

Northern Planning Committee

Agenda

Date: Wednesday, 6th November, 2019
Time: 10.00 am
Venue: The Capesthorpe Room - Town Hall, Macclesfield SK10 1EA

Membership

Chairman: C Browne (Independent Group)
Vice Chairman: T Dean (Conservative)
Conservative Councillors: JP Findlow, A Gregory, S Holland and L Smetham
Labour Councillors: L Braithwaite, A Harewood, N Mannion and B Puddicombe
Independent Group Councillors: I Macfarlane
Real Independent Group Councillors: B Murphy

Please note that members of the public are requested to check the Council's website the week the Northern Planning Committee 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 are audio recorded and the recordings are 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.

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

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)

To approve the Minutes of the meeting held on 9 October 2019 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 Planning Committee
- 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 planning committee and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **19/2035M Land adj Yew Tree Farm, Moor Lane, Wilmslow, Cheshire SK9 6BX: Demolition of existing building and construction of 2no. new dwellings for Roger L. and Tim J. Price** (Pages 7 - 18)

To consider the above application.

6. **19/3286M Heatherley Woods, Alderley Park, Congleton Road, Nether Alderley: Outline application with all matters reserved except for access for a residential development of up to 25 dwellings with associated landscaping and infrastructure for Alderley Park Ltd** (Pages 19 - 36)

To consider the above application.

7. **19/4167M Stone Cottage, 14, Summerhill Road, Prestbury SK10 4AH: Outline application with some matters reserved for construction of three infill dwellings with shared access for Mr Howard Bilton** (Pages 37 - 44)

To consider the above application.

8. **19/3822M Barn House, Oak Lane, Kerridge SK10 5AL: Conversion, extension and alteration of an existing garage/workshop to form a one-bedroom dwelling with garden and parking for Janet Sharrocks** (Pages 45 - 52)

To consider the above application.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**
held on Wednesday, 9th October, 2019 at The Capesthorne Room - Town
Hall, Macclesfield SK10 1EA

PRESENT

Councillor C Browne (Chairman)
Councillor T Dean (Vice-Chairman)

Councillors L Braithwaite, JP Findlow, A Harewood, S Holland, I Macfarlane,
N Mannion, B Murphy, B Puddicombe and L Smetham

OFFICERS IN ATTENDANCE

Mrs S Baxter (Democratic Services Officer), Mrs N Folan (Planning Solicitor),
Mr P Hurdus (Highways Development Manager), Mr P Wakefield (Principal
Planning Officer) and Miss N Wise-Ford (Principal Planning Officer)

33 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor A Gregory.

34 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of application 19/3182M, Councillor
C Browne on behalf of the Committee declared that a document and email
had been received on behalf of a number of residents objecting to the
application.

35 MINUTES OF THE PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held 11 September 2019 on be approved
as a correct record and signed by the Chairman.

36 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

37 19/0618M-DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF THREE TOWNHOUSES WITH ASSOCIATED PARKING, 68 MOSS LANE, ALDERLEY EDGE FOR BECK HOMES (NW) LTD

Consideration was given to the above application.

(Parish Councillor Mike Dudley-Jones, representing Alderley Edge Parish Council, Dr David Brickwood, representing the Edge Association and Kath Ludlam a Planning Consultant for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

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

1. Time Limit
2. Plans
3. Details of materials, including windows, doors and rainwater goods
4. Details of boundary treatments
5. Levels to be approved
6. Landscaping scheme for soft and hard landscaping
7. Landscape implementation
8. PD removal for extensions and alterations.
9. Strategy for the incorporation of features to enhance the biodiversity value of the site to be submitted
10. Nesting bird survey to be submitted
11. No development should commence on site until such time as detailed proposals for disposal of surface water (including a scheme for the on-site storage and regulated discharge) have been submitted to and agreed in writing by Cheshire East Council both as Planning Authority and Lead Local Flood Authority (LLFA). The development shall be carried out in strict accordance with the approved scheme.
12. Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.
13. Site specific dust management plan to be submitted
14. Electric Vehicle charging points to be provided
15. Broadband connection to be made available
16. Prior to the commencement of any development hereby approved, a scheme in the form of a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details for the methods to be employed to control and monitor noise, dust and vibration impacts. The approved scheme shall be implemented to the full written satisfaction of the Local Planning Authority before the construction works are commenced, and shall be maintained for the duration of the construction works.

In order to give proper effect to the Committee'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 Northern Planning Committee 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.

(Prior to consideration of the following application Councillors C Browne and N Mannion left the meeting and did not return. As a result of the Chairman leaving the meeting Councillor T Dean took the Chair.

38 19/3182M-ERECTION OF A PAIR OF 3 BEDROOM, SEMI-DETACHED DWELLINGS, INCLUDING ASSOCIATED LANDSCAPING, LAND LOCATED BETWEEN NO.18 & NO.26 SHRIGLEY ROAD NORTH FOR MS LINDSEY JONES

Consideration was given to the above application.

(Ward Councillor J Saunders, the Ward Councillor, Town Councillor L Clarke, representing Poynton Town Council and Hayley Whitaker, an objector attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused for the following reasons:-

1. The proposed development does not contribute positively to the local area's character and identity by creating or reinforcing local distinctiveness in terms of height, scale, form and external design features. The changes from the previously refused scheme are not considered to address previous concerns in terms of the development's impact on the character of the area. The proposal is therefore contrary to policy SD2 of the CELPS and chapter 12 of the NPPF.

2. Whilst the principle of infill development on the site is accepted, the scale of the proposed development does not amount to limited infilling in a village, and therefore the proposal is contrary to policy PG3 of the CELPS, paragraph 145 of the NPPF and draft policy HOU1 of the Poynton Neighbourhood Plan.

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

The meeting commenced at 10.00 am and concluded at 11.35 am

Councillor C Browne (Chairman)

Application No: 19/2035M

Location: Land adj Yew Tree Farm, MOOR LANE, WILMSLOW, CHESHIRE, SK9 6BX

Proposal: Demolition of existing building and construction of 2no. new dwellings

Applicant: Roger L. and Tim J. Price

Expiry Date: 08-Nov-2019

SUMMARY

The application site is a previously developed site in the Green Belt and the proposal is not considered to have a greater impact on openness of the Green Belt than the existing development. The proposal is therefore not an inappropriate form of development in the Green Belt. The design of the dwellings is considered to be acceptable, and suitably reflects the character of the neighbouring residential site that is currently under construction. No significant adverse impacts are raised in relation to highways, accessibility, ecology, residential amenity, air quality, flood risk or contaminated land, and appropriate conditions on these matters are recommended, where relevant. Comments from the Forestry Officer are awaited to confirm the specific impact of the proposal upon proximate trees. Accordingly, subject to the satisfactory receipt of comments from the Forestry officer, the proposal is considered to comply with the requirements of the CELPS, the WNP and the MBLP, and a recommendation of approval is made.

SUMMARY RECOMMENDATION

Approve subject to conditions

REASON FOR REPORT

The application has been called to Committee by the Local Ward Member, Cllr Mark Goldsmith for the following reasons:

- “a) It is an inappropriate development within the green belt closing down the openness of the Green Belt. (NPPF 145 - The proposed development will have a greater impact on the openness of the Green Belt than the existing development);*
- b) There are no special circumstances;*
- c) Given these houses are to replace an agricultural barn they should not exceed the height of the barn as it is today. (Drawing 1265 104 indicates an increase of height for both houses of some 28%);*

- d) To be acceptable both need to be single storey with a design not dissimilar to the barns as they appear today;*
- e) The precedence referred to further up Moor Lane, 18/4712m, replaces a stable block with a bungalow (4.2.11 Design Access Statement),*
- f) The application requires parking for 5 vehicles per house. Drawing number 1265 100 shows only 2 parking spaces for House 1. As the access to the field is retained from the courtyard then parking to House 1 is restricted;*
- g) The proposal radically changes the visual amenity for neighbours of the barn living on Arlington Crescent. Whilst the distance element of retained Macclesfield Local Plan, 2007 is satisfied there is significant injury to the amenity of nearby residential properties.”*

PROPOSAL

This application seeks full planning permission for the demolition of existing building and construction of 2no. new dwellings.

