

Strategic Planning Board

Agenda

Date:	Wednesday, 28th February, 2018
Time:	10.30 am
Venue:	Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ

Please note that members of the public are requested to check the Council's website the week the Strategic 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.

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 in the report.

It should be noted that Part 1 items of Cheshire East Council decision making and Overview and Scrutiny meetings are audio recorded and the recordings will be uploaded to the Council's website.

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 Previous Meeting (Pages 3 - 6)

Please Contact: Sarah Baxter on 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

To approve the minutes of the meeting held on 31 January 2018 as a correct record.

4. **Public Speaking**

A total period of 5 minutes is allocated for each of the planning applications for the following:

- Ward Councillors who are not members of the Strategic Planning Board
- The relevant Town/Parish Council

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 Strategic Planning Board and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **17/4011N-Hybrid Planning Application for-Outline planning application (with all matters reserved except for means of access and layout for Production and Manufacturing Facility 2) for the erection of 2 no. production and manufacturing facilities; two covered links connecting one of the production and manufacturing facilities with Bentley's existing manufacturing facility; an engine test bed facility together with associated car parking, landscaping and associated infrastructure. Full planning application for the erection of a gatehouse, security fencing, pedestrian turnstile and associated turning facilities to the west of the existing Bentley Motors site on Pym's Lane; the erection of a gatehouse, security fence, pedestrian turnstile, bin store, reconfiguration of visitor parking and associated turning facilities to the east of the existing Bentley Motors site on Pym's Lane; the erection of a gatehouse, security fence, cycle store, pedestrian turnstile and associated turning facilities together with a further gate on Sunnybank Road for Mr Colin Hunt, Bentley Motors Limited (Pages 7 - 30)**

To consider the above application.

6. **17/5116C-Erection of 2 no. employment buildings (Use Classes B2 and B8) including a security gatehouse, vehicle access off Pochin Way and ERF Way and associated car parking, trailer parking and landscaping. Plot 1A, Ma6nitide 160, Midpoint 18, Pochin Way, Middlewich. for DBS Pochin LLP (Pages 31 - 44)**

To consider the above application.

7. **17/5637M-The erection of 161 dwellings, associated access, drainage, and the provision of public open space and landscaping, Land at Heathfield Farm, Dean Row Road, Wilmslow for Taylor Wimpey UK Limited (Pages 45 - 64)**

To consider the above application.

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 31st January, 2018 at The Capesthorne Room - Town
Hall, Macclesfield SK10 1EA

PRESENT

Councillor G Merry (Chairman)

Councillors E Brooks, B Burkhill, S Edgar, T Fox, S Hogben, D Hough,
J Jackson, J Macrae, S Pochin, L Wardlaw and M J Weatherill (Substitute)

OFFICERS IN ATTENDANCE

Ms S Dillon (Senior Lawyer), Mr S Hannaby (Director of Planning &
Sustainable Development), Mr P Hurdus (Highways Development Manager),
Mr D Malcolm (Head of Regulation (Planning)) and Miss N Wise-Ford
(Principal Planning Officer)

77 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Hammond, M
Sewart and L Smetham.

78 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of application 16/6237M, Councillor
G Merry declared that she along with the majority of Members had
received correspondence from Emery Partnership.

In the interest of openness in respect of application 16/6237M, Councillor J
Jackson declared that she was a Member of Macclesfield Town Council
but had not taken part in any discussions.

In the interest of openness in respect of application 16/6237M, Councillor
D Hough declared he had played for Macclesfield Rugby Club over 50
years ago, however he had never been a member of the club or had any
financial link to it.

In the interest of openness in respect of application 16/6237M, Councillor
S Hogben declared he was a Director of ANSA who were had been a
consultee, however he had not made any comments or discussed the
application.

In the interest of openness in respect of application 16/6237M, Councillor
L Wardlaw declared that she was Portfolio Holder for Health which
incorporated the play based strategy.

79 MINUTES OF THE PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 20 December 2017 be approved as a correct record and signed by the Chairman.

80 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

81 16/6237M-DEMOLITION OF EXISTING CLUBHOUSE, ERECTION OF NEW CLUBHOUSE, LAYING OUT OF NEW PITCHES AND RESIDENTIAL DEVELOPMENT OF 76 DWELLINGS, PRIORY PARK, PRIORY LANE, MACCLESFIELD FOR JONES HOMES NORTH WEST LTD AND MACCLESFIELD RUGBY UNION FOOTBALL CLUB

Consideration was given to the above application.

(Councillor P Findlow, the Ward Councillor, Councillor L Durham, the adjacent Ward Councillor, Parish Councillor Keith Podmore, representing Prestbury Parish Council, Town Councillor Beverley Dooley, representing Macclesfield Town Council, Sir Nicholas Winterton, a supporter and Rawdon Gascoigne, the agent for the applicant).

RESOLVED

That the application be refused for the following reason:-

1. The proposal represents an inappropriate form of development within the Green Belt. The proposed pavilion building would be materially larger than the building it replaces, the proposal will introduce a significant increase in hardstanding resulting in encroachment of built development and the housing proposal is an inappropriate form of development within the Green Belt by definition. A case for very special circumstances has been put forward however this does not outweigh the harm to the Green Belt by way of inappropriateness and does not outweigh the other harm identified in terms of the under-provision of affordable housing provision as a result of the robust viability exercise, which weighs against the proposals in the planning balance. Therefore the proposal is contrary to policy PG3 of the Cheshire East Local Plan and saved policy GC1 of the Macclesfield Borough Local Plan.

2. That power be delegated to the Head of Planning (Regulation) to include a further refusal reason if the National Grid returned a consultation response objecting to the development.

In order to give proper effect to the Board's intentions and without changing the substances of the decision, authority is delegated to the

Head of Planning (Regulation) in consultation with the Chairman (or in their absence Vice Chairman) of the Strategic Planning Board to correct any technical slip or omission in the wording of the resolution, including wording of conditions and reasons, between approval of the minutes and issue of the decision notice. Should the application be subject to any appeal, the Heads of Terms as set out in the Section 106 part of the report should be secured as part of any S106 Agreement.

(The meeting adjourned for a short break).

- 82 UPDATE FOLLOWING THE RESOLUTION OF MINDED TO REFUSE APPLICATION 12/3747N - RESIDENTIAL DEVELOPMENT UP TO A MAXIMUM OF 189 DWELLINGS; LOCAL CENTRE (CLASS A1 TO A5 INCLUSIVE AND D1) WITH MAXIMUM FLOOR AREA OF 1800SQM GROSS INTERNAL AREA (GIA); EMPLOYMENT DEVELOPMENT (B1B, B1C, B2 AND B8) WITH A MAXIMUM FLOOR AREA OF 3,700SQM GIA; PRIMARY SCHOOL; PUBLIC OPEN SPACE INCLUDING NEW VILLAGE GREEN, CHILDREN'S PLAY AREA AND ALLOTMENTS; GREEN INFRASTRUCTURE INCLUDING ECOLOGICAL AREA; NEW VEHICLE AND PEDESTRIAN SITE ACCESS POINTS AND ASSOCIATED WORKS, LAND BETWEEN AUDLEM ROAD/BROAD LANE & PETER DESTAPLEIGH WAY, STAPELEY AND 12/3746N - NEW HIGHWAY ACCESS ROAD, INCLUDING FOOTWAYS AND CYCLEWAY AND ASSOCIATED WORKS, LAND OFF PETER DESTAPELEIGH WAY, NANTWICH**

Consideration was given to the above report.

RESOLVED

That the Heads of Terms of the s106 legal agreement for: Outline planning permission for Residential development up to a maximum of 189 dwellings; local centre (Class A1 to A5 inclusive and D1) with maximum floor area of 1800sqm Gross Internal Area (GIA); employment development (B1b, B1c, B2 and B8) with a maximum floor area of 3,700sqm GIA; primary school; public open space including new village green, children's play area and allotments; green infrastructure including ecological area; new vehicle and pedestrian site access points and associated works and: New highway access road, including footways and cycleway and associated works, Land off Peter Destapeleigh Way, Nantwich be noted and approved as follows:-

Application 12/3747N:

- Affordable Housing – 30% (65% Rental/35% Intermediate tenure)
- Education contribution – £532,253.00 (Towards Secondary (£441,253.00) and SEN Education (£91,000) but NO Primary contribution).

- Highways contribution – £130,000 (Towards bus stops, pedestrian crossing and provision of a bus service for 3 years).
- Public Open Space – To be agreed, laid out and managed by the applicant in perpetuity.

Application 12/3746N:

- LNCA – Landscape and Nature Conservation Area to include agreed works, maintenance and the land only to be used for these purposes.

Linking the two applications - The access shall be used as the sole point of access to the site considered under 12/3747N and no access to be taken from Audlem Road to the south.

83 PLANNING APPEALS

Consideration was given to the above report.

RESOLVED

That the report be noted.

84 PUBLICATION IN FULL OF VIABILITY ASSESSMENTS

Consideration was given to the above report.

(Councillor B Roberts, a Cheshire East Councillor attended the meeting and spoke in respect of the item).

RESOLVED

That the report be noted and that Members agree to the proposed approach to allow further consideration of this matter as part of the wider Validation Checklist review with a report to come back to a future meeting of the Board.

The meeting commenced at 10.30 am and concluded at 1.50 pm

Councillor G Merry (Chairman)

Application No: 17/4011N

Location: Bentley Motors Ltd, PYMS LANE, CREWE, CHESHIRE, CW1 3PL

Proposal: Hybrid Planning Application for - Outline planning application (with all matters reserved except for means of access and layout for Production and Manufacturing Facility 2) for the erection of 2 no. production and manufacturing facilities; two covered links connecting one of the production and manufacturing facilities with Bentley's existing manufacturing facility; an engine test bed facility together with associated car parking, landscaping and associated infrastructure. Full planning application for the erection of a gatehouse, security fencing, pedestrian turnstile and associated turning facilities to the west of the existing Bentley Motors site on Pym's Lane; the erection of a gatehouse, security fence, pedestrian turnstile, bin store, reconfiguration of visitor parking and associated turning facilities to the east of the existing Bentley Motors site on Pym's Lane; the erection of a gatehouse, security fence, cycle store, pedestrian turnstile and associated turning facilities together with a further gate on Sunnybank Road.

Applicant: Mr Colin Hunt, Bentley Motors Limited

Expiry Date: 07-Nov-2017

SUMMARY:

The proposal is for new production and manufacturing buildings for the existing Bentley Motors campus which would also require the permanent closure of Pym's Lane and Sunnybank Road (north of the railway line) for general highway use.

This proposal would bring economic benefits and investment in an area with a longstanding association with the manufacture of motor vehicles. Bentley Motors are a major employer located within one of the principal growth areas of the Borough where national / local plan policies strongly support such development.

Traffic modelling has been undertaken to assess the impact of this new development and the closure of these roads on the operation of both the existing and future highway networks taking into account future development as allocated within the Cheshire East Local Plan. Additional modelling has been undertaken on the assumption that the new development will generate traffic in line with the national traffic generation database (TRICS). This modelling has shown that the proposals including the closure of Pym's Lane and Sunnybank Road are acceptable subject to the provision of mitigation schemes along Minshall New Road and the West Street/Sunnybank Road junction.

Whilst the proposal will result in the closure of Pym's Lane and Sunnybank Road to general highway traffic, this has to be balanced against the economic benefits of the proposals and

the aspirations of the Council to realise the growth potential of Crewe as the '*Crewe High Growth City/M6 Corridor*' by encouraging investment in the area.

The proposal is compatible with the surrounding development and the design, scale and form of both the detailed proposals and those indicated in outline form would not appear incongruous within their context.

The impact of the proposal on trees and hedges would not be significant and environmental considerations relating to flooding, drainage, land contamination (subject to further investigations) and ecology would be acceptable subject to conditions and the submission of appropriate reserved matters.

The impact on neighbouring residential amenity would be acceptable subject to noise mitigation measures and owing to the generous separation with the nearest neighbouring properties and having regard to the context of the area as a centre for automotive manufacturing.

Satisfactory access and parking provision can be provided and the development would not result in 'severe harm' on the local highway network. The Head of Strategic Infrastructure (HSI) is satisfied that the vehicular movements and parking associated with the proposals could be accommodated by the existing highway network and the existing and proposed parking provision at the site.

The proposal is therefore considered to comply with the relevant policies of the Cheshire East Local Plan Strategy (CELPs), the saved policies of the Borough of Crewe and Nantwich Local Plan and advice contained within the NPPF. The application is therefore recommended for approval.

RECOMMENDATION: APPROVE subject to s106 agreement and conditions

PROPOSAL:

This application is a Hybrid Planning Application (i.e. part outline and part full planning permission) for the site of Bentley Motors, Pym's Lane, Crewe. The proposals seek:

- 1) Outline planning approval (with all matters reserved except for means of access and layout) for the erection of 2 no. production and manufacturing facilities; two covered links connecting one of the production and manufacturing facilities with Bentley's existing manufacturing facility; an engine test bed facility together with associated car parking, landscaping and associated infrastructure
- 2) Full planning approval for the erection of a gatehouse, security fencing, pedestrian turnstile and associated turning facilities to the west of the existing Bentley Motors site on Pym's Lane; the erection of a gatehouse, security fence, pedestrian turnstile, bin store, reconfiguration of visitor parking and associated turning facilities to the east of the existing Bentley Motors site on Pym's Lane; the erection of a gatehouse, security

fence, cycle store, pedestrian turnstile and associated turning facilities together with a further gate on Sunnybank Road

SITE DESCRIPTION:

This application relates to the site of Bentley Motors, a large industrial site for the manufacturing of motor vehicles located on Pym's Lane, Crewe. The application site measures some 9.8 hectares in size and relates specifically to parts of the carriageways of Pym's Lane and Sunnybank Road; an area to the west of the existing production plant including an existing car park at the corner where Sunnybank Road junctures with Pym's Lane; an area to the north of Pym's Lane adjacent to CHK Engineering as well as 2 parcels of land to the far west situated either side of the property referred to as 'Oakleigh Farm' on Middlewich Road. There are also other minor pockets of development included within the site which would be required to facilitate the proposals.

The site is bound to the north by the 'Meadow Brook Cemetery', to the east by a 4 storey office building used by Bentley beyond which there are residential properties fronting Pym's Lane. To the south of Pym's Lane is the main production plant beyond which there is residential development forming part of the 'Marshfield Bank Estate'. Middlewich Road bounds the site to the west beyond which lies open countryside. At the far western end of the site is also the Pym's Lane Household Waste recycling depot. There are other areas which are within the applicant's ownership for car parking, a showroom and ancillary development.

The site falls entirely within the settlement boundary of Crewe as designated in the Borough of Crewe and Nantwich Replacement Local Plan 2011. Land to the north of the site is identified as Strategic Site LPS 4 under the Cheshire East Local Plan Strategy. This seeks to promote the development of a new sustainable neighbourhood at Leighton West and promotes the creation of an automotive research, development and supply hub, in partnership with Bentley Motors, in order to provide new employment opportunities and expand the automotive related investment in Crewe and the wider area.

