to have a minimal impact on the existing site context.

The proposal would comply with Policy BE.2 of the Borough of Crewe and Nantwich Local Plan 2011.

Residential Amenity

The nearest properties to the application site are located approximately 100m north and 200m south. It is not considered that the proposal would have a detrimental impact on existing levels of residential amenity in terms of increased noise, pollution or traffic movement.

The proposal is considered to comply with Policy BE.1 of the Borough of Crewe and Nantwich Local Plan 2011.

Access and Parking

Concerns were initially raised by the Highways department, given there is an existing agricultural access serving Lodge Farm approximately 100m north of the proposed site.

Since the submission of the agricultural justification, the Highways department raises no objection to the proposal, subject to a condition to ensure boundary treatments along the roadside are restricted to below 1.0m in height.

The proposal would comply with Policy BE.3 of the Borough of Crewe and Nantwich Local Plan 2011.

Conclusion

The proposal is considered to be acceptable in principle and would not create any adverse impacts on visual or residential amenities and would not result in any adverse highway implications.

The proposal would accord with Policies NE.2, BE.1, BE.2 and BE.3 of the Borough of Crewe and Nantwich Local Plan 2011.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning & Enforcement Manager, in consultation with the Chair (or in his absence the Vice Chair) of Northern 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.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development
2. Development in accord with approved plans
3. No obstruction above 1m in height within the visibility splay



© Crown copyright and database right © 2018. Ordnance Survey: 100048046.

This page is intentionally left blank