SITE DESCRIPTION

The application site comprises a single building which is currently vacant, but has an established lawful use as part of the abattoir that existed on the application site as well as the adjacent site until it was redeveloped for housing in the past 12 months. There is other paraphernalia within the site relating to the previous use. The site is located within the Green Belt as identified in the Macclesfield Borough Local Plan.

RELEVANT HISTORY

17/6269M – Erection of 14 No. dwellings with associated access and infrastructure – Approved 17.10.2018

17/5697M - COU of agricultural land and building associated with existing abattoir to equestrian use and associated works - Approved 3.4.2018

16/2344M - Certificate of Lawful existing use for abattoir and residential use - Positive certificate 21.6.2017

POLICIES

Development Plan

Cheshire East Local Plan Strategy (CELPS)

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

PG3 Green Belt

PG7 Spatial Distribution of Development

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 and Woodland
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

Macclesfield Borough Local Plan saved policies (MBLP)

GC1 Green Belt
NE11 Nature conservation
DC3 Residential Amenity
DC6 Circulation and Access
DC8 Landscaping
DC9 Tree Protection
DC38 Space, light and privacy
DC63 Contaminated land

Wilmslow Neighbourhood Plan (WNP)

LSP1 Sustainable Construction
LSP2 Sustainable Spaces
LSP3 Sustainable Transport
NE1 Countryside around the Town
NE5 Biodiversity Conservation
TA1 Residential Parking Standards
TA5 Cycling in Wilmslow
H2 Residential Design

Other Material Considerations

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

CONSULTATIONS

Head of Strategic Infrastructure – Clarification on how refuse will be collected is requested.

Environmental Health - No objections subject to conditions relating to electric vehicle charging, ultra low emission boilers and contaminated land.

Flood Risk Manager – No objections subject to condition relating to drainage.

United Utilities - No objections

Wilmslow Town Council – Recommend refusal on the grounds of inappropriate development in the Greenbelt without special circumstances, impacting the openness and vista of the Greenbelt and being detrimental to nearby properties, contrary to Policy DC3.

REPRESENTATIONS

There have been 2 rounds of public consultation on the application; on in May for the original plans and another in October for the revised plans.

May (original plans)

10 letters of representation have been received from local residents and the Residents of Wilmslow group objecting to the proposal on the following grounds:

- Not in keeping with surrounding area
- Adds to the 14 dwellings previously approved
- What has changed to allow residential development on Green Belt land?
- Compares height to Franklin Farm, and not the barn they are replacing
- Inappropriate development in the Green Belt
- Impact upon visual amenity of neighbours on Arlington crescent
- No very special circumstances
- Wilmslow does not need any more larger houses
- 77% of new houses approved in the Moor Lane area since 2015 have been 4 & 5 bed
- Bungalows provided on other sites to minimise impact on Green Belt
- Land is not brownfield
- Concern raised by Flood Risk about use of soakaway system
- No management and maintenance plan for disposal of surface water submitted
- Properties are close to water courses
- Overbearing
- Need for open space in south west Wilmslow
- Gradual Green Belt erosion
- 2017 Local Plan identifies area as making a significant contribution to the Green Belt
- Frequent flooding of fields
- Dangerous exit onto a busy road
- Impact on doctors, schools, etc
- No measurements provided
- Reduces openness of Green Belt
- Who will tend and upkeep remaining Green Belt
- Should be in keeping with existing barn
- Too close to Arlington Crescent
- Loss of privacy

October (revised plans)

At the time of writing 3 further letters have been received objecting to the proposal on the following grounds:

- Erosion of Green Belt
- Loss of openness
- Extends beyond abattoir site
- Size out of proportion
- Increased flood risk
- Additional traffic
- House 2 has increased from original
- Roof line too high
- More parking is needed
- Impact on doctors, dentists, schools

APPRAISAL

Green Belt

CELPS policy PG3 and paragraph 145 of the Framework state that the construction of new buildings within the Green Belt is inappropriate unless it is for one of the listed exceptions. The most relevant exception to the current proposal listed in paragraph 145 of the Framework is:

“g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
– not have a greater impact on the openness of the Green Belt than the existing development;...”

Policy PG3 of the CELPS differs from (g) of paragraph 145 as it requires the redevelopment to also not have a greater impact on the purposes of including land in the Green Belt than the existing development. PG3 is therefore not entirely consistent with the Framework, which is the more recent document, and therefore this reduces slightly the weight that can be afforded to policy PG3.

The Wilmslow Neighbourhood Plan does not add anything further to these policies, however at paragraph 12.4 it states *“The promotion of ‘Brownfield First’ in order to prevent unnecessary loss of Green Belt is supported.”* This position reflects policy SE2 of the CELPS, which states that *“The council will encourage the redevelopment / re-use of previously developed land and buildings”*.

The application site has been amended during the course of the application to ensure that it only relates to the part of the site that has a lawful use as part of the former abattoir. This lawful use means that the application site falls within the definition of previously developed (brownfield) land as identified in the Framework and the CELPS. That being said, the site remains firmly in the Green Belt and therefore falls to be assessed against the relevant Green Belt policies (above).

As noted, the complete redevelopment of previously developed land is acceptable subject to it not having a greater impact on the openness of the Green Belt than the existing development.

In this case, the application site comprises the existing building formally used to house chickens, two feed towers and an area of hardstanding. The north and east elevations of the existing building form the north and east boundaries of the lawful abattoir site. The floorspace of the existing building amounts to 364sqm, and it has a volume of 1,205 cubic metres. The two feed towers are considerable structures that are a similar height to the building and also have an existing impact upon the openness of the Green Belt. Furthermore, as a lawful B2 (general industrial) use, the site has potential to create a significant level of activity, should the B2 use be resurrected, which would also affect openness.

The proposed dwellings have a combined footprint of approximately 228sqm, which is a reduction of 37% over the existing. In floorspace terms (measured externally) there is a 19% increase from the 364sqm of the existing building to 435sqm of the two dwellings combined. The height of the buildings also increases from 4.3m to 7.6m for house 1 and 7.4m for house 2. However, the volume (measured externally) of the two dwellings is only 6% greater than the existing building (1275sqm compared to 1205sqm).

These figures suggest that the reduction in footprint comes at the cost of an increase in height, and that, in volume terms, the new dwellings are a similar size to the existing building. The figures detailed above also exclude any acknowledgement of the existing feed towers that exist, and the levels of activity that could be associated with a commercial B2 (general industrial) use. The levels of activity associated with two dwellings, including car parking and domestic paraphernalia, are considered to be significantly less than that of a B2 use. Garden stores have been provided within the dwellings in an attempt to eliminate future pressures for additional domestic buildings in the future.

The application site is also not prominent when viewed from Moor Lane. The site will be visible from the properties on Arlington Crescent, but will be seen in the context of the adjoining housing development. The proposal also sites the buildings closer to this recent housing development, compared to the existing building, thereby increasing the openness to the North of the site, where it adjoins the open fields of the wider Green Belt.

Having regard to all of the information outlined above it is considered that the proposed development does not have a greater impact on the openness of the Green Belt than the existing development. The proposal is therefore not considered to be inappropriate development in the Green Belt, and it accords with policy PG 3 of the CELPS and paragraph 145 of the Framework.

In order to ensure openness is not adversely affected in the future, it is considered to be necessary to remove permitted development rights for extensions and outbuildings from these dwellings, as well as for walls and fences in the interests of the character of the area.

Design / character

Policy SD2 of the CELPS expects all development to “Contribute positively to an area’s character and identity, creating or reinforcing local distinctiveness in terms of:

- a. Height, scale, form and grouping;
- b. Choice of materials;
- c. External design features;
- d. Massing of development - the balance between built form and green/public spaces;

- e. Green infrastructure; and
- f. Relationship to neighbouring properties, street scene and the wider neighbourhood;”

Similar requirements are also identified in policy SE1 of the CELPS and policy H2 of the WNP, which also seek to deliver high quality design.