RELEVANT HISTORY:

There is an extensive planning history for the Bentley Motors site. However, the only applications of relevance to this proposal are as follows:

12/4373N - New build showroom with associated car parking approved on 6th February 2013

12/3418N – Full planning permission approved to develop site to provide a permanent car park with a total of 478 parking spaces on 30th November 2012

12/4319N – Resolved to grant full planning permission (subject to S106 Obligation) for the erection of a two storey temporary office accommodation with links to an existing building to accommodate existing staff relocated on site on 1st May 2013

12/4426N - Proposed development of the site to provide a permanent car park with a total of 1817 car parking spaces plus lorry parking for up to 14 HGV's – Approved 03-Jun-2013

13/5114N - Variation of condition 2 (approved plans) on application 12/4426N (proposed development of the site to provide a permanent car park with a total of 1817 car parking spaces plus lorry parking for up to 14 HGV's) – Approved 18-Feb-2014

14/2944N - Construction of a new Painted Body Store Warehouse and ancillary accommodation totalling approximately 5060sqm gross internal floor area. The relocation of fuel tanks and a fuel filling location. The proposed building comprises a large warehouse with one and a half portal frame structure, a single storey office annex to the North elevation with rest and WC facilities, an enclosed link to the existing adjacent warehouse to the east and an enclosed bridge link above the private road to the adjacent property to the North. A 10m overhanging canopy will be provided for the full width of the building to the west elevation and a 2m deep canopy to the north side of the east link – Approved 29-Aug-2014

14/5262N - Proposed pre-fabricated building, complete with services to be installed as office and restrooms for lorry park on site at Bentley Motors – Approved 09-Feb-2015

15/3665N - Construction of a 4 storey office building on the site of an existing carpark – Approved 28-Oct-2015

15/3869N - It is proposed to convert the existing field into a private car park for Bentley Motors. The site is an existing green area which will be converted to hard standing material to suit the needs of a car park. The car park will be enclosed with fences. North east and south of the proposed car park, a 14m width band will be dedicated for planting – Approved 18-Mar-2016

15/4141N - Alterations to E1 Car Park, realignment of internal road, construction of a vehicle test building, relocation of Gate 3 Security Lodge and amendments to gate arrangement, installation of 5 No. entry gate positions and relocation of cycle and motor cycle shelters – Approved 18-Nov-2015

16/0341N - Demolition of all existing on-site buildings and structures, the construction of a five storey engineering technical centre comprising offices at the front of the building and warehousing at the rear, the construction of a two storey design centre comprising offices and a workshop together with associated works – Approved 27-Oct-2017

18/0228N - Construction of two 7,200sqm, 4 storey office blocks and related external works – Currently under consideration

NATIONAL & LOCAL POLICY

National Policy:

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

Of particular relevance are paragraphs 7, 9, 14, 17, 18, 19, 21, 56, 65, 109, 111 and 118.

Local Policy:

Borough of Crewe and Nantwich Local Plan Saved Policies:

NE.5 (Nature Conservation and Habitats)
NE.10 (New Woodland Planting and Landscaping)
BE.13 (Buildings of Local Interest)
BE.1 (Amenity)
BE.3 (Accessing and Parking)
E.4 (Development on Existing Employment Areas)
TRAN.3 (Pedestrians)
TRAN.6 (Cycle Routes)
TRAN.8 (Existing Car Parks)

Cheshire East Local Plan Strategy (CELPS):

Policy MP 1 Presumption in Favour of Sustainable Development
Policy PG 1 Overall Development Strategy
Policy PG 2 Settlement Hierarchy
Policy PG 7 Spatial Distribution of Development
Policy SD 1 Sustainable Development in Cheshire East
Policy SD 2 Sustainable Development Principles
Policy LPS4 Leighton West
Policy IN 1 Infrastructure
Policy IN 2 Developer Contributions
Policy EG 1 Economic Prosperity
Policy EG 3 Existing and Allocated Employment Sites
Policy SE 1 Design
Policy SE 2 Efficient Use of Land
Policy SE 3 Biodiversity and Geodiversity
Policy SE 4 The Landscape
Policy SE 5 Trees, Hedgerows and Woodland
Policy SE 6 Green Infrastructure
Policy SE 7 The Historic Environment
Policy SE 8 Renewable and Low Carbon Energy
Policy SE 9 Energy Efficient Development
Policy SE 13 Flood Risk and Water Management
Policy CO 1 Sustainable Travel and Transport
Policy CO 2 Enabling Business Growth Through Transport Infrastructure
Policy CO 4 Travel Plans and Transport Assessments

Other Material Considerations:

- National Planning Practice Guidance

CONSULTATIONS:

Highways: No objection subject to conditions requiring the submission of Travel Plan, a scheme to facilitate the flow of through traffic along Minshull New Road north of its junction with Badger Avenue and the improvement at the West Street/Sunnybank Road junction and a construction management plan. Informatives for a S278 Agreement are required to facilitate the design and implementation of highway schemes along Minshull New Road and the

junction of West Street/Sunnybank Road, an application under S247 of the Town & Country Planning Act 1990 to permit the stopping up of Pym's Lane and Sunnybank Road and a s106 agreement securing a financial contribution of £10,000 towards the future monitoring of the Travel Plan.

Environmental Protection: No objection, subject to conditions / informatives requiring submission of an acoustic mitigation scheme, a construction management plan (including dust control), restriction on hours of construction, submission of details of external lighting, provision of electric vehicle charging points, submission of a travel plan and further contaminated land survey.

Flood Risk Officer: No objection subject to submission of a surface water drainage scheme and a scheme to manage the risk of flooding from overland flows.

United Utilities: No objection subject to drainage conditions. It is also noted that there is an easement affected by the proposals, however, there is already a 'Building Over Agreement' in place. A modification of the water mains may be necessary at the applicant's expense.

CREWE TOWN COUNCIL (CTC):

CTC support the plans to invest in Bentley. However, CTC consider that the following needs to be addressed before the application can be supported:

- The proposal does not address some of the requirements of the Bentley Development Framework and Masterplan
- **Highways impact** - The applicant's Transport Assessment concludes that the local highway network has sufficient capacity to accommodate the proposals including the traffic displaced by the road closures. Given that the network already suffers from congestion and pinch points (for example on stretches of Minshull New Road between Badger Avenue and West Street and outside Leighton Academy, and at the Flowers Lane/Middlewich Road traffic lights) this flies in the face of experience. The assertion that the overall development will create no additional employment is surprising. The Leighton West Link Road will provide an alternative to Pym's Lane once constructed, and there must be a clear timetable for its provision before the road closures.
- b) **Access to the hospital.** The Town Council supports the view of Mid Cheshire Hospitals Trust that for reasonable access to and from the hospital to be maintained after the closure of Pym's Lane, junction improvements are required before closure takes place
- c) **Bus services.** Both the Framework Travel Plan appended to the Transport Assessment, and the Design and Access Statement make reference to the existing bus services along Pym's Lane, but we can find no assessment of the effects of the road closures on these services. This is a serious omission as it affects both local residents and the sustainable travel options for employees. The simple assertion in the Supporting Planning Statement (section 4.9, page 13) that diverting the 78 bus route onto West Street and Minshull New Road "would have no significant implications on either journey time of passenger catchments" ignores the practical difficulties of routing a bus down Minshull New Road, and disregards the impact on residents of the

Sunnybank Road area. It should also be noted that the Transport Assessment (Table 4.1) does not take account of potential changes to routes and frequencies currently under discussion.

- d) **Marshfield/Sunnybank.** The Development Framework refers to the possible need to restrict the use of the proposed Sunnybank Road entrance to address the impacts on the local community and this is repeated in the Transport Assessment (para 5.3.1) but no commitment or detail is provided in the application. It is important for residents that this is clarified, with a clear commitment that this entrance will only be for access to the Legends facility and not for employees by car or (generally) on foot (to prevent parking on the residential streets). Presumably the entry systems could be programmed to allow entry on foot by local residents only. Employee parking on other residential roads may also increase once access to the car parks is only available from Middlewich Road. This already causes considerable distress to residents of Minshall New Road.
- e) Sustainable means of travel. The Development Framework requires that any application be accompanied by a Travel Plan that puts sustainable travel at the heart of the future campus. The Framework Travel Plan submitted as an appendix to the Transport Assessment includes at Section 5.1.1 a cycle to work initiative and 3 specific 1 day events. It falls a long way short of the sort of interventions required to address congestion and pollution in the town. More detail on bus, pedestrian and cycle links and improvements is required.

MINSHULL VERNON AND DISTRICT PARISH COUNCIL:

Accept the importance of this application but express concerns about the significant potential disruption. If approved the following is required:

- No roads to be closed until the physical infrastructure is in place. This will help to reduce the disruption for residents and other members of the public
- None of the alternative routes have the capacity to cope with the traffic
- Implement junction improvements at Sunnybank Road with West Street by installing either traffic lights or a roundabout, to reduce disruption for residents and other members of the public.

REPRESENTATIONS:

16 representations have been received from Members of the public objecting to this proposal on the following grounds:

- Public roads will be closed with no alternative provided
- Closing the roads would cause the displaced traffic to be forced into roads that are already at full capacity
- Proposal will isolate the Marshfield Bank Estate with only 2 roads to enter or leave the estate
- The proposed East-West spine road to the North of Pym's Lane is totally speculative
- Traffic flows need to be addressed and existing parking
- Would lead to more congestion

- Would lead to an increase in Bentley Employees parking on the neighbouring residential streets
- People travelling towards Middlewich will have to travel an extra mile
- Would Bentley bear the cost of traffic signals at the junction of Sunnybank Road and West Street
- What plans are in place for the bus service that goes to Leighton Hospital
- Would the Council be putting a weight restriction on both Marshfield Avenue and Sunnybank Road of 7.5 tons
- The residents of Marshfield Bank Estate I feel would be entitled to a reduction in their Council Tax
- The pavements and roads on the Marshfield Estate are in poor condition
- Cannot comment as there is little information
- No consideration in this plan for any road improvements to aid traffic flow along Middlewich Road
- How do Bentleys propose that their workers from both the south and east of the factory use the Car parking access
- The increased use of Flowers Lane will add greatly to traffic along Bradfield Road and North Street and Cross Keys roundabout
- Residents were assured that vehicles would not enter from the east yet the plans show a barrier access
- Access to neighbouring properties will be compromised
- Impact of noise, fumes and vibration from vehicles entering and leaving the site
- No benefits to closing Pyms Lane for existing residents or people of Crewe
- It seems that part of the grass verge and two trees would be removed
- We need Pyms Lane and Sunny Bank kept open as an alternative route for ambulances, staff and patients etc
- Existing junctions on the surrounding network will be more dangerous and issues will be exacerbated
- Transport Report is flawed
- Restricting access for the local community and pedestrians/cyclists
- There are no funded proposals for the east-west Leighton link road
- No mention that Bentley will contribute towards link road
- The Highway proposals for large-scale, city-style roundabouts at Flowers Lane, Smithy Lane, Pyms Lane junctions with Middlewich Road, will be no-go areas for pedestrians/cyclists
- What is the Council proposing for these and the revised junction at Flowers Lane/Bradfield Road, to help people cross the two-lane entries/exits
- Proposed planting scheme appears to be very modest and lacking any vision
- Applicant's submission is biased
- The two road closures will not take place until all the road improvements, roundabouts, spine road etc. are in place and working satisfactorily
- Sunnybank Road and Pyms Lane at the Ashbank end should be totally sealed by security fences
- Health and environmental issues pollution from increased traffic, decreased air quality
- Safety issues unable to access transport such as local buses, local disabled buses
- School children would have further to walk / travel
- Impact on local business due to people being unable to park to access local business

- Impact on property values
- Lack of consultation
- Public transport and social services access will be very difficult due to the increased traffic
- Bentley employees speed, obstruct driveways and park inconsiderately
- Lack of access for emergency services
- Just got 71 Merrills Ave to do

Representations have also been made by the Mid Cheshire Hospitals NHS Foundation Trust for Leighton Hospital objecting to this application on the following grounds:

- The Leighton Spine Road linking Minshull New Road to Leighton Hospital needs to be completed and fully operational, before Pym's Lane is closed
- By closing Pym's Lane all of the Badger Avenue and Minshull New Road traffic will be forced to travel along Minshull New Road past Leighton Academy School
- Even if the Leighton Spine Road is delivered, the roads still needs to be widened across Leighton Brook at its junction with Pym's Lane
- Additional hardship and Increased journey times for hospital workers
- Needs to be junction improvements on the Sunnybank Road and Marshfield Avenue junctions onto the A532
- Will reduce the number of railway crossing points in Crewe
- Will undermine safe cycling routes and lead to more people using the motor car for travel
- Safe segregated vehicle and cycling cycle links into the centre of Crewe including Woolstanwood and Wistaston need to be provided and the Connect 2 cycle link to Nantwich needs to be completed before Pym's Lane and Sunnybank Road are closed

Neighbouring Ward Councillors Roberts and Rhodes have commented that they are supportive of Bentley Motors future expansion. However, they note that this proposal does not include an increase in employment and that the application fails to address the concerns he residents expressed during the Bentley Masterplan Consultation. The residents concerns are summarised as follows:

- The effect the closure of Pym's Lane and Sunnybank Road will have on the road network
- Reduced access to Leighton Hospital, bus services, traffic congestion, highway safety and the increase of employee parking on the residential roads
- The future and the reduced accessibility of the Pym's Lane Household Waste and Recycling Centre
- Significant effect on the residents of Sunnybank Rd. and Marshfields Estate
- If road closure is to go ahead, the access point to the Marshfield Estate should be closed to foot and road traffic
- More Bentley Employees parking on residential streets as it is the quickest route and they will avoid congestion
- Problems of drive blocking, damage to verges, congestion and safety issues at junctions
- It would be totally unacceptable for the residents of this area to have parking restrictions imposed upon them and their visitors

- The application should provide a clear commitment that this access will be for and employees who cycle or walk to work only
- Impact on bus services not taken into account
- The Transport assessment states the local highways have sufficient capacity to accommodate the proposals which contradicts what problems are actually experienced on these roads due to congestion, parking, tailbacks from junctions and traffic lights
- Additional HGVs hauling approx. 65,000 tons of Green Waste annually to the soon to be constructed CEC composting plant to be situated on Middlewich Rd
- The extensive works around the Sydney Rd area and Crewe Green Roundabout must also be considered
- The residents expressed there should be no closures of Sunnybank Rd and Pym's Lane until a link road is completed
- Middlewich Road will need significant upgrade including widening if roads are to be closed
- Access to Cheshire East Council Household Waste and Recycling Facility

OFFICER APPRAISAL:

Background

The area and site has a longstanding association with the manufacture and production of motor cars and as such, it is considered that the compatibility of the site and the area for such use is well established. More recently, the Local Planning Authority has considered and approved a number of planning applications to facilitate the future expansion of Bentley Motors at the Pym's Lane site, the most notable of which are:

- A 7,200 sq. m business building providing office and business space
- A 32,148 sq. m Engineering and Technical Centre containing workshop and technical centre

In addition to this, a Development Framework and Masterplan for the Bentley Motors site was developed by Cheshire East Council's Skills and Growth Company in collaboration with Bentley Motors. The Development Framework sets out Bentley's long term aspirations for their headquarters at Pym's Lane, and how such aspirations may be achieved in spatial terms. This long term vision has been developed to "create an internal campus where manufacturing, design, research and development, and engineering operations are fully integrated within a single site with seamless connectivity that enables the efficient flow of people, goods and services". The Development Framework and Masterplan was endorsed by the Council's Cabinet on 9th May 2017. It forms a material planning consideration in the determination of future planning applications.