In this case, whilst the proposed dwellings occupy a rural edge position, they will relate strongly to the ongoing residential development on the adjacent site. In this regard the general form (height, scale and external design features) of the dwellings is very similar to that approved on the adjacent site, and as such will tie in with the character and distinctiveness of this area. The comments regarding the number of 4 bedroom dwellings are noted, but these two detached dwellings are considered to be an appropriate density for this specific site. If smaller dwellings were proposed, it is likely that they would be presented in greater numbers, at a higher density which would not be appropriate for this rural edge location. The proposal provides an acceptable balance between the efficient use of land and the open, rural character of the adjacent agricultural fields.

At present the existing building forms a hard boundary to the site of the lawful abattoir use. Due to its rural edge position, the buildings have been pulled slightly away from this boundary, and soft boundary treatments provided to help the development better integrate with its surroundings, which can be secured by condition, and will help to satisfy the requirements of policy LSP2 of the WNP, which encourages proposals to avoid hard features such as fences and walls in favour of natural planted features designed to improve the overall green infrastructure network within development sites.

Policy NE1 of the WNP requires applications which seek to introduce new built form within, or adjacent to, the open countryside will be required to demonstrate how they have identified and sensitively responded to the guidance for development as identified as part of the Wilmslow Landscape Character Assessment (WLCA). In this case, the site lies within the Mossland character area which has amongst other features a distinctive field pattern, typical of the enclosure of mosslands – long linear moss-rooms. The proposal retain the form of the existing development and does not significantly impinge upon the distinctive field pattern in this area. As far as it is can, the current proposal is considered to comply with the requirements of this policy.

Policy LSP1 of the WNP requires all new development to demonstrate how they have used internal water management systems to reduce the demand for water through either the use of grey water recycling, water butts or water saving fixtures and fittings. These details can be secured by condition.

Overall the proposal is not considered to have a significant impact upon the character of the area, and would accord with policies SE1 and SD2 of the CELPS and H2 and NE1 of the WNP.

Trees

There are trees along the western boundary of the application site. They are not formally protected by TPO, but some works will take place within the root protection areas of these

trees. Comments from the Council's Forestry Officer are awaited and will be provided as an update.

Ecology

No significant ecological impacts are anticipated from the proposed development. The nature conservation officer has commented on the application and recommends conditions to safeguard nesting birds and for the incorporation of features into the scheme suitable for use by breeding birds, including house sparrows and roosting bats, in order to secure an enhancement to biodiversity in accordance with policy SE3 of the CELPS and policy NE5 of the WNP.

Residential Amenity

Local Plan policies H13, DC3 and DC38 seek to protect the amenity of residential occupiers. Policy DC3 states that development should not significantly injure the amenities of adjoining or nearby residential property and sensitive uses due to matters such as loss of privacy, overbearing effect, loss of sunlight and daylight and traffic generation and car parking. Policy DC38 sets out guidelines for space between buildings.

There is only one existing neighbour that shares a boundary with the application site. Franklyn Farm is located approximately 33m from the western site boundary of the application site. Such a distance accords with the separation distances outlined in policy DC38 of the MBLP, which require a maximum of 25m to be provided between habitable room windows. The nearest property on the new development currently being constructed has an angled relationship with House 2, and is located 25m away, again complying with policy DC38.

With regard to the properties on Arlington Crescent, these are located over 50 metres away from the proposed dwellings, and as such there will not be any significant impact upon the living conditions of these neighbours.

Finally, in terms of the relationship between the two dwellings, the 15m distance between the front elevation of House 1 to the side elevation of House 2 (comprising no habitable room windows) exceeds the recommended distance of 14 metres outlined in DC38 for such a relationship.

No further amenity issues are raised, and the proposal is therefore considered to comply with policies H13, DC3 and DC38 of the local plan.

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. Whilst this proposal is of a small scale, and as such would not require an air quality impact assessment, there is a need 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. As such a condition requiring the provision of electric vehicle infrastructure is recommended in order to ensure that sustainable vehicle technology is a real option for future occupants at the site.

Environmental Health has also recommended a condition requiring ultra low emission boilers to be required. However, this condition is not considered to be necessary to make the development acceptable in planning terms, and is therefore not recommended.

Accessibility

There are three primary schools within walking distance, and local shops are available at Lindow Parade on Chapel Lane, which is also within walking distance and would provide for most day to day needs. The nearest bus stop is just outside the site on Moor Lane between Winchester Close and New Street, with Wilmslow Town centre approximately 3kms from the site. The closest healthcare provision is close to Wilmslow Town Centre at the corner of Bedells Lane and Chapel Lane. Local facilities are therefore considered to be accessible by a range of transport options from the application site. Residents of the proposed development will have ready access to existing walking and cycling routes, and the two properties also include external storage provision for bicycles in accordance with policies LSP3 and TA5 of the WNP.

Highways

The new dwellings will utilise the main access from Moor Lane being created by the development that is currently underway on the adjacent site. An access route through to the application site was provided as part of the permission on the neighbouring site. The access can accommodate the modest increase in traffic arising from the two dwellings. The Head of Strategic Infrastructure queried how refuse would be collected, and it has been confirmed that bins would be brought to the end of the track and collected from the public highway where a turning area has been provided for bin lorries.

In terms of car parking, both proposed dwellings are 4 bed properties, and the parking standards within the CELPS require two spaces per dwelling in key service centres such as Wilmslow. Two spaces are shown to be provided for each dwelling in accordance with these standards, and policy TA1 of the WNP.

Flood Risk

Policy SE13 of the CELPS requires developments to integrate measures for sustainable water management to reduce flood risk.

The Lead Local Flood Authority (LLFA) has commented on the application and noted that the applicant proposed to discharge surface water associated with the new development via a soakaway system, however the Geo-Environmental Report (17097/GEIR) determines that the ground conditions at the site are likely to be unsuitable for infiltration. Other potential drainage methods include discharge to an ordinary watercourse on the eastern boundary of the site or connection to a public sewer system.

Accordingly, it is recommended that require the applicant submits a detailed strategy / design, and an associated management and maintenance plan for surface water drainage for the site, which can be dealt with by condition, in order to ensure compliance with policy SE13 of the CELPS and LSP2 of the WNP.

Contaminated Land

The application is for a proposed use that would be particularly vulnerable to the presence of contamination. The application area has a history of abattoir use and therefore the land may

be contaminated. The site is also within 250m of a known landfill site or area of ground that has the potential to create gas. The report submitted in support of the application, was previously submitted for approved application 17/6269M and covers both areas. It is recommended that a site specific conceptual site model is developed to be followed by a post demolition site investigation.

As a result of these factors, the contaminated land officer recommends that a post demolition Phase II ground investigation is submitted, which can be secured by condition. This will ensure compliance with relevant contaminated land policies in the MBLP and CELPS (DC63 and SE12 respectively).

Other matters

The majority of the comments received in representation have been addressed in the preceding text; however concerns were also raised regarding the impact of the development upon local doctors, dentists and schools. Due to the very limited scale of the development, being only two dwellings, it will not have a significant impact upon the local infrastructure and facilities. Also, as a point of clarification, the applicants continue to own the adjacent field, and whilst no access is provided through the application site, access is provided through the housing site on the adjacent land.

CONCLUSIONS

The application site is a previously developed site in the Green Belt and the proposal is not considered to have a greater impact on openness of the Green Belt than the existing development. The proposal is therefore not an inappropriate form of development in the Green Belt. The design of the dwellings is considered to be acceptable, and suitably reflects the character of the neighbouring residential site that is currently under construction. No significant adverse impacts are raised in relation to highways, accessibility, ecology, residential amenity, air quality, flood risk or contaminated land, and appropriate conditions on these matters are recommended, where relevant. Comments from the Forestry Officer are awaited to confirm the specific impact of the proposal upon proximate trees. Accordingly, subject to the satisfactory receipt of comments from the Forestry officer, the proposal is considered to comply with the requirements of the CELPS, the WNP and the MBLP, and a recommendation of approval is made.

RECOMMENDATION

Approve subject to conditions

In the event of any changes being needed to the wording of the Committee'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 has delegated authority to do so in

consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Submission of samples of building materials
4. Removal of permitted development rights
5. Landscaping - submission of details
6. Landscaping (implementation)
7. Nesting bird survey to be submitted
8. Proposals for the incorporation of features for use by breeding birds including house sparrows, and roosting bats to be submitted
9. Electric vehicle infrastructure to be provided
10. Phase II ground investigation to be submitted
11. Verification Report prepared in accordance with the approved Remediation Strategy to be submitted
12. Imported soil to be tested for contamination
13. Requirements in the event any unidentified contamination is found
14. Detailed strategy / design, and associated management and maintenance plan for surface water drainage to be submitted
15. Proposals to reduce the demand for water through either the use of grey water recycling, water butts or water saving fixtures and fittings to be submitted.

Application No: 19/3286M

Location: Heatherley Woods, Alderley Park, CONGLETON ROAD, NETHER ALDERLEY

Proposal: Outline application with all matters reserved except for access for a residential development of up to 25 dwellings with associated landscaping and infrastructure.

Applicant: Alderley Park Ltd

Expiry Date: 09-Oct-2019

SUMMARY

The proposals are considered to be appropriate development in the Green Belt and in line with policies in the Development plan, NPPF and the Alderley Park Development Framework.

This application falls outside the outline planning consent granted in 2016 in that it proposes an additional 25 units, which would take the number of consented units up to 300 as allowed for in the Local Plan allocation.

Whilst there are level issues that will need to be carefully considered at the reserved matters stage, to ensure there is no impact on areas of adjacent trees/woodland, and to achieve a satisfactory form of development especially with regards to adjacent properties this can readily be achieved.

The development will bring additional monies into Alderley Park to be invested in the life sciences over and above those already achieved and contribute to further key worker housing.

There will be a neutral impact on trees/ecology with enhancements to be achieved at the reserved matters stage. Amenity impacts are capable of being addressed through appropriate mitigation and satisfactory access can be achieved. Environmental impacts can be addressed through conditions.

SITE DESCRIPTION

This application relates to a now cleared site (formerly occupied by commercial structures) in an area of the site known as Heatherley Woods, which sits to the south east of the Mereside, or commercial area of Alderley Park, and north of the historical quarter which is now the main residential part of the site. The site forms a gap between an area proposed for the development of a playing pitch (as yet undetermined), associated with the nearly completed sports complex across the access road, and a housing development by Bellway Homes which is currently under construction.

Whilst the main part of the site is clear, there is a tree belt separating the site from the main access road to the west, and woodland to the east.

The whole of Alderley Park lies entirely within the North Cheshire Green Belt, but is a Major Developed Site within the Green Belt.

PROPOSAL

The application title reads: "Outline application with all matters reserved except for access for a residential development of up to 25 dwellings with associated landscaping and infrastructure."

As the proposal sits outside the outline approval granted for Alderley Park in June 2016, because it proposes 25 units over the outline approval for 275, a separate application was required, and could not have been made under reserved matters as most of the recent approvals have been.

The outline application includes an illustrative layout showing the development utilizing the Bellway access and with the proposed dwellings running east-west mirroring some of the approved Bellway dwellings in the layout. The layout shows a mixture of town houses and apartments.

There is a level change on the site with the site accommodating the increase from the Bellway site to the sports pitch to the north. The level change is just over 4m and the submitted site sections indicate this can be addressed by having properties which could be 2 storeys to the north but 3 to the south.

The application is accompanied by an Environmental Statement (ES), so it can be seen in the context of the ES attached to the original outline.

RELEVANT PLANNING HISTORY

Alderley Park has been the subject of a significant number of planning applications in recent years, including a series of applications associated with the residential development of the southern campus, re-development of the Parklands office block (soon to be occupied by Royal London), a new leisure complex and more minor developments in the Mereside area. Of particular relevance to this application are:

15/5401M Full planning permission for the demolition of a number of specified buildings; and outline planning permission with all matters reserved for a mixed-use development comprising the following: • Up to 38,000 sqm of laboratory, offices and light manufacturing floorspace (Use Class B1); • Up to 1,500 sqm of retail, café, restaurant, public house and / or crèche floorspace (Use Classes A1, A3, A4 and D1); • Up to 275 residential dwelling-houses, where up to 60 units could be for retirement / care (Use Classes C2 and C3); • Up to a 100 bed hotel (Use Class C1); • Sport and recreational facilities including an indoor sports centre of up to a 2,000 sqm (Use Class D2); • Up to 14,000 sqm of multi-storey car parking providing up to 534 spaces (sui generis); • A waste transfer station of up to 900 sqm

of (sui generis); • Public realm and landscaping; • Other associated infrastructure – APPROVED June 2016

This application covered the whole of the Alderley Park Site, with the Heatherley Woods shown as being developed as mixed residential and sports uses in the land use parameters plan, with the illustrative masterplan (which was not an approved plan) indicating the site subject to this application being developed as a sports complex. Importantly the planning approval set volume limits on developments at Alderley Park.

Adjacent to the site are the following applications as referred to above:

18/0403M Reserved matters application following outline approval 15/5401M for detail of access, layout, scale, landscaping and appearance for a residential development comprising 50 residential dwellings in addition to new internal roads, boundary treatments and associated landscaping and infrastructure - LAND AT HEATHERLEY WOODS, ALDERLEY PARK, CONGLETON ROAD, NETHER ALDERLEY, SK10 4T - APPROVED 2018 Bellway Homes

17/0530M Reserved matters application for demolition of existing waste transfer station and redevelopment for a Full-Sized Sports Pitch (Use Class D2) including ground engineering works, erection of site boundaries and landscaping - ALDERLEY PARK, CONGLETON ROAD, NETHER ALDERLEY, MACCLESFIELD, CHESHIRE, SK10 4TJ – UNDETERMINED Ongoing discussions re levels/trees.

POLICIES

Cheshire East Local Plan Strategy – 2010-2030

PG 2	Settlement Hierarchy
PG 3	Green Belt
SC 5	Affordable Homes
SE 1	Design
SE 3	Biodiversity and Geodiversity
SE 4	The Landscape
SE 5	Trees, Hedgerows and woodland
SE 9	Energy Efficient Development
SE13	Flood Risk and Water Management
CO 1	Sustainable Travel and Transport

LPS 61 Alderley Park Opportunity Site

Macclesfield Local Plan (Saved policies)

NE 3	Landscape Conservation
NE11	Nature Conservation
GC 1	Green Belt – New Buildings
GC 4	Major Developed Sites in the Green Belt
DC3	Design – Amenity
DC8	Design – Landscaping
DC9	Design – tree protection

DC13 Design – Noise

Other Material Considerations

The National Planning Policy Framework

Alderley Park Development Framework

The EC Habitats Directive 1992

Conservation of Habitats & Species Regulations 2010

Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System

National Planning Practice Guidance

CONSULTATIONS (External to Planning)

Highways – No objections.

Environmental Protection – Comments on amenity/quality of life, air quality and contaminated land have been received, but no objections have been raised subject to conditions/informative.

Flood Risk – Comments awaited

Housing – Whilst initially indicating that as permission has already been granted on this site affordable housing provision will be dealt with by the existing Section 106, following confirmation that this is not the case they object to the application on the basis it is a stand alone application and therefore there is a requirement for 8 (7.5) affordable dwellings – which is not proposed. This is discussed further below.

VIEWS OF THE PARISH COUNCILS

Nether Alderley Parish Council – “the Parish Council have no objections to this application subject to it being based on 25 dwellings and not 27 referred to in the Design and Access Statement.” They also indicate they would like to be involved in discussions on any 106 Agreement.

Over Alderley Parish Council – They write:

“1. That the application site refers to a location for which outline permission for development has already been approved in application 15/5401M, therefore, queries are raised as to why this application is seeking further outline permission rather than addressing reserved matters.