This application seeks, in part, to realise the vision set out in the Development Framework and Masterplan by erecting 2 no. production and manufacturing facilities towards the western end of the existing plant. The proposed development would require the permanent closure of both Pym's Lane and Sunnybank Road. Together, this would provide Bentley with a wholly internal campus enabling them to streamline their operations further whilst making them more competitive and attractive in terms of attracting future production at the plant.

Principle of Development

In terms of the Local Plan, the site is within the settlement boundary of Crewe where development is acceptable provided that it is compatible with surrounding uses and accords with other relevant local plan policies. The area has a longstanding association with the manufacture and the production of motor cars and as such, it is considered that the compatibility of the site and the area for such use is well established. However, the site abuts the edge of the residential development and consequently the impact on neighbouring residents will be explored further in this report.

With respect to the principle of the development more generally, it is important to recognise that Bentley Motors is a major employer in the area. This proposal is one of the key components in the long term vision to invest in production and manufacture at the plant. Thus, there are significant benefits arising from the scheme that would support future economic growth in the locality and the Borough.

The development of science, enterprise, manufacturing and advanced engineering is a key component of the economic vision for Cheshire East within the Cheshire East Local Plan Strategy (CELPS). The economy of Cheshire East is one of the most successful in the North of England and consequently a principal aim of the CELPS is to *“ensure the right foundations are in place to sustain this success over the next twenty years”*, including capturing the success and strengths of the *Crewe High Growth City/M6 Corridor*. Indeed, the Council’s economic growth strategy seeks to secure *“a growth proposition for the south of the Borough centred around Crewe as a principal town but linking to a wider set of growth ‘nodes’ using the M6 Corridor as a key attractor and asset to support our ambition”*. It is considered that such benefits are in line with the local plan.

The NPPF requires Local Planning Authorities to adopt a positive and constructive approach towards planning applications for economic development. Planning applications that encourage sustainable economic development should be treated favourably and this view is further reinforced in Policy EG1 of the Council’s Local Plan Strategy. The proposal could therefore be acceptable in principle subject to compliance with other relevant planning considerations. One of the key considerations associated with this application, is the impact that the permanent closure of Pyms Lane and Sunnybank Road will have on the local highway network and local community.

Highways

Saved Policy BE.3 of the Crewe and Nantwich Local Plan deals with access and parking and states that development will only be permitted where proposals provide:

- safe pedestrian access
- the provision of any off street parking
- manoeuvring and operational space should be designed to minimise visual impact
- safe vehicular access and egress arrangements

The current site takes vehicular access from Pyms Lane and Sunnybank Road. Pyms Lane connects to Middlewich Road (A530) at its western end, and this road provides a major route to the site from the north and south. The existing manufacturing plant extends to approximately

350,000 square metres and is located to the south east of the site. The area to the north of Pym's Lane is where a future Engineering Technical Centre or alternative proposal for the construction of two 7,200sqm, 4 storey office blocks will be located. The main staff parking area is located to the west of the Bentley campus currently served from Pym's Lane and Sunnybank Road.

The proposals which are submitted by way of a hybrid application will provide new production and manufacturing facilities along with an engine test bed facility. A total of 33,150 sq. m of new B2 general industrial floorspace is proposed. In order to deliver this site expansion the applicant is proposing to close Pym's Lane (excluding the eastern section which provides access to 12 existing dwellings and Ashbank Court) and Sunnybank Road (north of the railway line) to general traffic via way of a stopping up order under sections 247 and 248 of the Town and Country Planning Act 1990. An application for the stopping up of Pym's Lane and Sunnybank Road have been submitted for consideration by the Department for Transport and will be the subject of a separate decision.

Transport Assessment.

The Transport Assessment (TA) prepared by the applicant's Transport Consultant advises that the delivery of the proposals will not result in materially different site traffic generation which will continue to route to and from the site as it does today.

The TA provides an analysis of the proposals, in particular the impact on the operation of the local highway network resulting from the closure of Pym's Lane and Sunnybank Road, by assessing the effect on the operation of the highway network and proposing (where appropriate) measures to mitigate the highways impact.

The initial TA assumed that the additional B2 general industrial floorspace of 33,150 square metres generated no new employment hence no new vehicular traffic. While this may well be the intention of Bentley's future operational needs, the possibility of the additional floorspace generating new vehicular trips in line with nationally accepted traffic generation rates (TRICS) has been tested through a sensitivity test at the request of Cheshire East Council to ensure a robust assessment.

Sustainable Access

Controlled or uncontrolled pedestrian crossing facilities are provided at main junctions near to the site. At the Pym's Lane/Minshull New Road/Badger Avenue roundabout, an uncontrolled pedestrian crossing with a central pedestrian island is provided across each arm. Two zebra crossings are located across Pym's Lane in the proximity of the existing Bentley buildings. The section of Pym's Lane, to the east of Sunnybank Road, forms part of the wider footway network, a lit walk/cycleway set back from the road. There are also additional traffic-free walk/cycle routes in the areas surrounding the site.

Pedestrian/cycle access to the Bentley site will be maintained as existing to allow sustainable access for staff. If in the event of indiscriminate parking taking place within the adjoining residential area this will need to be regulated as part of Bentley's site management plan. Parking on the public highway is not something that can be controlled or enforced by the Local Planning Authority. Foot/cycle traffic as a result of the road closures will be able to re-route via West Street and Minshull New Road with minimal implications on journey times.

The nearest bus stops to the development are currently located on Pyms Lane, just outside the main entrance to the factory site. These are served by bus route no. 78. There are additional bus stops located on Minshull New Road, which is approximately 170m from the site. These stops are served by bus routes 85/85A. As a result, the development proposes that the no. 78 bus route would be diverted onto alternative roads in place of the current routeing via sections of Pyms Lane and Sunnybank Road which would be closed.

The Council's Head of Strategic Infrastructure (HSI - Highways) has confirmed that routeing via West Street and Minshull New Road would have no significant implications on journey time. However, bus penetration to the Bentley site would be reduced. However existing bus stops are present on the diverted route and are within acceptable walking distance to the site. Any school bus services affected by the road closures would also be diverted in a similar manner.. The bus operator has been consulted regarding the provision of improved bus stop facilities closer to the main site. However, the operator has confirmed that there would be no requirement to improve bus stop facilities closer to the site.

To ensure the active promotion of sustainable travel amongst staff, a travel plan has been submitted summarising the current measures which Bentley promote to minimise the impacts of site related staff travel and identifies future measures that will be implemented to encourage this. However, this plan needs to be amended to update the target on reducing single occupancy car trips over the forthcoming 5 year period. In addition the plan needs to detail the provision of cycle and bus travel vouchers for staff (up to the value of £150) to further promote the use of non-car modes for staff traveling to/from work. This could be secured by condition requiring an updated travel plan to be submitted.

Safe and Suitable Access

The vehicular access arrangements are predominately utilising the existing roads within the Bentley site and not creating new access points onto the surrounding network. The expanded car parking will be served via the existing car park access arrangements. Accordingly, these access arrangements are considered to be acceptable.

Significant concern has been expressed by local residents that the closure of Pyms Lane and Sunnbank Road will lead to and further exacerbate Bentley employees parking on neighbouring residential streets on the Marshfield estate to the south to avoid driving further round and accessing Bentley designated parking from Middlewich Road to the east. Whilst such concerns are acknowledged, this is a matter that will need to be regulated as part of Bentley's site management plan. Legitimate parking on the highway cannot be enforced or controlled by the Council.

Network Capacity - Strategic modelling

The traffic impacts associated with the delivery of the development proposals and the closure of parts of Pyms Lane and Sunnybank Road have been modelled utilising a SATURN traffic model which has been run on behalf of Bentley Motors by Cheshire East Council. This involved creating a 'cordoned' smaller area model based upon an existing SATURN traffic model of the town which was used to test the implications of the delivery of future local plan growth across the town.

The implications of the development proposals and road closures has been assessed for 2017 and 2032. The earlier year has been considered so that the implications of the development including road closures can be understood based upon current conditions. An additional assessment year of 2032 has been included so that long term impacts can be understood following the delivery of significant local plan growth and associated infrastructure. The weekday AM peak hour (08:00-09:00) and PM peak hour (17:00-18:00) have been examined being the traditional weekday traffic peaks. 'Do Minimum (DM)' and 'Do Something (DS)' scenarios have been presented with the former representing the baseline position and the latter reflecting the implementation of the development proposals.

A technical note (Crewe Saturn Model Technical Note, Pym's Lane & Sunnybank Road at Bentley Motors Road Closure Option Testing, July 2016) which presents the SATURN modelling has been produced. The report concludes that the impact on key junctions in all of the considered options compared with the Do-minimum scenario i.e. keeping the roads open, is within the tolerance of acceptability and would not require the provision of or contribution to a replacement road to compensate for the closure of Pym's Lane.

Detailed Traffic Modelling

The detailed junction assessments which followed the strategic modelling exercise indicate that all of the junctions within the study area would operate within acceptable capacity limits for both the existing and future highway networks following the delivery of the development proposals including the necessary road closures given the context set within the National Planning Policy Framework.

The applicant's Transport Assessment confirms that in the 2017 assessments, the maximum forecast increase in queue on any junction approach is three vehicles and there are also some reductions in queues due to traffic reassignments. Impacts in 2032 are further reduced due to associated local plan development infrastructure.

Sensitivity Test

As referred previously, a sensitivity test has been carried out on the assumption that the new B2 floorspace generates additional traffic in line within the national traffic generation database (TRICS). The additional agreed level of trips have been rerun within the SATURN model using the same scenarios as the first test and the results have been analysed. The modelling shows that the impact of the additional traffic on key junctions on both the existing and future network scenarios are still within acceptable tolerances, however, it does illustrate a marginal increase in flow on some residential roads to the east of the site, namely Minshull New Road. To mitigate this impact, a scheme to assist through traffic flow along Minshull New Road north of its junction with Badger Avenue is required. This could comprise the provision of parking bays where appropriate within the grass verge (part of the adopted public highway) along the western edge.

In addition, as a result of the severance of Sunnybank Road, the main vehicular access in/out of this residential area will be via its West Street junction. To mitigate this impact, the applicant is requested to submit a scheme within the confines of the public highway to improve the operation of this junction for traffic accessing / egressing this estate.

It is recommended that both of these schemes would be secured by planning condition. Subject to these measures, the scheme is found to be acceptable in terms of its impacts on the local

highway network and the existing parking and pedestrian facilities would be sufficient to accommodate the proposed development. The proposal therefore accords with Policy BE.3.

Design

In terms of the detailed proposals for which full planning permission is sought, this would comprise of the erection of a gatehouse, security fencing, pedestrian turnstile and associated turning facilities to the west of the existing Bentley Motors site on Pyms Lane; the erection of a gatehouse, security fence, pedestrian turnstile, bin store, reconfiguration of visitor parking and associated turning facilities to the east of the existing Bentley Motors site on Pyms Lane; the erection of a gatehouse, security fence, cycle store, pedestrian turnstile and associated turning facilities together with a further gate on Sunnybank Road.

The proposed gatehouse facilities will be modest in terms of their size and will be modular in terms their construction. The gatehouse will have glazing on all elevations and the walls will be finished with a two-tone grey cladding which will be contemporary in appearance, and will tie-in with the appearance of the recently constructed office block found on the north side of Pyms Lane. There will be associated fencing and pedestrian turnstiles which will be of mesh paladin construction, examples of which are already found within the vicinity of the site.

Turning to the outline proposals, the application seeks approval of the details of layout and means of access for the erection of a Production and Manufacturing Facility including links to existing facilities, an engine test bed facility, and 2 no. car parking areas providing up to 500 car parking spaces.

The proposed manufacturing facility would comprise of 2 buildings with a floorspace of 21,000 square metres and 7,500 square metres. Both buildings would be sited to the west of the existing plant. The larger building (Manufacturing Facility 1) would be sited on the existing car park at the corner where Sunny Bank Road junctures with Pyms Lane. There would be 2 covered walkways spanning across Sunnybank Road linking in with the existing plant to the east.

The smaller building (Manufacturing Facility 2) would be located to the north of the larger building and would occupy a position partly over the existing highway forming Pyms Lane, just south of an existing industrial building occupied by CHK Engineering, who manufacture steel components. It is indicated in the scale parameters that both buildings would have a maximum height of 9 metres to the ridge. In terms of the siting and the indicative scale, the proposed manufacturing buildings would be well grouped with the existing plant and would be commensurate with the scale of the buildings to the east. Consequently, their visual impact would be acceptable in terms of siting and scale and an appropriate appearance could be secured at the reserved matters stage.

Also in outline form is a proposed engine test bed measuring 4,500 square metres in floorspace. It is indicated that this building would also have a maximum ridge height of 9 metres. The building would be located towards the far northern boundary of the site and would sit behind the proposed design centre approved under planning ref; 16/0341N. In the context of the site, and the extant planning approval, the proposed engine test bed building would be modest in terms of its size and height and would be read against the backdrop of the existing Bentley plant. The detailed design and appearance would be secured at reserved matters stage.

Owing to the siting of Manufacturing Facility 2 on an existing car park, 500 car parking spaces would be provided towards the far western end of the site where it borders Middlewich Road. This would be provided on 2 parcels of land situated either side of the existing property referred to as Oakleigh Farm. They would serve as an extension to the existing Bentley car park to the east and would not appear out of context. These 2 parcels of land do serve an important function in providing screening along Middlewich Road. Subject to further considerations relating to landscape and the submission of appropriate reserved matters for appearance and scale, the proposal complies with Local Plan Policy SE1 (Design).

Impact on Designated Heritage Asset

On the southern side of Pym's Lane, there are 2 Art Deco period buildings which form part of the frontage to the Bentley Production Plant. The main building further to the west is locally listed and therefore a designated heritage asset. The building to the east, whilst still of Art Deco style, is less architecturally significant and is not a designated heritage asset. The main works adjacent to these buildings would comprise of a security gate house, associated barrier, security fencing, pedestrian turnstiles, cycle storage and an area for vehicles to turn. These works would be sited to the front of the eastern building and not the main frontage to the locally listed building and consequently, the impact on its setting would not be detrimental.

Landscape

The application is supported by a Landscape and Visual Impact Appraisal (LVIA). The Council's Environmental Planning Manager has assessed the submitted LVIA agrees with its findings. However, this is subject to the recommendations that one area (Planting Area D) is planted with a number of larger growing trees to soften the impact of the Production and Manufacturing Facility on the Legends Sports Ground and house properties further to the south. Semi ornamental "urban" trees such as Plane and Red Oak would be suitable in this area. A complete planting specification, numbers of species etc will be required for all planting areas at the reserved matters stage when details of landscaping are submitted for consideration.