2. Concerns are raised that the proposed development density appears to be significantly greater than that of the adjacent Heatherley Woods development, therefore, is not consistent with surrounding development.

3. Concerns are raised regarding the lack of integration with the adjacent Heatherley Woods development. The indicative proposal shows backs of proposed properties facing fronts of consented properties which appears to be contrary to The Cheshire East Borough Design Guide (Vol. 2 section I).”

OTHER REPRESENTATIONS

None received

OFFICER APPRAISAL

Principal of Development/Green Belt

As mentioned above, the whole of Alderley Park falls within the Green Belt, but as set out in the policy section above, the built up areas of the site, which include the application site, are covered by policies LPS 61 Alderley Park Opportunity Site in the Cheshire East Local Plan, and Saved Policy GC 4 Major Developed Sites in the Green Belt of the Macclesfield Local Plan. The Alderley Park Development Framework, which builds on the LPS policy, clearly identifies the site as Previously Developed Land, which under policy LPS 61 allows for the construction of new buildings (Criteria 3) so long as the meet the criteria set out at 1. Which reads:

Criteria 1. Development shall be:

- i. For human health science research and development, technologies and processes; or
- ii. **For residential (around 200 to 300 new homes) or other high value land uses demonstrated to be necessary for the delivery of the life science park(96) and not prejudicial to its longer term growth;** or
- iii. For uses complimentary to the life science park and not prejudicial to its establishment or growth for this purpose.”

The development would take the residential development up to the maximum number allowed of 300 units, and a Section 106 agreement would ensure that profits are put back into the science park.

Criteria 2 is that the development shall be in accordance with the Alderley Park Development Framework. In this document the site is clearly shown as “Potential residential” in the indicative masterplan.

Criteria 3. States that construction of new buildings for uses in criterion 1 above shall be restricted to the Previously Developed Land (PDL) which is the case here.

Criteria 4 states that development would not have a greater impact on the openness and visual amenity of the Green Belt and the purposes of including land within it than existing development. This is examined further below.

Criteria 5 is primarily concerned with impact on Listed Buildings or other heritage impacts which are not relevant on this site, but does reference landscape assets which are considered further in this report.

These policies are reflected in the NPPF which at Paragraphs 143-147 considers development in the Green Belt. Whilst the construction of new buildings in the Green Belt should be regarded as inappropriate development – which is by definition harmful, there are exceptions listed at Para 145 including:

- “g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
- not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”

In summary then the proposed development of this site can be considered to be appropriate development in the Green Belt, on condition that it does not have a greater impact on openness than existing development. In this case it needs to be seen in the context of the built form as was at Alderley Park, as the proposed development is in an area which was previously developed with sizable structures and was originally envisaged to have been the location of the sporting facilities.

Whilst inevitably there have been changes made to the locations of specific developments on the site over the passage of time (all within the designated area of PDL), the overall volume of built development was fixed at the outline stage, and although this is a stand alone application it is still applicable here. The site in question, Heatherley Woods was occupied by a series of sizable commercial buildings which created a significant volume of development which has offset the residential development at Alderley Park as their volume is significantly less and in this case impact on openness is at worst neutral and in reality less. Whilst this is an outline application the parameters proposed would control the overall footprint and height of structures.

The NPPF advises that substantial weight must be given to the harm to the Green Belt. Any other harm additional to that of inappropriateness must also be considered. The proposal, due to its scale and nature, will have no significant impact on the openness of the Green Belt, and cause no other harm to the purposes of Green Belt (NPPF para. 143).

In conclusion then, the development is considered to constitute appropriate development in the Green Belt and to fully comply with the Development Plan, and therefore there are no objections in principle to the development.

Highways

The access road to serve the dwellings is an existing approved road serving the adjacent development. The proposed access points to the site are acceptable in design terms and therefore given that access is the only matter to be determined then no objections are raised on highways grounds. Parking can readily be accommodated within the layout but would be looked at in more detail at any reserved matters stage.

Landscape and visual Impact

Comments from the Council’s landscape architect is awaited on this matter and any comments received will be reported as a late item to Members. It must however be remembered that the site is currently clear of any existing planting, well screened by woodland and this is an outline application so no significant issues are anticipated.

Trees/Woodland

This application is supported by a Preliminary Arboricultural Impact Assessment . Woodlands located to the west and east of the site are protected by the Cheshire East Borough Council (Nether Alderley-Alderley Park No.3) Tree Preservation Order 2018 (W5/ W6).

The woodland to the east of the site (W6 of the TPO) is designated as Ancient Replanted Woodland. Part of this woodland and the woodland to the west (W5 of the TPO) are designated as Priority Woodland Habitat in the DEFRA Priority Woodland Habitat Inventory.

Proposed tree losses are limited to a group of four Leyland Cypress and a small section of Yew hedge which will have no significant adverse impact in terms of the wider amenity of the area.

Para 5.3 of the Assessment makes reference to Forestry Commission/Natural England Standing advice on buffer zones between development and ancient woodland, which suggests a minimum buffer of 15 metres. The Assessment suggests that the 15 metre buffer zone is not considered necessary in arboricultural terms as there is no material impact, nevertheless this has a bearing in terms of Policy SE 3

Whilst the position of the proposed Apartment Block 1 is located outside the Root Protection Area (RPA) of trees within the protected woodland (W5 of the TPO /Priority Woodland Habitat) the relationship/social proximity of the Apartment Block to the woodland is such that there will be future pressure from residents to prune or remove trees which is identified in in BS5837:2012 Section 5.3.4 (d).

The tree officer recommends the proposed illustrative layout plan should be amended to reflect these design considerations. However as this is an outline application, and siting is not sought for approval, the matter is capable of being addressed at the detailed design stage.

Should this application be approved conditions should be attached requiring any reserved matters application to be supported by an Arboricultural Impact Assessment, Tree Protection Scheme and Method Statement in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations.

Building design/layout

Whilst this is an outline application, with all matters reserved, an illustrative layout and site sections/indicative street-scenes have been received. These indicate that the properties will have their gardens in effect to the front facing the Bellway houses, with parking to both and front and rear of units, all to accommodate the level change on the site. Whilst Over Alderley Parish Council have expressed some concerns about this – which is understandable, the drawings indicate the buildings will have a frontage design with pedestrian access to the front. This matter would of course need to be addressed more fully at the reserved matters stage, but an acceptable design can be readily achieved.

Over Alderley Parish Council have raised the issue of density. Whilst it is true, if built in the form envisaged, the density of this small residential scheme will be greater than the Bellway scheme adjacent, but as that is dominated by larger often detached properties, this scheme will help to vary the mix of houses in Alderley Park which is fully supported, with no harm to the overall scheme.

Amenity

The site sits adjacent to residential accommodation to the south, but adjoins a proposed sports pitch to the north which could give rise to amenity issues if not properly addressed. A Noise Impact Assessment (NIA) has been submitted with the application.

The NIA details the full-sized sports pitch site setting: The site is approximately 12m to the north of the nearest proposed residential façade and 6m from the boundary of the nearest garden. The proposed development comprises an all-weather sports pitch. It is understood that there is no flood lighting proposed so the pitch will only be used during daylight hours. The hours of operation are therefore likely to be limited to 10:00 to 17:00hrs. It is also understood that it is anticipated that there will only be a limited number of bookings per week.

The NIA states: that the assessment indicates that there is potential for noise from the sports pitch to give rise to levels that are slightly above the BS 8233:2014 guideline values. However, the assessment is based on pessimistic assumptions. In reality levels are likely to generally be below the guideline values. Nonetheless, guidance has been provided to install solid, close-boarded timber fencing along the boundary between the sports pitch and the nearest noise sensitive receptor to help reduce noise levels. In addition to this, a strategy of best practice guidance is outlined to ensure that noise emissions are minimised as far as reasonably possible and a strategy is in place in the unlikely event that any issues arise.

The NIA submitted in support of the full-sized sports pitch details a noise mitigation strategy to ensure that noise emissions are minimised as far as is reasonably possible.