Trees

The application is supported by an Arboricultural Report which considers the outcomes of the proposed development on trees by reference to BS5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations.

The submitted Tree Survey has identified 54 individual trees, 7 groups of trees and 15 hedgerows within the application site which have been categorised in accordance with Table 1 of BS5837:2012 Cascade Chart to Tree Quality Assessment. The Report refers to the proposed Masterplan footprint and identifies that 9 individual Moderate (B) category trees and 7 low (C) category trees and 8 low (C) category hedgerows will be directly lost as a consequence of the proposed development. No High (A) category trees are proposed for removal.

Principal tree losses will be along the roadside verge of Pym's Lane where 10 semi mature Limes and a Horse Chestnut are proposed for removal to make provision for a new security gate and associated infrastructure. Whilst the trees provide some contribution to the visual amenity of Pym's Lane, new planting along Middlewich Road and elsewhere on the site shown

on the submitted landscape proposals will to some extent mitigate for the proposed tree losses. In the absence of any objection from the Council's Principal Forestry and Arboricultural Officer, the scheme is found to be acceptable in terms of its impact on trees, subject to detailed landscaping proposals, which would be the subject of a reserved matters application.

Ecology

Woodland

There is a small area of woodland located at Target 11 of the submitted Phase One Habitat Survey (to the west of the existing CHK building on the submitted masterplan). This habitat was recorded as supporting characteristic woodland species. The Council's Nature Conservation Officer has advised that this woodland is of sufficient value to warrant its retention as part of the proposed development. Whilst the applicant has advised that this woodland is outside of the red line of the development, the submitted phase one plan does show this woodland extending into the red line of the application site and being lost under the current masterplan. Further, it appears that the corner of the proposed 'manufacturing and production facility 2' would encroach slightly into the said woodland. However, it is considered the majority of this woodland could be retained. Given that the trees which form this woodland habitat could reasonably be retained as part of the proposals, and would also offer some screening value, a condition recommending their retention as part of the future landscaping proposals is recommended, or in its absence, some replacement planting to offset any losses.

Hedgerows

The proposed development is likely to result in the loss of some sections of hedgerow. Hedgerows are a priority habitat and hence a material consideration. The precise extent of loss would however depend on the detailed designs proposed at the reserved matters stage. Accordingly, in the event that outline planning permission is granted, it is recommended that a condition be attached which requires the submission of replacement hedgerow planting proposals for any hedgerows lost as a result of the development.

Great Crested Newts (GCN)

No evidence of Great Crested Newts were recorded during the assessments and surveys undertaken as part of the submitted ecological assessment. Whilst there is a small pond present on the OS plan and air photography located at SJ6831 5672, this is an ornamental pond and it is therefore unlikely to support GCN.

As such, subject to conditions and the submission of appropriate reserved matters, the scheme would be unlikely to materially harm species protected by law.

Air Quality

CELPs Policy SE 12 states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 124 of the NPPF and the Government's Air Quality Strategy. When assessing the impact of a development on Local Air Quality, regard is had to (amongst other things) the Council's Air Quality Strategy, the Air Quality Action Plan, Local Monitoring Data and the EPUK Guidance "Land Use Planning & Development Control: Planning for Air Quality May 2015).

For this proposal, air quality impacts have been considered within the air quality assessment submitted in support of the application. The report considers whether the development will result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to traffic flows. The assessment uses ADMS Roads (a pollution model) to model NO₂ and PM₁₀ impacts from additional traffic associated with the development and the cumulative impact of committed development within the area.

A number of modelled scenarios have been considered within the assessment. These were:

- 2015 baseline = existing baseline conditions
- 2032 “Do Minimum” = baseline conditions + committed development flows
- 2032 “Do Something” = baseline conditions + committed development flows + proposed development flows

It should be noted that the report uses diffusion tubes CE230, CE238 and CE239 for its verification and the values attributed to them for the year in use (2015) are 30.80, 30.25 and 36.23 µg/m³ respectively. These figures are marginally different than the most up to date figures for these tubes from 2015 which stand at 26.40, 24.09 and 32.17 µg/m³ respectively. Whilst these differences are significant, the actual data used is effectively an over-prediction of the development’s effects and can be considered a worst case scenario. These up to date figures are also distance corrected to the closest receptors. Using distance corrected figures for model verification can increase the overall uncertainty of the process, and as such, the Councils Environmental Protection Unit deems the figures used to be acceptable.

The assessment concludes that the impact of the future development on the chosen receptors will be *negligible* with regards to both NO₂ and PM₁₀ concentrations with some receptors seeing an improvement in air quality as a result of the closure of Pym’s Lane to through traffic. However, 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. Taking into account the uncertainties with modelling, the impacts of the development could also be worse than predicted.

Crewe has three Air Quality Management Areas (AQMAs), and as such the cumulative impact of developments in the town is likely to make the situation worse, unless managed. Poor air quality is detrimental to the health and wellbeing of the public and also has a negative impact on the quality of life for vulnerable individuals. It is therefore considered appropriate that mitigation should be sought in the form of direct measures to reduce the adverse air quality impact. Environmental Protection considers that robust mitigation measures are required to reduce the impact on sensitive receptors in the area. These would take the form of conditions requiring the provision of electric vehicle charging infrastructure, the submission of an updated Travel Plan and dust suppression measures during construction. Subject to these, the scheme is found to comply with CELPS Policy SE 12.

Land Contamination

The application site has a history including use as for a depot; parking and agriculture and therefore the land may be contaminated. Parts of the site are also within 250m of a known landfill site or area of ground that has the potential to create gas.

The submitted contaminated land report recommends the collation of all historical ground investigation to assess what further works are required. The Council's Environmental Protection Unit are in agreement with this and would advise that all supporting historical ground investigation (including all logs, analysis, monitoring data etc.) be provided. This should be accompanied by appropriately scaled maps showing the exploratory locations on the application site and a proposed scope of works for additional assessment. It is also recommended that current landfill gas monitoring data for the adjacent Pym's landfill site is sought and considered in the assessment.

As such, and in accordance with the NPPF, the Council's Environmental Protection Unit recommends that a Phase II investigation can be secured by condition together with any remediation identified as being required. Subject to this, the considerations in respect of land contamination are acceptable.

Residential Amenity

Policy BE1 states that proposals for new development will be permitted provided that the following criteria are met:

- they are compatible with surrounding land uses;
- they do not prejudice the amenity of future occupiers or the occupiers of adjacent property by reason of overshadowing, overlooking, visual intrusion, noise and disturbance, odour or in any other way;
- they do not generate such levels of traffic that the development would prejudice the safe movement of traffic on surrounding roads, or have an adverse impact on neighbouring uses; and
- they do not lead to an increase in air, noise or water pollution insofar as this might have an adverse effect on the other use of land.

The impact of the development upon nearby residential properties is a material consideration in regard to noise, disturbance and the physical massing of buildings. The application is supported by a Noise Impact Assessment.

In terms of the uses, the B2 (general industrial) uses which would comprise of the manufacturing, production and engine test bed building, could have the potential to disturb the neighbouring residential amenity by reason of noise. However, these buildings would be self contained with appropriate noise mitigation and would be sited amongst other industrial buildings.

The proposed security gatehouses and associated works as well as the proposed industrial buildings would be of a sufficiently modest size, scale and distance from neighbours to ensure no significant loss of amenity through loss of light, visual intrusion or increased sense of enclosure.

The engine test building would achieve a separation of at least 280 metres with the nearest residential property. The manufacturing and production buildings would achieve a separation of at least 260 metres with the nearest residential properties. Coupled with this, there would be existing (and future) industrial buildings situated closer to the nearest residential properties (excluding Oakleigh Farm to the west). It is also important to recognise that the area is

characterised by commercial, industrial and manufacturing uses (specifically automotive) and therefore the proposals are compatible in this respect.

Subject to the rating sound level from mechanical plant associated with engine test beds and the proposed production facilities not exceeding 26 dB(A) at assessment location ST3, as detailed in the noise report, it is considered that the appropriate design/mitigation to meet this level can be achieved through the use of silencers on ventilation and exhaust ducts, acoustic louvres and enclosures.

Representations have expressed concern that the changes in road traffic as a result of the road closures may impact on amenity. The application submission states that the maximum increase in traffic flow is 13% in 2017, and 11% in 2032 as predicted by the traffic model. This increase corresponds to less than 1 dB change in noise emissions, which is below the adopted significance threshold. With respect to the proposed car parking extensions, the predicted increase in ambient noise level would be below the adopted criterion of 3dB and therefore the occupants of Oakleigh Farm would not be materially affected.

Accordingly, the Council's Environmental Protection Unit (EPU) is satisfied that subject to conditions, the scheme would not prejudice the amenity of future occupiers or the occupiers of adjacent property by reason of noise or odours. Accordingly, it is considered that the proposal would not materially harm neighbouring amenity by reason of loss of light, direct overlooking, visual intrusion or noise and therefore complies with local plan policy BE.1.

Flooding and Drainage

The site is within Flood Risk Zone 1 and is not therefore at risk from flooding. However, owing to the size of the proposals, a Flood Risk Assessment (FRA) has been undertaken. The Council's Flood Risk Team have assessed the FRA and are satisfied that subject to the recommendations within the FRA, the proposal would not give rise to flooding or drainage issues.

CIL Regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is 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 financial contribution towards the monitoring of the site specific Travel Plan is necessary to make the development acceptable in planning terms in order to mitigate the impact of the proposals on the local highway network. It is found to be necessary, directly related to the development and is fair and reasonable in relation to the scale and kind of the development.

PLANNING BALANCE & CONCLUSIONS

The proposal is for new production and manufacturing buildings for the existing Bentley Motors campus which would also require the permanent closure of Pyms Lane and Sunnybank Road (north of the railway line) for general highway use.

This proposal would bring economic benefits and investment in an area with a longstanding association with the manufacture of motor vehicles. Bentley Motors are a major employer located within one of the principal growth areas of the Borough where national, local plan policies strongly support such development.

Traffic modelling has been undertaken to assess the impact of this new development and the closure of these roads on the operation of both the existing and future highway networks taking into account future development as allocated within the Cheshire East Local Plan. Additional modelling has been undertaken on the assumption that the new development will generate traffic in line with the national traffic generation database (TRICS). This modelling has shown that the proposals including the closure of Pyms Lane and Sunnybank Road are acceptable subject to the provision of mitigation schemes along Minshull New Road and the West Street/Sunnybank Road junction.

Whilst the proposal will result in the closure of Pyms Lane and Sunnybank Road to general highway traffic, this has to be balanced against the economic benefits of the proposals and the aspirations of the Council to realise the growth potential of Crewe as the '*Crewe High Growth City/M6 Corridor*' by encouraging investment in the area.

The proposal is compatible with the surrounding development and the design, scale and form of both the detailed proposals and those indicated in outline form would not appear incongruous within their context.

The impact of the proposal on trees and hedges would not be significant and environmental considerations relating to flooding, drainage, land contamination (subject to further investigations) and ecology would be acceptable subject to conditions and the submission of appropriate reserved matters.

The impact on neighbouring residential amenity would be acceptable subject to noise mitigation measures and owing to the generous separation with the nearest neighbouring properties and having regard to the context of the area as a centre for automotive manufacturing.

Satisfactory access and parking provision can be provided and the development would not result in 'severe harm' on the local highway network. The Head of Strategic Infrastructure (HSI) is satisfied that the vehicular movements and parking associated by the proposals could be accommodated by the existing highway network and the existing and proposed parking provision at the site.

The proposal is therefore considered to comply with the relevant policies of the Cheshire East Local Plan Strategy (CELPs), the saved policies of the Borough of Crewe and Nantwich Local Plan and advice contained within the NPPF. The application is therefore recommended for approval.

RECOMMENDATION:

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

- Financial contribution of £10,000 for Travel Plan Monitoring.

Approve subject to the following conditions:

1. Standard 3 year time limit (Full Planning Details – Road Closure, gatehouses and associated works)
2. Standard outline time limit (Outline Details – Manufacturing and Production Buildings and Car Parks)
3. Submission of reserved matters (for Manufacturing and Production Buildings and Car Parks)
4. Accordance with approved plans
5. Materials to be submitted and approved
6. Development to be carried out in accordance with submitted noise impact assessment
7. Reserved matters to include a noise mitigation scheme
8. Reserved matters shall not exceed the floorspaces specified in this application
9. Further details of any fixed plant / noise generative equipment to be submitted and approved
10. Submission of an Environmental Management Plan
11. Additional Phase II Land contamination investigations and assessments to be submitted and approved
12. Development to be carried out in accordance with submitted ecological surveys
13. Survey for nesting birds if works carried out during nesting season
14. Scheme to incorporate features suitable for breeding birds
15. Development to be carried out in accordance with submitted Flood Risk Assessment
16. Submission of a sustainable drainage management and maintenance plan / scheme
17. Details of foul water drainage to be submitted
18. Surface water drainage strategy to be submitted
19. Landscape scheme to be submitted with reserved matters and shall include retention of woodland planting in Target 11 as far is practicable or scheme for its replacement where there are losses
20. Tree and hedgerow protection scheme to be submitted with reserved matters
21. Piling method statement
22. Details of external lighting to be submitted and approved
23. Details of cycle parking to be submitted and approved
24. Travel Plan to be submitted and approved and shall include provision of an updated target on reducing single occupancy car trips over the forthcoming 5 year period and the provision of cycle and bus travel vouchers for staff (up to the value of £150)
25. No development to commence until details of a scheme to facilitate the flow of through traffic along Minshull New Road north of its junction with Badger Avenue and the improvement at the West Street/Sunnybank Road junction are submitted to and approved and implemented prior to the closure of Pym's Lane

and Sunnybank Road to through vehicular traffic and be retained for the life of the development.

26. Submission of a construction management plan to include:

- A construction phasing plan.
- A routeing plan for construction traffic.
- Compound and parking arrangements for site operatives.
- Wheel wash facilities

27. Scheme of dust control to be submitted

28. Provision of electric vehicle charging infrastructure

Informatives to include:

1. Informative to include s278 agreement to facilitate the design and implementation of highway schemes along Minshull New Road and the junction of West Street/Sunnybank Road.

2. An application under S247 of the Town & Country Planning Act 1990 to permit the stopping up of Pym's Lane and Sunnybank Road will need to be secured by the applicant.

In the event of any changes being needed to the wording of the Board's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Board's decision.

Should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) in consultation with the Chairman of the Strategic Planning Board 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 No: 17/5116C

Location: Plot 1A, Ma6nitude 160, Midpoint 18, Pochin Way, Middlewich.

Proposal: Erection of 2 no. employment buildings (Use Classes B2 and B8) including a security gatehouse, vehicle access off Pochin Way and ERF Way and associated car parking, trailer parking and landscaping.

Applicant: DBS Pochin LLP

Expiry Date: 24-Jan-2018

SUMMARY

This proposal would bring economic benefits through the delivery of new jobs within an established industrial park where the local plan allocates such uses. The proposal is compatible with the surrounding development and the design, scale and form of the building would sit comfortably with those within the locality.

The impact on neighbouring residential amenity would not be significant. Satisfactory access and parking provision can be provided and the development would not result in 'severe harm' on the local highway network. The ecological impacts of the development can be satisfactorily mitigated.

Issues of air quality and contaminated land can be controlled by conditions.

The scheme is therefore considered to be in accordance with development plan policies and economically, socially and environmentally sustainable.

RECOMMENDATION: Approve subject to the completion of a Section 106 Agreement for a contribution for loss of biodiversity and conditions

PROPOSAL

This application seeks full planning permission for the erection of two distribution warehouse buildings (use class B2/B8) of 13,843sqm and 3,809sqm floorspace, with office accommodation to the first floor, associated car parking service yards, trailer parking, gatehouse and landscaping.

The northern building would utilise the existing vehicular access point off Pochin Way which would serve car, pedestrians and HGVs. The proposed northern car park includes 145 parking spaces with 8 accessible spaces and 8 vehicle charging bays. Covered cycle storage

for 40 cycles is also proposed. 30 trailer parking spaces are identified for the northern building.

The southern building would utilise an access point off ERF Way providing access for HGVs and cars, cycles and pedestrians. 38 car parking spaces are proposed to serve this building including 2 accessible spaces, 2 vehicle charging bays and 5 trailer spaces. Covered cycle store for 12 cycles is also proposed to serve this building.

SITE DESCRIPTION:

The Proposed development will sit within an existing commercial estate off Pochin Way (accessed from the A54 Holmes Chapel Road), and to the north of ERF Way. The site presently comprises of scrubland but is situated on an established commercial / industrial trading estate at Midpoint 18 Industrial Park. The North East elevation will face onto an existing warehouse, the North West onto offices, to the West across open land is Brooks Lane industrial estate and to the South is a carpark and disused land. Middlewich Public Footpath no. FP19 passes across the site to the east.

RELEVANT HISTORY:

31306/3 - warehousing & distribution facility with associated offices – approved 10th January 2000

31584/1 – employment uses (B1, B2 and B8), open space along Sanderson's Brook and continuation of the Middlewich Eastern Bypass – approved 29th April 2002

37737/3 - Modifications of conditions of outline planning permission 8/31584/1 – approved 12th October 2004

15/2576C - 14,402sq m Warehouse (B2 B8) with office accommodation to the first floor - approved 18th November 2015

NATIONAL & LOCAL POLICY

National Policy:

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

Of particular relevance are paragraphs 17 and 18.

Development Plan:

By virtue of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for this area comprises the recently adopted Cheshire East Local Plan Strategy (CELP), and the saved policies from the Congleton Borough Local Plan First Review (2005).

POLICIES

Development Plan

Cheshire East Local Plan Strategy (CELPS)

The following are considered relevant material considerations:

PG1 – Overall Development Strategy
PG7 – Spatial Distribution of Development
PG2 – Settlement Hierarchy
EG1 – Economic Prosperity
EG3 – Existing and Allocated Employment Sites
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE1 – Design
SE2 – Efficient Use of Land
SE3 – Biodiversity and Geodiversity
SE4 – The Landscape
SE5 – Trees, Hedgerows, Woodland
SE12 – Pollution, Land Stability and Land Contamination
SE13 – Flood Risk and Water Management
IN2 – Developer Contributions
Site LPS 44 – Midpoint 18, Middlewich

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

Congleton Borough Local Plan First Review (CBLPFR)

PS4 Towns
GR5 Landscaping
GR6 Amenity and Health
GR9 Accessibility, servicing and provision of parking
NR3 Habitats

The Draft Middlewich Neighbourhood Plan has yet to reach Regulation 14 Stage. Accordingly, no weight can be attached to the Plan.

CONSULTATIONS:

Highways: No objection

Natural England: No objection.

Flood Risk Management: no objection subject to conditions for finished floor levels, compliance with FRA, approval of finalised drainage strategy, retention of ponds in the approved drainage scheme and demonstration that drainage scheme will accommodate storm events with no run off to neighbouring land.

Environmental Health: No objection subject to conditions/informatives relating to noise and disturbance, air quality and land contamination.

Public Rights of Way Unit: No objection subject to conditions for a public rights of way scheme of management, marking out of the footpath, pre/post completion surveys and restoration of any degraded footpaths.

Environment Agency: No objection

Canal and Rivers Trust: No objection.

Cheshire Brine Compensation Board: The site is within an area that has previously been affected by brine subsidence and future residual movements cannot be completely discounted. BGS geological mapping also indicates the presence of subsidence features in the vicinity of the site. Require a condition securing the use of raft foundations.

Health and Safety Executive: No objection.

Middlewich Town Council: None received at the time of report writing.

Moston Parish Council: No objection

REPRESENTATIONS:

None received at the time of report writing.

APPRAISAL:

Principle of Development

The proposal is for 17,652sqm of floor space for a distribution warehouse (B2/B8). The site would sit amongst other commercial and industrial uses and therefore would conform to the surrounding land uses.

The site is located within an existing employment area within the Middlewich Settlement Boundary and forms part of the Cheshire East Local Plan Strategy Strategic Site 'LPS44 Midpoint 18'. In respect of this the CELP identifies that the development will be achieved with (amongst other things) phased delivery of up to 70 hectares of employment land, including the development of existing undeveloped sites: Midpoint 18 (Phases 1 to 3). Policy EG1 of the CELP also states that proposals for employment development (use classes B1, B2, B8) will be supported in principle within key service centres (which includes Middlewich) as well as on employment land allocations in the Development Plan.

At a national level the NPPF also requires Local Planning Authorities to adopt a positive and constructive approach towards planning applications for economic development, and planning applications that encourage sustainable economic development should be treated favourably. The proposal is therefore acceptable in principle subject to compliance with other relevant considerations.

Design and Landscape

Policy SE1 of the CELP advises that the proposal should make a positive contribution to their surroundings in terms of sense of place, design quality, sustainable architecture, liveability/workability and safety.

The buildings would comprise built up cladding panels on a steel frame and composite cladding panels to the office elevations. The floor-space will be distributed across 2 floors. The northern building would be 180m by 71m and 16.5m in height (to ridge) whilst the southern building would be 72m by 49m and 14m in height (to ridge). The scale of the buildings reflects that consented under 15/2576C for a similar warehouse building and there is no increase in the height of the buildings from the consented scheme. The overall floorspace does increase across the site by 3,250sqm from the earlier approval but in the context of the site it is not considered to be significantly different.

The character of the street is one of industrial premises with similar arrangements and similarly designed frontages. The buildings are uniform and utilitarian in appearance and are designed for functionality rather than form. The proposed buildings are similar in design and size to other units in the vicinity, albeit on a larger scale, and it is considered that it will not appear as an alien or incongruous feature within the street-scene.

With regards to layout, the buildings would be well set back into the site with the foreground given over to ecological areas. The buildings would be adjacent to the eastern boundary with the larger building positioned to the north. Both building would lie parallel with the B&M unit on the adjacent land. The HGV docking area, HGV access and circulation, and HGV parking would be situated to the west, with the car parking areas situated on northern and southern areas of the site.

There are concerns raised by the Councils landscape and design officers regarding the proposed layout of the site given that the HGV docking, circulation and parking areas would be west facing onto Pochin Way.

In the light of these concerns, additional proposed landscaping of the site has been requested from the developer and Members will be updated on this matter prior to the committee meeting.

Subject to the additional landscaping being considered suitable, the design and layout of the development are considered to be acceptable.

Amenity

Policy GR6 of CBLP and Policy SE12 of CELP require development to ensure that there would be no unduly detrimental effects on amenity due to loss of privacy, loss of sunlight and daylight, visual intrusion, environmental disturbance or pollution, traffic generation, access and parking. Policy SE12 also requires development to ensure that it is designed and located so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 124 of the NPPF and the Government's Air Quality Strategy.

The area is predominately industrial in character being positioned on the edge of Midpoint 18. There are no residential properties in the immediate vicinity of the site and as such, no significant adverse impacts are anticipated in respect of noise and disruption, visual intrusion and loss of daylight/sunlight or privacy.

Policy SE12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 124 of the NPPF and the Government's Air Quality Strategy.

When assessing the impact of a development on Local Air Quality, the Council has regard to (amongst other things) the Council's Air Quality Strategy, the Air Quality Action Plan, Local Monitoring Data and the EPUK Guidance "Land Use Planning & Development Control: Planning for Air Quality May 2015)

Environmental Health Officers initially recommended refusal due to insufficient information relating to the Chester Road AQMA. However, further information has now been submitted to alleviate these concerns regarding the impacts on the Chester Road AQMA so the recommendation of refusal on these grounds has now been removed. Conditions would be required relating to travel planning, electrical vehicle infrastructure, low emission boilers and dust control.

Highways

There are separate access points to each of the buildings, the larger building will be accessed off the existing Pochin Way junction and the smaller building from a new access point off ERF Way. The proposed accesses to the sites are acceptable in the locations proposed and have sufficient visibility available.

The larger unit has 145 No. parking spaces that includes 8 electric charging points and the smaller unit 38 No. spaces with 2 electric charging points. There is no disabled spaces indicated and some of the spaces should be amended for disabled use. It is considered that there is an adequate number of car parking spaces being provided for the proposed uses.

A LinSig assessment has been used to assess the capacity of the Leadsmithy/A54 signal junction, the model results indicate that the junction will be operating considerably above capacity in the Base 2023 and queues will only marginally increase with the development trips added.

It is applicant's view that the additional development trips would have negligible effect on the operation of the junction even with the full development added. Whilst, it can be agreed that the increase of 8 trips for the full development and 2 to 3 trips for net new floorspace travelling through the junctions in the peak hour does not materially affect the operation of the junction, it has to be recognised that traffic queues are already extensive and all new development would only increase delays at the junction.

It is Council's view that congestion and queue lengths are already severe and it is clear that to support further major developments that have a direct impact on the centre of Middlewich,

mitigation measures are required either to improve the operation of the existing Leadsmithy/A54 signal junction or to remove traffic from the junction by means of the MEBP.

Therefore, the principle of seeking contributions for mitigation measures as part of this development has been established. However, in relation to this particular site there is an extant consent for 14,402 Sq.m that was approved without an infrastructure contribution. This application is to increase the floorspace to 17,668 Sq.m an increase of 3266 Sq.m

In regard to this application, it appropriate to consider the net increase in floorspace and whether it would have a significant additional impact on the road network. The traffic generation produced from the additional floorspace is low and has a negligible impact and it is not considered that this warrants securing a financial contribution to the MEBP or for improvements to the local highway network.

In summary, although developments on Midpoint 18 are expected to make contributions to the MEBP, it is recognised that this site has extant planning approval and that the proposal only seeks a small increase in floorspace. It is therefore considered that a contribution in this case is not warranted and no highway objections have been raised by the Head of Strategic Infrastructure.

Given the relatively small increase in proposed floorspace, it is not considered that requiring a contribution to the bypass would meet the requirements of paragraph 204 of the NPPF or the CIL Regulations as it would not be *“fairly and reasonably related in scale and kind to the development”*.

Public Right of Way

Middlewich Public Footpath FP19 crosses directly through the north of the site. The proposals include for a 3m wide corridor to accommodate the footpath adjacent to the north/eastern boundary of the site.

The public rights of way unit raise no objection subject to conditions requiring:

- A public rights of way management and enhancement scheme to include an additional footpath at the south eastern corner of the site to link ERF Way, assessment of measures to deliver facilities to improve pedestrian and cycle crossing of Pochin Way and ERF Way and removal of the boundary fence and style between the site and the adjacent landholding.
- Demarcation of footpath during construction
- Pre/post condition surveys and repairs of any degradation caused by the development

The proposal is therefore acceptable and will not have an adverse impact on the Public Right of Way.

Ecology

This application falls within Natural England's SSSI impact risk zones. Natural England has been consulted on this application and has not raised any objections in respect of statutory designated sites.

Great Crested Newts (GCN) were recorded at ponds on and adjacent to this site in 2014 and an updated survey completed in 2017 confirmed the continued presence of this species.

Following the grant of a previous planning application at this site (15/2576C)

GCN were removed and excluded from the majority of the current application site and replacement ponds have been created under the terms of a Natural England license. The ecological assessment submitted in support of this application states that a small part of the current application site is located outside the existing boundary of the newt exclusion fence, but this loss is offset by the retention of an additional small area of habitat that was previously proposed as hard standing.

Consented planning application 15/2576C retained a corridor of habitat towards the south eastern part of the site in order to retain connectivity between the on-site mitigation ponds and the offsite ponds which are also known to support breeding GCN. Under the previous layout proposed as part of this application two access roads onto ERF Way and a pedestrian footpath are proposed in this section of site. These access points would fragment the available terrestrial habitat for GCN. The latest layout has however removed one of these access roads.

The currently proposed layout, in the absence of mitigation, would still result in the isolation of the mitigation ponds from the surrounding pond network but the reduction in the number of access roads from the initial submission in this part of the site does represent a significant reduction in the potential impacts of this scheme and so does represent a more favourable alternative.

The UK implemented the EC Directive in the Conservation (natural habitats etc) regulations which contain two layers of protection:

- A licensing system administered by Natural England which repeats the above tests
- A requirement on local planning authorities ("lpas") to have regard to the directive's requirements.

The Habitat Regulations 2010 require local authorities to have regard to three tests when considering applications that affect a European Protected Species. In broad terms the tests are that:

- The proposed development is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment
- There is no satisfactory alternative
- There is no detriment to the maintenance of the species population at favourable conservation status in its natural range.

Current case law instructs that if it is considered clear or very likely that the requirements of the directive cannot be met because there is a satisfactory alternative, or because there are no conceivable "other imperative reasons of overriding public interest", then planning permission should be refused. Conversely, if it seems that the requirements are likely to be met, then there would be no impediment to planning permission being granted. If it is unclear

whether the requirements would be met or not, a balanced view taking into account the particular circumstances of the application should be taken.

Test 1: Overriding Public Interest

The impacts of the development on the GCN population have previously been considered acceptable in the grant of previous planning permissions. The development would provide social and economic benefits in the form of employment and economic development. Given these benefits the development proposal contributes to meeting an imperative public interest, and that the interest is sufficient to override the protection of, and any potential impact on great crested newts, setting aside any mitigation that can be secured.

Test 2: No satisfactory alternative

The site is allocated in the local plan for employment development and therefore has been assessed as being the most appropriate place for this form of development. As such it is considered that there would be no satisfactory alternative.

Test 3: “the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range”.

The revised GCN strategy includes proposals for the enhancement of a pond adjacent to the proposed access roads, the creation of an additional pond and the installation of amphibian tunnels under the proposed access roads. These features have been proposed to minimise the fragmentary effects of the proposed access roads.

The effectiveness of amphibian tunnels is not fully understood. However considering the distance between the existing ponds, the numbers of GCN recorded on site and the proposals to create and enhance ponds, the use of amphibian tunnels in this instance is acceptable. It is advised that in the event planning permission is granted the proposed mitigation strategy is acceptable and is likely to maintain the favourable conservation status of GCN.

Habitat Regulations Conclusion

Overall, therefore it is considered that the development contributes to meeting an imperative public interest, there are no satisfactory alternatives, and that the interest is sufficient to override the protection of, and any potential impact on GCN, setting aside the proposed mitigation. It is considered that Natural England would grant a licence in this instance.