Ecology

Non-Statutory Designated Sites

The Alderley Park Local Wildlife Site (LWS) occurs within the eastern boundary of the application site. The local Wildlife Site (LWS) is protected by local Plan Core Strategy Policy SE3.

The section of the LWS that occurs within/adjacent to the application site supports ancient semi-natural woodland. The significance of this is discussed below.

Ancient Semi-natural Woodland

Ancient woodland habitats are considered to be irreplaceable habitats and receive particular protection through paragraph 175 d) of the NPPF. The submitted ecological assessment and design and access statement advises that the proposed development will not result in the direct loss of ancient woodland habitat the illustrative layout plan shows the provision of a 15m undeveloped buffer adjacent to the woodland.

However, the red line of the application site does extend some distance into the ancient woodland and the illustrative layout plans suggest that levels changes will be required in the vicinity of the proposed undeveloped buffer to facilitate the proposed development.

Consequently, it was advised that the proposed development has the potential to have an adverse impact upon the Local Wildlife/ancient woodland, contrary to Local plan policy SE3 and the NPPF.

It was recommended that the applicant provided an overlay of the proposed development on the existing air photography to enable the extent of the proposed development in respect of the ancient woodland to be determined. It was also advised that clarification should be sought in respect of the extent of levels changes and 'new embankments' required in the eastern part of the site in the vicinity of the ancient woodland.

Priority woodland to west

Woodland located within the western part of the site appears on the national inventory of priority habitat. Habitats of this type are a material consideration. The construction of Apartment Block 1 is likely to result in the loss of the existing extent of this habitat with a corresponding loss of biodiversity. It was advised that the proposed illustrative layout plan must be amended to show the retention of the existing extent of priority woodland on site.

Following on from the above the applicant's have submitted a revised tree survey and the Ecologist has reported;

"The arboriculture impact assessment demonstrates that no trees would be lost and there is a 15m buffer between the nearest building and the root protection area of the nearest tree in the adjacent ancient woodland. 15m is the minimum undeveloped buffer that is required to safeguard ancient woodland in accordance with current best practice guidance. There is still concern that this buffer will not be retained as 'undeveloped' as there appear to be levels changes and an embankment proposed in this area as shown on the submitted layout plan.

Before we can be satisfied that the proposed development would not have an impact on the adjacent woodland we need to be satisfied that an 'undeveloped' buffer can be provided, which is free from all engineering operations."

The applicant has submitted a further statement setting out how the site is mainly made up of bare ground following previous demolition works, and as such impact on ecology would be negligible. No hard engineering is required in this buffer area, and the applicant has proposed a Grampian style condition to require a method statement and ecological enhancement scheme for the buffer, with the information to be provided at the reserved matters stage.

Great Crested Newts

Surveys undertaken to inform the determination of the outline application for the wider Alderley Park site recorded the presence of great crested newt at a pond located with 100m of the proposed development.

The recorded population however appeared very small and the application site, which has largely been cleared, provides limited habitat for amphibians.

The potential impacts of the proposed development relate mainly to the low risk of any newts that venture onto the site being killed or injured during the construction process. In order to address this risk the applicant's ecological consultant has recommended a suite of 'reasonable avoidance measures'.

It is advised that provided these measures are implemented the proposed development would be unlikely to result in a breach of the Habitat Regulations. Consequently, it is not necessary for the Council to have regard to the Habitat Regulations during the determination of this application. An appropriate condition is recommended.

Badger

The badger survey undertaken to inform the submitted Ecological Assessment was undertaken over 12 months ago and so must be considered to be out of date. It was advised that an updated badger survey should be undertaken and submitted in support of the application. This has now been completed and nothing further was found.

Lighting

To avoid any adverse impacts on bats resulting from any lighting associated with the development a condition is recommended requiring any additional lighting to be agreed with the LPA. An appropriate condition is recommended.

Hedgehogs

This priority species may occur within the wooded parts of the application site. If planning consent is granted features to facilitate the movement of this species can be secured through the ecological enhancement condition discussed below.

Ecological enhancement

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with Local Plan Policy SE 3.

It is therefore recommended that the applicant submits an ecological enhancement strategy prior to the determination of the application or if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

Flood Risk/Drainage

Comments from the Flood Risk Team are awaited, however no significant issues are anticipated as the drainage systems at Alderley Park have been the subject of extensive discussions on various applications in recent times, and subject to appropriate mitigation measures (which are proposed in the application) to control flows all matters should be capable of being addressed.

Air Quality

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

The developer has stated that electric vehicle charging points will be added to the dwellings. In order to ensure that these are fit for purpose and future proof a condition ensuring this is required. It is also recommended that a condition be attached requiring the installation of ultra efficient boilers in the dwellings.

Contaminated Land

The Contaminated Land team has no objection to the above application subject to the following comments with regard to contaminated land:

- The application is for a proposed use that would be particularly vulnerable to the presence of contamination.
- No site specific information has been submitted. As such it is recommended that conditions 16 -18 of 15/5401M be carried forward. The first part of this condition is for a preliminary risk

assessment. This should be undertaken for the current application area only, focusing on the previous uses of this area of the former Pharmaceutical research and development facility.

- It is also requested that an imported soils condition be included on the decision notice.

As such, and in accordance with the NPPF, a number of conditions and informatives are recommended.

Affordable Housing

This Outline Application is located on the site covered by the Outline Application for 275 dwellings and subsequent S106 signed 10th June 2016. The S106 secures an offsite commuted sum payment of £2.1 Million towards the Affordable Housing.

This Application as presented is separate to the Outline application with the commuted sum. As such this is viewed by Housing as a standalone application.

The Cheshire East Local Plan (CELP) and the Councils Interim Planning Statement: Affordable Housing (IPS) states in Settlements with a population of 3,000 or more that we will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified 'windfall' sites of 15 dwellings or more or larger than 0.4 hectares in size. The desired target percentage for affordable housing for all allocated sites will be a minimum of 30%, in accordance with the recommendations of the Strategic Housing Market Assessment carried out in 2013. This percentage relates to the provision of both social rented and/or intermediate housing, as appropriate. Normally the Council would expect a ratio of 65/35 between social rented and intermediate housing.

This is a proposed development of 25 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 8 (7.5) dwellings to be provided as affordable dwellings.

The CELP states in Policy SC5 justification paragraph 12.44, 'The Housing Development Study shows that there is the objectively-assessed need for affordable housing for a minimum of 7,100 dwellings over the plan period, which equates to an average of 355 dwellings per year.' This is for the whole borough of Cheshire East.

The current number of those on the Cheshire Homechoice waiting list with Alderley Edge as their first choice is 274. This can be broken down to 121x 1 bedroom, 67x 2 bedroom, 58x 3 bedroom, 16x 4 bedroom and 12x 5 bedroom dwellings.

5 units should be provided as Affordable rent and 3 units as Intermediate tenure.

If there is an agreed onsite provision that is below 30% or a commuted sum is agreed, Housing will require an Overage/Clawback clause to be agreed. This is to cover any uplift in value on the development during it's completion and any connected raise in commuted sum amounts or increased on site provision for Affordable Housing.

If the application is to be a Full or Reserved Application an Affordable Housing Statement will have to be produced and agreed with the council that confirms the following:

- (a) the Agreed Mix;

- (b) the timing, location and distribution of the Affordable Housing within the Site, ensuring that the Affordable Housing is pepper-potted throughout the Site and not segregated from the Open Market Housing;
- (c) details of how the proposed design and construction of the Affordable Housing will ensure that the Affordable Housing is materially indistinguishable (in terms of outward design and appearance) from the Open Market Housing of similar size within the Development;

The Cheshire East Plan (CELP) and the Councils Interim Planning Statement: Affordable Housing (IPS) requires that the affordable units should be tenure blind and pepper potted within the development, the external design, comprising elevation detail and materials should be compatible with the open market homes on the development thus achieving full visual integration and also that the affordable housing should be provided no later than occupation of 50% of the open market dwellings

Housing prefer that the affordable housing meets the HCA's housing quality indicator (HQI) standards.