Grass Snakes and Common Toads were previously likely to occur on site. However that the presence of the amphibian fence means that it is unlikely that these species would now be able to access the site. The proposed development is therefore not likely to have an effect on these species.

An acceptable survey/assessment for Lesser Silver Diving Beetles was undertaken in respect of the earlier application at this site and it is considered that this species is unlikely to be present or affected by the proposed development.

An outlying Badger sett was previously recorded on this site. This sett is now inactive. The application site is likely to be used by badgers for the purposes of foraging on an at least occasional basis. It is considered that the proposed development will have a localised impact

on Badgers as a result of the loss of foraging habitat. This impact could be partly addressed through the incorporation of fruit trees to provide a seasonal food source for badgers. This matter could be dealt with by means of a planning condition.

As the level and type of badger activity on a site can change within a short timescale, a condition should be attached requiring a further badger survey be undertaken and submitted to the LPA prior to the commencement of development.

No evidence of Kingfishers, Otters or Voles was recorded during the submitted surveys. Water Voles are not reasonably likely to be present or affected by the proposed development. Otters were however recorded on Sanderson's Brook about 7 years ago and so there is the possibility that this species may occur on the brook in the future. This similarly applies to Kingfishers as the brook does appear to provide suitable nesting sites. Therefore a condition should be attached requiring a further Otter and Kingfisher survey to be undertaken and submitted to the LPA prior to any works being undertaken within 20m of the brook.

Whilst the application site offers limited opportunities for roosting bats, bats are likely to commute and forage around the site to some extent. To avoid any adverse impacts on bats resulting from any lighting associated with the development a condition should be attached requiring any lighting to be agreed with the LPA.

Birds are likely to be breeding on this site potentially including the more widespread priority species. Therefore if planning consent is granted standard conditions will be required to safeguard nesting birds.

The habitats on site, with the exception of the brook, are not of priority habitat quality and do not present a significant constraint upon development. The habitats on site do however support a number of species indicative of better quality habitats and the development proposals may still result in an overall loss of biodiversity. A commuted sum of £11,010.67 was secured through a unilateral undertaking in respect of application 15/2576C and this should also be a requirement for this development. The applicant is currently undertaking an assessment of the residual ecological impacts of the proposed development using the Defra 'metric' methodology, and the amount of the contribution will be reported to Committee in an update

An assessment of this type will quantify the residual ecological impacts of the development and calculate in 'units' the level of financial contribution which would be required to 'offset' the impacts of the development to enable the total ecological impacts of the development to be fully addressed in a robust and objective manner. Any commuted sum provided would be used to fund habitat creation/enhancement works locally.

Planning consent 15/2576C included a commitment to the management of the retained habitat located between the application site and the river as a means of providing some compensation for the loss of habitat associated with the development. The plans show the site edged red and other land in the control of the applicant edged blue therefore a condition should be imposed requiring the same as in the previous application.

Flood Risk

Sanderson's Brook (designated main river) runs along the Western boundary of the site and a small part of the western extent of the application site is located within Flood Zone 2. Despite this, the flood risk assessment (FRA) demonstrates that the proposed built development is located wholly within Flood Zone 1. As such the Environment Agency and Council Flood Risk Management unit raise no objection subject to conditions relating to implementation of measures identified in the FRA, approval of the drainage strategy with a maintenance schedule where necessary and retention/provision of ponds, set finished floor levels, and demonstration that the drainage system can adequately cope with storm events and exceedance flows will be dealt with on site.

Subject to imposition of these conditions the proposal is considered to accord with planning policy in terms of locating development outside the flood zone and not presenting unacceptable risk of flooding on or off site.

S106 contributions:

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.

In this case, the contribution to loss of biodiversity is necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.

CONCLUSIONS

This proposal would bring economic benefits through the delivery of new jobs within an established industrial park where the local plan allocates such uses. The proposal is compatible with the surrounding development and the design, scale and form of the building would sit comfortably with those within the locality.

The impact on neighbouring residential amenity would not be significant. Satisfactory access and parking provision can be provided and the development would not result in 'severe harm' on the local highway network. The ecological impacts of the development can be satisfactorily mitigated.

Issues of air quality and contaminated land can be controlled by conditions.

The scheme is therefore considered to be in accordance with development plan policies and economically, socially and environmentally sustainable.

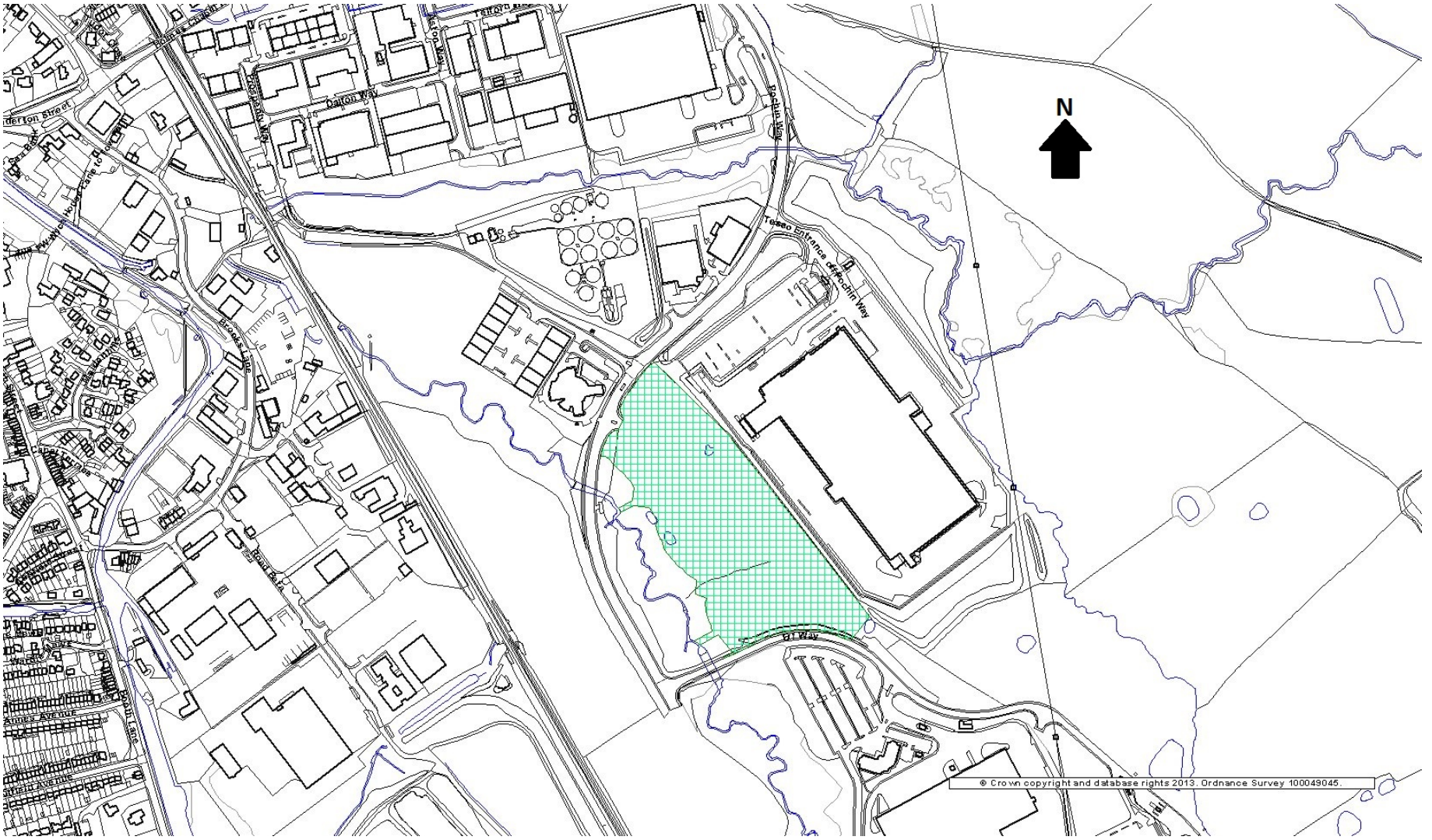
RECOMMENDATION:

Approve subject to the completion of a Section 106 Agreement for a contribution for loss of biodiversity and the following conditions:

1. Standard time limit (3 years)
2. Accordance with plans
3. Accordance with submitted materials
4. Parking provided prior to first use
5. Accesses constructed in accordance with submitted details prior to first use
6. A scheme for improvements to Footpath F19 to be submitted for approval and implemented
7. Prior to commencement a detailed GCN Mitigation Strategy to be submitted for approval and implemented
8. Survey for nesting birds
9. A further otter and kingfisher survey to be undertaken and submitted to the LPA prior to any works being undertaken within 20m of the brook.
10. Submission of an updated Badger survey including the planting of fruit trees prior to commencement of development
11. Submission of a lighting scheme in relation to impact on bats
12. Details of enhancements and a 10 year management plan of habitats on site, including the area of the site edged blue
13. Submission of a Framework Travel Plan
14. Provision of electric vehicle infrastructure
15. Provision of low emission boilers
16. Submission of a scheme to minimise dust emissions
If during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority. Prior to first occupation/use of the development, confirmation should be provided to the LPA that no such contamination was found, and if so what remedial measures were agreed and implemented.
17. Details of foundations
18. Compliance with the flood risk assessment
19. Implementation of landscaping scheme
20. Landscape implementation
21. Piling and method statement
22. Floor floating method statement

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



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Application No: 17/5637M

Location: LAND AT HEATHFIELD FARM, DEAN ROW ROAD, WILMSLOW, CHESHIRE

Proposal: The erection of 161 dwellings, associated access, drainage, and the provision of public open space and landscaping.

Applicant: Taylor Wimpey UK Limited

Expiry Date: 28-Feb-2018

SUMMARY

The proposal seeks to provide 161 dwellings on a site allocated within the CELPS for around 150 dwellings.

There are a number of minor updates in respect of the outstanding information in respect of design, noise impact, landscaping and ecology however, it is considered that subject to the satisfactory receipt the proposal complies with all relevant policies of the development plan and is therefore a sustainable form of development.

In accordance with paragraph 14 of the Framework, the proposals should therefore be approved without delay. Accordingly a recommendation of approval is made subject to conditions and the prior completion of an s106 agreement.

RECOMMENADTION

Approve subject to conditions and a legal agreement

DESCRIPTION OF SITE AND CONTEXT

The site is a 6.38 hectare greenfield site lying to the north west of Wilmslow. The site is located on the southern side of Dean Row Road. A number of residential properties on the opposite side of Dean Row Road front onto the site, and there are further residential properties along Browns Lane to the west of the site. The majority of the site is allocated for housing development under policy LPS 57 in the CELPS, with a section of the site to the south being allocated as safeguarded land in the CELPS.

DETAILS OF PROPOSAL

This application seeks full planning permission for the erection of 161 dwellings, associated access, drainage, and the provision of public open space and landscaping.

RELEVANT HISTORY

19037P - ERECTION OF 1 DWELLING HOUSE (OUTLINE) – Refused 06.09.1979

25937P - PROPOSED RESIDENTIAL DEVELOPMENT (OUTLINE) – Refused 21.04.1981

31987P - PROPOSED DISTRICT CENTRE INCLUDING SUPERSTORE; SIX SHOP UNITS; PUBLIC HOUSE COMMUNITY FACILITIES AND ASSOCIATED CAR PARKING – Refused 10.01.1983

34536P - ERECTION OF 6 NO SHOP UNITS WITH FLATS OVER TOGETHER WITH RESIDENTIAL DEVELOPMENT – Refused 07.09.1983

98/0609P - DWELLING AND ASSOCIATED OUTBUILDINGS (OUTLINE APPLICATION) – Refused 29.04.1998

POLICIES

Development Plan

Cheshire East Local Plan Strategy

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

PG4 Safeguarded Land

PG6 Open Countryside

PG7 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

IN1 Infrastructure

IN2 Developer Contributions

SC1 Leisure and Recreation

SC2 Indoor and Outdoor Sports Facilities

SC3 Health and wellbeing

SC4 Residential Mix

SC5 Affordable Homes

SE1 Design

SE2 Efficient use of land

SE3 Biodiversity and geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE6 Green Infrastructure

SE7 The Historic Environment

SE9 Energy Efficient development

SE12 Pollution, land contamination and land stability

SE13 Flood risk and water management

CO1 Sustainable travel and transport

CO3 Digital connections

CO4 Travel plans and transport assessments

LPS 57 Heathfield Farm, Wilmslow
Safeguarded Land LPS 58: Land at Heathfield Farm, Wilmslow

Macclesfield Borough Local Plan saved policies

NE9 Protection of River Corridors
NE11 Nature conservation
NE17 Nature conservation in major developments
NE18 Accessibility to nature conservation
RT5 Open space standards
H9 Occupation of affordable housing
DC3 Residential Amenity
DC6 Circulation and Access
DC8 Landscaping
DC9 Tree Protection
DC14 Noise
DC17 Water resources
DC35 Materials and finishes
DC36 Road layouts and circulation
DC37 Landscaping
DC38 Space, light and privacy
DC40 Children's play / amenity space
DC63 Contaminated land

Other Material Considerations

National Planning Policy Framework (The Framework)
National Planning Practice Guidance
Cheshire East Design Guide

Wilmslow Neighbourhood Plan

The Wilmslow Neighbourhood Plan has not reached Regulation 14 (the pre-submission consultation) stage to date. An emerging policies report went out to consultation in July – September 2017.

CONSULTATIONS (External to Planning)

Environment Agency – No comments

United Utilities – No objection subject to drainage conditions

Housing Strategy & Needs Manager – No objection

Flood Risk Manager – No objections subject to conditions relating to accordance with the submitted FRA and drainage

Environmental Health – Insufficient noise information

Education – No objection subject to a financial contribution of £466,882.00 towards secondary and SEN school places

Public Rights of Way – No objections subject to conditions relating to the PROW and accessibility

Head of Strategic Infrastructure – No objections subject to conditions relating to a revised travel plan and a construction management plan, and a £5,000 travel plan monitoring fee to be secured through the s106.

ANSA – No objections subject to provision of on site open space and contributions towards outdoor sport / recreation.

CEC Leisure – No objection subject to a financial contribution of £22,500 for health & fitness equipment

Cheshire Archaeology Planning Advisory Service – No objection subject to a condition requiring a programme of archaeological work.

NHS Eastern Cheshire Clinical Commissioning Group – Request financial contribution of £162,288 to support the development of the two GP practices in Wilmslow.

Wilmslow Town Council – Recommend refusal due to the use of the safeguarded land, and raise concerns regarding the delivery of infrastructure.

OTHER REPRESENTATIONS

23 letters of representation have been received objecting to / commenting on the development on the following grounds:

- Lack of infrastructure – schools, healthcare, public transport etc
- Impact on wildlife
- Loss of view to Peak District
- Increased traffic added to existing congestion
- Loss of green space
- Improvements to connectivity of footpaths should be provided
- Contributions to local parks, public transport, local sports facilities and access and parking at Handforth Station should be provided
- Mix of house types should be provided
- New buildings should be a maximum of two-storeys
- Construction management details should be conditioned
- Viability should not be an issue on this site
- Safety of roundabout access
- Impact on drainage
- Increased pollution / reduction in air quality
- Noise assessments do not include impact of additional access to safeguarded land
- Main spine road should be a continuous green avenue
- Consideration should be given to subsidiary access off Browns Lane
- Lighter red facing brick, and a single roof tile colour should be used
- Drainage issues should be dealt with inside the allocated site
- Loss of Green Belt
- Apartment buildings will dominate the street scene

- Tree group G3 affected by pathway through open space
- Development should be screened from existing residents
- Boundary of the site different to that shown at public consultation events
- “around 150 dwellings” is 161
- Dwellings very close to roads
- Loss of trees
- Site is not broken up by green infrastructure
- Green or black window frames do not reflect character of the area
- Prejudice the potential for future development of the adjacent safeguarded land
- Too much on street parking
- Development of this site not required at this time
- Road and traffic modelling does not appear to take into account approved developments
- Developments of this size should have more than one entrance
- The emerging Wilmslow Neighbourhood Plan (WNP) is opposed to what is referred to as cul-de-sac developments of this size
- Adverse impact upon existing properties on the other side of Dean Row Road
- Insufficient landscaping along south east boundary
- Further detail on pedestrian and cycle access required
- The proposed access should be satisfactory for the potential additional development on site LPS58, in order to not prejudice potential future development

OFFICER APPRAISAL

PRINCIPLE OF DEVELOPMENT

The majority of the application site is an allocated Strategic Site for housing in the CELPS. Site LPS 57 states that the development of Land at Heathfield Farm over the Local Plan Strategy period will be achieved through:

1. The delivery of around 150 dwellings;
2. Provision of direct cycle and pedestrian links from the site to the west, to improve links to the Summerfields local centre and Wilmslow town centre / railway station; and
3. The retention of the public footpath crossing the site;

The proposal for up to 161 is considered to meet the definition of “around 150 dwellings” and is therefore considered to be acceptable in principle. The delivery of the site for residential development will contribute towards the Council’s housing land supply and assist in meeting the development requirements of Wilmslow and the wider Borough. The further requirements of policy LPS 57 are considered further below.

A 4000sqm area of the application site is located within safeguarded land allocated under policy Safeguarded Land LPS 58 in the CELPS. Safeguarded land is not allocated for development at the present time, and LPS 58 notes that the Heathfield Farm (safeguarded) site offers the potential for a future phase of development at Heathfield Farm if required in the future.

Policy PG4 of the CELPS relates specifically to safeguarded land and states that policies relating to development in the open countryside will apply, and that any development that would prejudice the future comprehensive development of safeguarded land will not be permitted.

Policy PG6, which relates to open countryside, stipulates that within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.

The provision of a pond and areas of open space for outdoor recreation complies with policy PG6 and is therefore an appropriate use on the safeguarded land. Added to this, the allocation of safeguarded land at Heathfield Farm extends to 9 hectares, and the current application affects only 0.4 hectares, which leaves the majority unaffected. The proposed housing layout also provides for links through for potential future connections to the safeguarded land. It is therefore considered that the development will not prejudice the future comprehensive development of the safeguarded land, and is therefore acceptable.

SOCIAL SUSTAINABILITY

Housing

Affordable Housing

Policy SC5 of the CELPS states that “in developments of 15 or more dwellings (or 0.4 hectares) in the Principal Towns and Key Service Centres at least 30% of all units are to be affordable.” As a full application for 161 dwellings, in order to meet the Council’s Policy on Affordable Housing there is a requirement for 48 dwellings to be provided as affordable units. 31 units should be provided as Affordable rent and 17 units as Intermediate tenure.

The SHMA 2013 showed the majority of the demand in Handforth and Wilmslow Per Year until 2018 is for 27x 3 bedroom and 1x 4 bedroom dwellings for General needs and 1x 1 bedroom dwelling for Older Persons. This can be via Bungalows, Flats or Cottage Style Flats. The SHMA shows an oversupply of 1 and 2 bedroom General Needs and 2 bedroom Older Person’s accommodation.

The current number on the Cheshire Homechoice waiting list with Wilmslow as their first choice is 123. This can be broken down to 53x 1 bedroom, 44x 2 bedroom, 19x 3 bedroom and 7x4 bedroom dwellings, therefore a mix of 1, 2 and 3 bedroom dwellings for General needs and 1 bedroom Older Person’s dwellings on this site would be acceptable.

The proposal will provide:

- 12 x 1 bed apartment
- 12 x 2 bed apartment
- 14 x 2 bed semi-detached dwellings
- 10 x 3 bed semi-detached dwellings

The Housing Strategy and Needs Manager raises no objections to the proposal noting that the submitted Affordable Housing Statement and the Affordable Housing Plan are meeting the

identified housing need. The units are adequately pepper potted across the site, and as such the proposal is in accordance with policy SC5 of the Local Plan.

Residential Mix

Policy SC4 of the CELPS states that new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.

The proposed development comprises:

14 x 5 bed units
35 x 4 bed units
74 x 3 bed units
26 x 2 bed units
12 x 1 bed units

Taken together with the affordable provision outlined above, the proposed residential mix is considered to meet the requirements of this policy.

Open Space

Outdoor

The local plan allocation for this site states that *“Provision should be made for public open space within the site, supplementing existing green infrastructure as well as improving linkages with the existing area of public open space to the south of Browns Lane. New development will be expected to make contributions to playing fields and children’s play facilities where these cannot be provided on site.*

Policy SE6 of the CELPS sets out the open space requirements for housing development which are (per dwelling):

- Children’s play space – 20sqm
- Amenity Green Space – 20sqm
- Allotments – 5sqm
- Green Infrastructure connectivity 20sqm

This policy states that it is likely that the total amount of 65sqm per home (plus developer contributions for outdoor sports) would be required on major greenfield and brownfield development sites.

The play area within the original submission of this application was inadequate. However during the course of the application the play area has been amended and enlarged. In line with the Fields in Trust Guidance, a LAP and a LEAP play area are required within this development. Given its proximity to the Browns Lane open space ANSA have recommended that the LAP and LEAP are combined in one play area location with a minimum of 8 pieces of equipment aimed at toddlers and juniors (1- 11 yrs), which have been provided. An appropriate buffer zone of 20m between the activity area and the habitable façade of the nearest dwelling has also been provided.

At 65sqm per dwelling the total amount of open space required for this site equates to 1.05 hectares. In this case a total of 1.7 hectares of children’s play space, amenity green space and green infrastructure is being provided on site.

The indicative development framework shows areas for some on site open space including a LEAP. At 65sqm per dwelling, the total amount of open space required could be up to 9,750sqm on site. The design and access statement identifies 1.7ha of green infrastructure within the development. No allotments are being provided, however given the excess of open space being provided on site, including the provision of a community orchard, this is considered to outweigh the requirement for allotment provision in this case.

As noted above, necessary outdoor sports facilities would be provided by way of a financial contribution towards off site provision. In this case, the adopted Playing Pitch Strategy (PPS) identifies shortfalls in football provision and specifically a need to locate two additional 3G Artificial Grass Pitches within the Wilmslow area, upgrades to pitches and increased capacity at the changing pavilion at the Jim Evison Playing Fields. A financial contribution towards off site provision of outdoor sports facilities will be required at a rate of £1,000 per market family dwelling or £500 per two bed space apartment. The contribution will be directed to Jim Evison Playing fields to address the issues highlighted in the PPS. CEC is currently working with the Football Association and Football Foundation on plans to develop this site as a Key Centre, a hub site for Wilmslow and at the top of outdoor sports provision in the Wilmslow area.

Indoor

Policies SC1 and SC2 of the Local Plan Strategy require developments to provide or contribute towards both outdoor and indoor recreation where the development will increase demand and / or there is a recognised shortage. In this case the development will increase the demand / need for local indoor leisure provision and as such a financial contribution should be sought towards Wilmslow Leisure Centre, which is the nearest provision (1.3 miles distance) to the site.

The Indoor Built Facility Strategy has identified that any existing shortfalls for Wilmslow should look to focus on improvement of provision at Wilmslow Leisure Centre. Whilst new developments should not be required to address an existing shortfall of provision, they should ensure that this situation is not worsened by ensuring that it fully addresses its own impact in terms of the additional demand for indoor leisure provision that it directly gives rise to. Furthermore, whilst the strategy acknowledges that the increased demand is not sufficient to require substantial indoor facility investment through capital build there is currently a need to improve the quality and number of health and fitness stations at Wilmslow Leisure Centre to accommodate localised demand for indoor physical activity.

A contribution of £22,500 is therefore sought to address this increased demand. This has been calculated as follows:

161 houses at 1.61 people per residence = a population increase of 259

The annual Sport England Active People Survey Results for 2016 showed 42.7% participation rate for Cheshire East. = 111 additional "active population" due to the new development in Wilmslow

Based on an industry average of 25 users per piece of health & fitness equipment this equates to an additional four (4) stations. Requirement for - x3 running machines (£6,500 per treadmill), x 1 resistance / weight pieces (£3,000 per piece). Total £22,500

Education

One of the site specific principles of LPS 57 in the CELPS is “contributions to education and health infrastructure”.

In the case of the current proposal for 161 dwellings, this is expected to generate:

30 primary children (161 x 0.19) – 1 SEN

23 secondary children (161 x 0.15) – 1 SEN

2 SEN children (161 x 0.51 x 0.023%)

The development is expected to impact on secondary school and SEN places in the locality. Contributions which have been negotiated on other developments are factored into the forecasts both in terms of the increased pupil numbers and the increased capacity at schools in the area as a result of agreed financial contributions. The analysis undertaken has identified that a shortfall of school places still remains.

Special Education provision within Cheshire East Council currently has a shortage of places available with at present over 47% of pupils educated outside of the Borough. The Service acknowledges that this is an existing concern, however the 2 children expected from the application will exacerbate the shortfall. The 2 SEN children, who are thought to be of mainstream education age, have been removed from the calculations above to avoid double counting.

To alleviate forecast pressures, the following contributions would be required:

$23 \times £17,959 \times 0.91 = £375,882.00$ (secondary)

$2 \times £50,000 \times 0.91 = £91,000.00$ (SEN)

Total education contribution: £466,882.00

Without a secured contribution of £466,882 Children's Services would raise an objection to this application. This position is on the grounds that the proposed development would have a detrimental impact upon local education provision as a direct cause from the development. Without the mitigation, 23 secondary children and 2 SEN children would not have a school place in Wilmslow, and would not comply with LPS 57 in the CELPS.

Healthcare

The NHS Eastern Cheshire Clinical Commissioning Group (CCG) has commented on the application noting that Wilmslow is serviced by two GP practices with a combined patient population of 25,039. As a Key Service Area (as identified in Cheshire East Council Local Plan), there are a number of areas identified for housing development within Wilmslow and surrounding geographical areas. Additional growth in patient numbers will add pressures to the GP practices, with an increase in clinical and non-clinical staff required in order to meet these future patient needs.

Kenmore Medical Centre operates from GP owned premises near the centre of Wilmslow. The building was extended during 2012-13 enabling the GP practice to continue to meet local demands based on organic growth of the population. Further future internal redesigns have been identified in order to further expand the usability of the building but no projects are underway at the current time.

Wilmslow Health Centre operates from GP owned premises near the centre of Wilmslow. The building has been extended in phases over the last five years enabling the GP practice to continue to meet local demands based on organic growth of the population. Further future internal and external redesigns have been identified in order to further expand the usability of the building, i.e. the development of a large first floor void space into usable clinical space, and the construction of a raised parking structure in order to meet the increased demand for car parking spaces in the Wilmslow Health Centre car park.

Both GP practices are therefore actively engaged with the CCG in investigating potential primary care estates development opportunities. Both GP practices have identified estates development work which, if funding can be sourced, would allow for further expansion and greater utilisation of the buildings.

A financial contribution is therefore sought as part of this application, which is based on a calculation consisting of occupancy x number of units in the development x £360. This is based on guidance provided to other CCG areas by NHS Property Services.

Size of Unit	Occupancy Assumptions Based on Size of Unit	Health Need/Sum Requested per unit
1 bed unit	1.4 persons	£504 per 1 bed unit
2 bed unit	2.0 persons	£720 per 2 bed unit
3 bed unit	2.8 persons	£1008 per 3 bed unit
4 bed unit	3.5 persons	£1260 per 4 bed unit
5 bed unit	4.8 persons	£1728 per 5 bed unit

The proposed development comprises:

14 x 5 bed units
35 x 4 bed units
74 x 3 bed units
26 x 2 bed units
12 x 1 bed units

As such the CCG requests a contribution to health infrastructure via Section 106 of £167,652 based on the occupancy stated above. This would comply with policy LPS 57 of the CELPS.

ENVIRONMENTAL SUSTAINABILITY

Residential Amenity

Saved policy DC38 of the MBLP states that new residential developments should generally achieve a distance of between 21m and 25m between principal windows and 14m between a principal window and a blank elevation. This is required to maintain an adequate standard of privacy and amenity between residential properties, unless the design and layout of the scheme and its relationship to the site and its characteristics provide a commensurate degree of light and privacy between buildings.

However the CE Design Guide states separation distances should be seen as guide rather than a hard and fast rule. The Design Guide does however acknowledge that the distance between rear facing habitable room windows should not drop below 21m. 18m front to front will also provide a good level of privacy, but if this applied too rigidly it will lead to uniformity

and limit the potential to create strong streetscenes and variety, and so this distance could go down as low as 12m in some cases.

The nearest existing residential properties are located along Browns Lane and a 28 metre separation distance is achieved between these existing dwellings and the proposed development. Properties on Tudor Green to the north are 34 metres from the proposed dwellings, and properties on the opposite side of Dean Row Road are between 33 metres (near plots 78-82) and 38 metres (opposite the apartments). These relationships with the surrounding existing dwellings are all considered to result in acceptable standards of amenity for existing and proposed residents having regard to the distance guidelines set out above.

Similarly the layout within the site ensures the relationships between the new dwellings result in acceptable standards of space, light and privacy for future occupants.

Noise

The applicant has submitted a Noise Impact Assessment (NIA) to identify existing levels of noise across the site due to road traffic noise associated with Dean Row Road and determine what mitigation is required to ensure that external and internal noise levels do not exceed relevant noise standards.

Environmental Health has confirmed that the NIA demonstrates that it is possible for the Internal noise climate of the proposed residential properties to be acoustically designed and mitigated to acceptable standards. However, concern has been raised as the NIA noise modelling software has not been calibrated with the current planning layout, and only one noise measurement location point (at the junction of Browns Lane and Dean Row Road) has been used, which does not account for road traffic noise arising from the B5358 Dean Row/ Handforth Road roundabout.

The applicant has been advised of these concerns and revised noise impact details are awaited and will be reported as an update. Subject to this matter being satisfactorily addressed, the proposal will comply with policy SE12 of the CELPS and DC14 of the MBLP relating to noise and soundproofing.

Air Quality

Policy SE12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 124 of the NPPF and the Government's Air Quality Strategy.