Housing's preference is that the affordable housing is secured by way of a S106 agreement, which: -

- requires them to transfer any rented affordable units to a Registered Provider
- provide details of when the affordable housing is required
- includes provisions that require the affordable homes to be let or sold to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Councils allocations policy.
- includes the requirement for an affordable housing scheme to be submitted prior to commencement of the development that includes full details of the affordable housing on site.

Details of Registered Providers of social housing can be obtained from the Development Officer in Strategic Housing

The submitted application includes no provision for affordable housing and it should be noted that current planning policy requires the provision of 30% affordable housing for a development which includes this number of dwellings.

The Alderley Park Development Framework which was agreed at Cabinet in June 2015, states that "opportunities should be explored to deliver some affordable housing" as part of the development and as such we would like to see some on-site affordable housing. The same report also states that "any proposals which suggest a relaxation on normal affordable housing policy must be supported by a detailed viability appraisal."

It is understood that normal planning policy may not be applied to this application due to the fact that it is for an important supporting development and as such a reduced amount of affordable housing is likely to be acceptable. It is also acknowledged that some of the affordable housing provision may be satisfied by payment of a commuted sum - which is to be secured by way of a s106 agreement – to be used for the delivery of off-site affordable housing in the local area.

Any affordable housing which is provided on-site should be delivered as an affordable housing product which is recognised by the council and at a discount which adheres to the council's policy. The supporting Planning Statement for this application proposes that any affordable housing would be in the form of 'key worker' accommodation. However key worker accommodation does not meet the council's definition of affordable housing.

As there is no mention for the provision of affordable housing in this specific Outline application and no given reason for this omission, and as such housing do not support the application as submitted.

The proposal is to provide 25 units, which is over and above the already consented 275 granted in outline and as such will not be covered by the original Section 106 Agreement. The original 106 included two elements of non-standard housing provision, a financial contribution towards off site provision, and a number of key worker houses aimed at employees of Alderley Park who would not be able to afford houses in the local area. This was an approach endorsed by Members who were mindful of the need to re-invest capital receipts from the residential land sales into the life science provision in the park.

Here the applicant writes:

“In line with principles and objectives already established in the site wide planning permission it is proposed that the outline planning application at Heatherley Woods will provide a total of 15% affordable housing. For the detailed reasons set out in that planning permission, this is an appropriate and proportionate level of affordable housing bearing in mind the fundamental requirement to pay all profits received from residential sales into the Alderley Park Reserve, for the sole function of funding the re-purposing of the site into a multi occupier life sciences hub of national significance. This approach does not therefore necessitate any clawback mechanism. The re-purposing of Alderley Park is a key objective of Local Plan Strategy site allocation LPS61. This outline planning application is therefore fully consistent with the established position with regards to the quantum of affordable housing to be provided.

Alderley Park now proposes an enhancement over the established position for this site so that the entire 15% affordable housing be provided on site. This is a better solution than that secured in the original site wide permission (which only provided 7.5% on site), is more sustainable and complies with policy objectives. It will also ensure the affordable housing is delivered in a timely manner which is important to Alderley Park and their occupiers. Furthermore, Alderley Park is proposing to widen the opportunity for anyone employed at Alderley Park or who provides essential services to the Park to also qualify for the affordable housing scheme. This means there is no proposed restriction to qualifying key workers. This responds directly to the comments of the Strategic Housing Officer. As the Council will be aware there is a specific receptor site for the affordable housing within the heart of the life sciences Park at Block 26, where full planning permission has been granted for external works to facilitate the use of the building for modern, high quality residential accommodation.”

In short Alderley Park are proposing to add to the provision of key worker housing, which is already being developed in one of the former office buildings in the park which has the benefit of the necessary consents. Key worker housing is not affordable housing in the strict sense, but does meet an important demand for rented accommodation for life science employees at Alderley Park and is governed by previously agreed wording in a 106 Agreement which can be applied here. The offer above could extend to any employees on site, not just life science workers.

Whilst Housing are not supportive of this approach – and were not supportive of the approach for the outline application, the proposed provision is consistent with the consented scheme, (albeit without the financial contribution), with an increased provision as set out above.

CONCLUSIONS

The proposals are considered to be appropriate development in the Green Belt and in line with policies in the Development plan, NPPF and the Alderley Park Development Framework.

This application falls outside the outline planning consent granted in 2016 in that it proposes an additional 25 units, which would take the number of consented units up to 300 as allowed for in the Local Plan allocation.

Whilst there are level issues that will need to be carefully considered at the reserved matters stage, to ensure there is no impact on areas of adjacent trees/woodland, and to achieve a satisfactory form of development especially with regards to adjacent properties this can readily be achieved.

The development will bring additional monies into Alderley Park to be invested in the life sciences over and above those already achieved and contribute to further key worker housing.

There will be a neutral impact on trees/ecology with enhancements to be achieved at the reserved matters stage. Amenity impacts are capable of being addressed through appropriate mitigation and satisfactory access can be achieved. Environmental impacts can be addressed through conditions.

Accordingly the application is recommended for approval, subject to the signing of a Section 106 Agreement.

SECTION 106

In line with the previously approved site-wide outline application a section 106 agreement will accompany the application and is required to secure the following:

- Profits to be re invested in life science development
- 15% affordable housing to be provided on site under the established Life Science Employee Housing Scheme or an updated Scheme that could be extended to other Alderley Park employees.

The wording can be copied across for the outline consent and pro rata applied to this smaller scheme.

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; a) Directly related to the development; and b) Fair and reasonably related in scale and kind to the development. It is considered that the contributions required as part of the application are justified meet the Council's requirement for policy compliance. All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development. The non-financial requirements ensure that the development will be delivered in full. On this basis the S106 the scheme is compliant with the CIL Regulations 2010.

Whilst the original outline approval was granted prior to CIL being introduced, this proposal will be CIL liable, and an appropriate payment will need to be made. The applicant highlights the following:

Parish Hall Works – this is not covered by the 123 list but the applicant does not believe that a financial sum would be warranted in the s016 due to the impact of an additional 25 houses i.e. we do not believe that the CIL lawfulness tests would be met for a contribution. This will not be part of the legal agreement therefore however it is worth noting the Council's policy for the payment of a proportion of CIL to the Parish (s):

In areas where the CIL levy operates, Parish Councils will receive a 'neighbourhood proportion' of the CIL money raised within their Parish. This neighbourhood proportion is up to 25% of CIL receipts in areas with an adopted Neighbourhood Plan and up to 15% (capped at £100 per existing council tax dwelling) in areas without a Neighbourhood Plan.

Our assumptions based on the outline scheme before the Council is that based on a CIL rate of £71 per sqm gives a total liability is £239,057. 15% of this will be payable to the Parish as they do not have an adopted Neighbourhood Plan, so again for illustrative purposes they would receive £35,858 approx. receipt.

Highways and Education are captured by CIL.

COMMENT ON REPRESENTATIONS

The majority of the points raised have been addressed in the main body of the report, but to clarify the application is for 25 dwellings not 27.

RECOMMENDATION

Approve subject to a Section 106 Agreement and subject to the following conditions;

- 1. Outline timescales**
- 2. Approved plans/documents**
- 3. Materials**
- 4. Landscaping**
- 5. Landscape maintenance**
- 6. Arboricultural Impact Assessment**
- 7. Tree Retention/Protection**
- 8. Levels**
- 9. Noise mitigation measures**
- 10. Dust management plan**
- 11. Electric vehicle infrastructure**
- 12. Ultra Low Emission Boiler(s)**
- 13. Importation of soils**
- 14. Contaminated land assessment**
- 15. Contaminated land verification report**
- 16. Measures to deal with unexpected contamination**
- 17. Foul and surface water on separate systems**
- 18. Surface water drainage**
- 19. GCN measures**
- 20. Lighting**
- 21. Ecological mitigation measures (including within the 25m Woodland buffer)**

In the event of any changes being needed to the wording of the Committee'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 has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.