The air quality impacts of the proposal have been considered within the air quality assessment submitted in support of the application. The report considers whether the development will result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to traffic flows.

The assessment concludes that the overall impact of the future development will not be significant on the chosen 27 receptors with regard to both Nitrogen Dioxide and particulate matter concentrations. Only two receptors experienced a slightly adverse effect for Nitrogen Dioxide.

There is still 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. Taking into account the uncertainties with modelling, the impacts of the development could be significantly worse than predicted.

Poor air quality is detrimental to the health and wellbeing of the public and also has a negative impact on the quality of life for sensitive individuals. It is therefore considered appropriate that mitigation should be sought in the form of direct measures to reduce the adverse air quality impact. This can be achieved by conditions relating to dust control and the provision of electric vehicle infrastructure, which are accordingly recommended. The developer has also submitted a travel plan as a form of mitigation, and a condition requiring the implementation of this travel plan is also recommended. Subject to these conditions, the proposal will comply with policy SE12 of the CELPS.

Public Rights of Way

Policy LPS 57 of the CELPS requires the retention of the public footpath (Public Footpath Wilmslow No.73) crossing the site. The right of way is shown to be retained on the plans, but there will be some inevitable changes to it in the context of the development as a whole, such as to the surfacing, etc. The Public Rights of Way team has noted that the development will have a direct and significant effect on the Public Right of Way. As such a condition is recommended to require further details to be submitted regarding any changes to the PRoW.

Accessibility

The site access will connect with the existing footway/cycleway network on Dean Row Road, which leads all the way to the Summerfields Local Centre, and links onto the route which runs alongside MacClean Way, which leads to Wilmslow. There are also footpath links shown on the layout plan onto Dean Row Road and Browns Lane, however as noted by the Countryside Access Officer it is important that these are for cyclists too in order to maximise the permeability of the site for pedestrians and cyclists, as they will inevitably serve as key desire lines for both groups. Given the presence of these existing cycle and pedestrian links and routes, no further off site links are considered to be necessary.

There is an existing bus stop outside the site on Dean Row Road that provides a bus service between Macclesfield and Manchester and currently operates as an hourly service.

In addition to the bus stop, a number of facilities at Summerfields Local Centre as well as a local primary school are all within relatively close proximity of the site. Wilmslow Town Centre is approximately 2km from the site where the majority of shops, services and facilities are located, and are within walking distance.

Highways

Traffic Impact

The development is proposed to be served by one permanent access from an existing roundabout on Dean Row Road. The Head of Strategic Infrastructure advises that it is acceptable for one access point to serve a development consisting of 161 dwellings.

Future year capacity assessments have been undertaken at key junctions along the Dean Row Road corridor incorporating development traffic and future year base flows in 2022. On

completion of the A6 MARR scheme future base traffic flows are forecast to change on key routes on the surrounding network including some reductions.

These traffic assessments have shown that even with the addition of development traffic they operate to a satisfactory level in future years. The exception is the Woodford Road/Adlington Road/Lees Lane roundabout which is forecast to continue to operate over capacity with the addition of the development traffic. However given the relatively small impact of this traffic and the potential reduction in base flows resultant of the A6 MARR scheme, the Head of Strategic Infrastructure advises that this is acceptable.

Internal Layout

The internal layout of the proposal is also considered to be acceptable in Highways terms as the proposed road geometry / alignment is in compliance with Manual for Streets and the materials are consistent with the Cheshire East Design Guide. Parking levels are in accordance with Cheshire East Council's parking standards.

The proposal therefore raises no significant highway safety or traffic generation issues, in accordance with policy DC6 of the MBLP. Conditions relating to provision of a travel plan and a construction management plan are recommended.

Trees / Landscape

Trees

Selected individual and groups of trees within the application site are protected by the Macclesfield Borough Council (Dean Row) Tree Preservation Order 1974.

The submitted Arboricultural Impact Assessment has identified that 3 protected trees will require removal to accommodate the development. These are identified as two mature low (C) category Oak (T8 and T9 of the survey) which form part of Group G21 and G22 of the TPO and a mature Ash (T15) forming part of Group G12 of the TPO. The Council's Forestry Officer confirms that these trees are in physiological decline and have a limited future life expectancy. Their removal is acceptable subject to appropriate replacement planting in mitigation.

Two trees are also proposed for removal to accommodate the main access (part of G1 (within the hedge to the south of the existing roundabout)). These two trees, a semi mature Beech and Oak formed part of the landscaping mitigation for the Dean Row Road roundabout Improvement scheme in 1992/93 stand outside the TPO group (G6) to the east and are therefore not protected by the Order.

The proposal will require the removal of a number unprotected trees and groups of trees including 4 individual trees, 4 groups, part of 3 groups and part of 2 hedges to accommodate the development. The majority are low (C) category specimens which present only limited contribution to the wider amenity and landscape character of the area. The removal of moderate (B) category trees comprise of a semi mature Beech and Oak (part of G1) for the access off the Dean Row Road roundabout (referred to above), and a Group of early mature Ash, Hawthorn and Sycamore (G5) to allow for the position of an internal access and development of Plots within the central northern section of the site. Whilst the group presents a modest contribution to the locale, their contribution is not considered to be significant to the wider amenity of the area. Accordingly it is considered that the removal of this group can be

adequately mitigated elsewhere on the site. A moderate (B) category mixed group of trees (G9) located on a raised bank to the south west of the site and forming a dense screen to Browns Lane will be reduced in depth to accommodate an internal access, footpath link and proposed dwellings. The Assessment states that the extent of loss will not be significant on its screening potential. The majority of trees to be removed appear to be relatively young specimens, nevertheless it is likely that screening will be affected in this area and therefore provision for enhancing the remaining tree group requires addressing as part of any landscaping scheme for the site.

The development should be carried out in accordance with the submitted arboricultural impact assessment and a method statement will be required for the construction of access driveways adjacent to hedgerows. Appropriate conditions are therefore recommended to address these matters.

Landscape

The site comprises strong boundary planting along Dean Row Road from the roundabout, along its Browns Lane boundary and back into the site up to the point where the site extends out into the safeguarded land, which is all largely retained and / or supplemented. The south eastern area of the site currently does not have a physical boundary, and the proposals are not clear for this area. Clarification has been sought from the applicant regarding the boundary in this area. Comments from the Landscape Officer are also awaited and will be reported as an update.

Ecology

An ecology report has been submitted with the application, and the following matters are relevant to the proposal:

Breeding Birds

A nesting birds condition and a condition is recommended to safeguard breeding birds. Furthermore the incorporation of features for use by breeding birds into the development will secure an enhancement for biodiversity in accordance with local and national policies, and this can also be secured by condition.

Hedgehog

Hedgehogs are a biodiversity action plan priority species and hence a material consideration. There are records of hedgehogs in the broad locality of the proposed development and so the species may occur on the site itself. To safeguard biodiversity, a condition is recommended requiring proposals for the provision of brash/wood piles or hedgehog domes and the incorporation of gaps for hedgehogs into garden or boundary fencing.

Badger

A badger survey has been carried out and found no evidence of current occupation by badgers. An updated badger survey should be conducted prior to commencement of works, which can be conditioned.

Hedgerow

Hedgerow are a priority habitat and hence a material consideration. The layout plans have been updated during the course of the application to include additional native hedgerow planting.

Great Crested Newts

Great Crested Newts are not considered to be a constraint to this development. Local ponds were surveyed and no conclusive evidence of the presence of newts was recorded.

Bats and trees

Trees on site were deemed to be largely unsuitable for roosting bats in the submitted Ecology Report. One tree (T6) was given moderate suitability status. This tree is shown as being retained on the proposed plans therefore poses concerns are raised.

Enhancement for Bats

Bats are either known to occur in this locality or the habitat is very suitable for them. Therefore in order to enhance the value of the development site for bats, and hence lead to a biodiversity gain from this development as required by local and national policies, artificial bat roosts should be incorporated into the design of any new buildings, which again can be conditioned.

Habitat Pond

The submitted plans illustrating the proposed attenuation ponds are acceptable. The nature conservation officer was keen to secure another small pond to the north of the pond shown on the plans. This is not considered to be necessary to make the development acceptable in planning terms and would also result in a reduction of the useable open space.

Residual ecological impacts

The nature conservation officer is undertaking an assessment using the Defra biodiversity offsetting 'metric' methodology to quantify the residual ecological impacts of the development, and to determine whether any further ecological enhancement is required. The outcome of this will be reported as an update.

Layout / Design

The site is accessed from a single point of access from the Dean Row Road roundabout, and provides for vehicle connections to the adjacent safeguarded land. The existing public footpath that crosses the site from Dean Row Road to the north to the safeguarded land to the south is retained within the proposals. Additional pedestrian and cycle access will be secured with access points onto Dean Row Road and Browns Lane, which will connect onto the existing footway / cycleway on Dean Row Road. The bus stop outside of the site provides good access to public transport.

The overall layout of the proposal is good and largely reflects the requirements of the Design Guide. The proposals have largely worked with the existing features of the site, with trees and hedgerows largely retained. The proposal comprises a good amount of public open space, which is centrally positioned and accessible to all occupants of the development. The layout is predominantly outward facing and provides good natural surveillance of public areas.

The scheme provides a clear hierarchy of streets and spaces. The site is served by a main/primary street which enters the site in the north-east corner and which forms a central spine road through the development. A series of secondary streets and private drives extend off this main route to serve development parcels to the north and south. Several sections of

the streets are designed as shared surface spaces with the use of block paving and flush kerbs.

The proposed house types are relatively traditional in appearance and in keeping with the character of the local area. The plans have been amended during the course of the application primarily to reduce the scale, and alter the design, of the apartments that front onto Dean Row Road, and to pull them further away from the Dean Row Road boundary. A number of other relatively minor amendments have been requested by the design officer relating to dual facing properties, chimneys, landscaping and the rear of the apartment buildings.

Revised plans are awaited for these minor details and these will be reported as an update. However, subject to the satisfactory receipt of these amendments the proposal will comply with policies SE1 and SD2 of the CELPS and the Cheshire East Design Guide.

Archaeology

The application is supported by a Cultural Heritage and Archaeological Desk-Based Assessment, which has revealed that the proposed development site contained a farmstead, Yews Farm (later Heathfield Farm), which existed within the north-west part of the site. The farmstead is first depicted on the 1841 Tithe map of Bollin Fee, which records the site as being a Homestead, owned by the Earl of Stamford and occupied by Issac Faulkner. Although none of the farm buildings survive, the farmstead is recorded as a non-designated heritage asset on the Cheshire Historic Environment Record (CHER: 7874), and is therefore considered to be of local significance and of archaeological interest.

Although the archaeological potential of the site is not sufficient to justify an objection to the development on archaeological grounds, or to generate a requirement for any further predetermination work, it is considered to be reasonable to secure some further mitigation on the features described above. This is accepted in Section 5.2 of the applicant's assessment report and should take the form of a strip and record investigation over the footprint of the two buildings at Yews/Heathfield Farm, which are shown on the Tithe Map of 1841. A report on the work will need to be produced and the work should be secured via a condition.

Subject to this condition, the proposal is considered to comply with policy SE7 of the CELPS.

Flooding

The site is located within flood zone 1 however there are some notable areas of surface water risk on site that would need to be incorporated within the drainage strategy on site.

It is noted within the submitted Flood Risk Assessment that a 225mm culverted watercourse runs through the site. The culvert runs south to north. The culvert ultimately discharges to a watercourse located to the north of the site and the condition and exact location of the outfall from the site should be investigated to ensure that the culvert is fit for purpose as part of the drainage strategy.

The Flood Risk manager raises no objections to the proposal subject to the drainage strategy for the site being carried out in strict accordance with the information presented within the submitted FRA, and a condition relating to the submission of details for surface water

drainage. Subject to these conditions the proposal will comply with policy SE12 of the CELPS.

Contaminated Land

A Phase 1 Preliminary Risk Assessment, a Site Investigation Report and a Build Phase Remediation Strategy have been submitted with the application. The assessments to date have identified some contamination within infilled areas and recommended it be removed. Furthermore recommendations have been made for the burial of organic gas producing material at depth in public open space, greater than 15m from the nearest plots. It is acknowledged within the report that site investigation work of the southern proposed area of public open space is outstanding.

The Contaminated Land Officer has raised a number of queries relating to these existing reports and as such recommends conditions requiring a Phase II ground investigation and risk assessment; a verification report; the testing of imported soil, and; a condition relating to any unforeseen contamination.

Subject to these conditions the proposal will comply with policy DC63 of the MBLP and policy SE12 of the CELPS.

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 Wilmslow / Summerfields (Dean Row) including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

S106 HEADS OF TERMS

Further to the comments above, a s106 agreement will be required to secure:

- Education contributions of £466,882
- Indoor sports contribution of £22,500
- Recreation and outdoor sports contribution of £1,000 per market family dwelling and £500 per two bed space market apartment
- Healthcare contribution of £167,652
- 30% affordable housing

CIL regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is 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 provision of affordable housing, indoor and outdoor sport (financial) mitigation, and healthcare (financial) mitigation are necessary, fair and reasonable to provide a sustainable

form of development, to contribute towards sustainable, inclusive and mixed communities and to comply with local and national planning policy.

The development would result in increased demand for school places at the secondary school within the catchment area which currently have no projected spare capacity. In order to increase the capacity of the school which would support the proposed development, a contribution towards secondary and SEN school education is required based upon the number of units applied for. 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 the development

REPRESENTATIONS

The comments received in representation have been given due consideration within the main report above.

CONCLUSIONS

The proposal seeks to provide 161 dwellings on a site allocated within the CELPS for around 150 dwellings.

There are a number of minor updates in respect of the outstanding information indicated above however, it is considered that subject to the satisfactory receipt the proposal complies with all relevant policies of the development plan and is therefore a sustainable form of development.

In accordance with paragraph 14 of the Framework, the proposals should therefore be approved without delay. Accordingly a recommendation of approval is made subject to conditions and the prior completion of a s106 agreement.

Application for Full Planning

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

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Details of materials to be submitted
4. Construction specification/method statement (trees)
5. Obscure glazing requirement
6. Development to be carried out in accordance with Arboricultural Impact Assessment

7. Written scheme of archaeological investigation to be submitted
8. Nesting bird survey to be submitted
9. Incorporation of features into the scheme suitable for use by breeding birds and roosting bats - details to be submitted
10. Proposals for the provision of brash/wood piles or hedgehog domes and the incorporation of gaps for hedgehogs in garden or boundary fencing to be submitted
11. Badger survey to be submitted
12. Details of Electric Vehicle Infrastructure to be submitted
13. Scheme to minimise dust emissions to be submitted
14. Phase II ground investigation and risk assessment to be submitted
15. Verification Report to be submitted
16. Imported soil to be tested for contamination
17. Unforeseen contamination
18. Revised travel plan to be submitted
19. Construction management plan to be submitted
20. Development to be carried out in accordance with FRA
21. Detailed design and associated management and maintenance plan of surface water drainage to be submitted
22. Public Right of way details to be submitted
23. Links through to Dean Row Road and Browns Lane to be for pedestrians and cyclists
24. Foul and surface water shall be drained on separate systems.
25. Management details for all areas of public open space to be submitted