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Application No: 19/4167M

Location: STONE COTTAGE, 14, SUMMERHILL ROAD, PRESTBURY, SK10 4AH

Proposal: Outline application with some matters reserved for construction of three infill dwellings with shared access

Applicant: Mr Howard Bilton

Expiry Date: 04-Nov-2019

SUMMARY

There are not considered to be any significant adverse impacts relating to residential amenity, highways safety, ecology or environmental health arising from the development. The site is also considered to be in a sustainable location, with access to a range of local services and facilities nearby.

However, by virtue of the width of the site, the lack of development to the west of the single plot to the north together with the position of the site outside the Prestbury settlement, the proposal is not considered to amount to limited infilling in a village in the Green Belt. The proposal is therefore considered to be inappropriate development in the Green Belt, and is contrary to policy PG3 of the CELPS, paragraph 145 of the NPPF.

SUMMARY RECOMMENDATION**Refuse****REASON FOR REPORT**

The application site consists of an area greater than one hectare so in accordance with the Cheshire East Constitution the application has been referred to the Northern Planning Committee.

DESCRIPTION OF SITE AND CONTEXT

The application site consists of a large garden area associated with Stone Cottage (14 Summerhill Road). The site contains a timber building (previously stables) and a hard surfaced turning area, but is predominantly open grassed land with a small group of trees centrally located. The boundaries are open in nature marked by post and rail fencing and low hedging.

The site is located within the Cheshire Green Belt at the end of a row of dwellings which mostly consist of large detached properties, which sit on spacious plots of land.

DETAILS OF PROPOSAL

Outline planning permission is sought for the construction of three new dwellings within the garden of number 14 Summerhill Road. The application seeks approval for access only with all other matters reserved for subsequent approval. Whilst an indicative site plan has been submitted with the application, these matters are reserved to be assessed under a future Reserved Matters application.

RELEVANT HISTORY

16/0730M - Construction of one detached infill dwelling - Refused 03 August 2016 for the following reason:

The proposal is an inappropriate form of development within the Green Belt, as defined by the Development Plan. The development is therefore contrary to Policy GC1 of the Macclesfield Borough Local Plan and would cause harm to the objectives of those policies. The development is similarly contrary to national policy guidance relating to development within the Green Belt. It is not considered that the details put forward amount to very special circumstances exist to justify the approval of inappropriate development in the Green Belt (Appeal subsequently dismissed.)

11/2251M Certificate of Lawfulness of Existing Use as residential Curtilage
Granted 2011.

66337 Stables, tackroom and open barn.
Approved 1991

27574 New house
Refused 1982. Appeal dismissed.

23880 New house
Refused 1980

POLICIES

Cheshire East Local Plan Strategy (CELPS)

MP1 Presumption in Favour of Sustainable Development

PG1 Overall Development Strategy

PG2 Settlement Boundaries

PG3 Green Belt

PG7 Spatial distribution of development

SD1 Sustainable development in Cheshire East

SD2 Sustainable development principles

SC4 Residential Mix

SE1 Design

SE2 Efficient Use of Land
SE3 Biodiversity and Geodiversity
SE4 The Landscape
SE5 Trees, Hedgerows and Woodland
SE8 Renewable and Low Carbon Energy
SE12 Pollution, Land Contamination and Land Instability
SE13 Flood risk and water management
CO1 Sustainable travel and transport
CO3 Digital connections

Macclesfield Borough Local Plan Saved Policies (MBLP)

NE11 (Nature conservation interests)
DC3 (Amenities of residential property)
DC6 (Circulation and Access)
DC8 (Landscaping)
DC9 (Tree protection)
DC35 (Materials and Finishes)
DC37 (Landscaping in housing developments)
DC38 (Space, light and Privacy)
DC41 (Infilling housing or redevelopment)
DC63 (Contaminated Land)
GC1 (New buildings in the Green Belt)

Other Material Considerations

National Planning Policy Framework (NPPF)
National Planning Practice Framework (NPPG)
The Cheshire East Borough Design Guide (2017)
Draft Site Allocations Development Plan Document (SADPD)
Prestbury SPD
Prestbury Village Design Statement

CONSULTATIONS (External to Planning)

United Utilities: No objections

Head of Strategic Infrastructure: No objections

Flood Risk: no objection subject to condition relating to drainage

Environmental Health: No objections subject to conditions relating to working hours, piling, dust management, electric vehicle charging points and contaminated land

Prestbury Parish Council: *“Prestbury Parish Council observes poor access on this private road and is minded that this Planning Application is incongruous to the neighbourhood and would result in over-development of a plot in Green Belt. The Council therefore object in the strongest possible terms.”*

OTHER REPRESENTATIONS

Letters of representation have been received from 2no. different properties highlighting the following points:

- The gap is not small and so would be inappropriate development.
- A similar scheme has already been refused and this one should be also.
- Concerns over privacy/overshadowing.
- Concerns over the impact of the narrow access road.

OFFICER APPRAISAL

Green Belt

CELPs policy PG3 and paragraph 145 of the Framework state that the construction of new buildings within the Green Belt is inappropriate unless it is for one of the listed exceptions. The most relevant exception to the current proposal listed in paragraph 145 of the Framework is:

“e) limited infilling in villages; “

Policy PG3 of the CELPS reflects exception (e) of paragraph 145. Policy GC1 of the MBLP also relates to the Green Belt and states that within the Green Belt approval will not be given, except in very special circumstances, for new buildings unless it is for an identified purpose, including limited infilling within specific settlements. However, in line with the decisions of Planning Inspectors on a number of other sites in the Borough, policy GC1 should be given only limited weight as it is not consistent with the Framework, which allows limited infilling without further qualification regarding settlements.

The Framework does not provide a definition of what should be considered to be limited infilling in villages, but the CELPS defines “infill development” as *“The development of a relatively small gap between existing buildings”*, and the MBLP defines “infilling” as *“the infilling of a small gap in an otherwise built up frontage (a small gap is one which could be filled by one or two houses)”*.

In this case the site sits at the end of a cul-de-sac with three proposed dwellings in an L shaped formation. Two new dwellings would be positioned to the south of the site between number 9 Summerhill Road and a new sports building currently under construction as part of the new King’s School site to the west of Summerhill Road. One new dwelling would be positioned to the north of the site adjacent to number 14 Summerhill Road, an existing bungalow. The infill element of the proposal comprises two parts with the single dwelling to the north of the site making up one of the parts and the two dwellings to the south the other.

The single plot to the north would be bounded by the dwelling at number 14 Summerhill Road to the east, but no building to the west. Built development would only surround this dwelling on one side. The sports building is positioned approx. 25m south of the proposed single dwelling and this property would clearly not be considered to be between existing buildings.

The two dwellings to the south would be positioned between number 9 to the east and the new sports building under construction, to the west. The gap between these two buildings is approx. 148m. This is a considerable distance and could not reasonably be described as

“relatively small” even in this context. It is noted that there have been appeal decisions submitted by the applicant of other decisions where large gaps have been allowed and it is acknowledged that context does play a part in the assessment of whether the gap is “relatively small”. However none of the examples have been close to the size of the gap in the application site and the site is therefore not considered to represent limited infilling.

Given that the proposal is not considered to be limited infilling, there is no need to consider whether it is in a village. However, for the avoidance of doubt commentary on this matter is provided as follows. The site lies outside of the Prestbury settlement boundary, as defined in the Local Plan.

Case law has established that it is necessary to consider whether, as a matter of fact on the ground, a site appears to be within a village and whether or not a site lies outside a village boundary as designated in the development plan is not determinative of the point, however is a consideration.

As mentioned in the applicant’s supporting statement built development extends from Summerhill Road continuously to the centre of Prestbury, so it could reasonably be argued that Summerhill Road forms part of the village of Prestbury. However the continuous development ends at number 14 on the north side of the road and number 9 on the south side. The application site is outside of this settlement and is not considered to form part of the village. As described in the last appeal decision for the site *“the dwelling would appear as a development on the edge of a settlement, extending the linear ribbon development of Summerhill Road into the landscape, and would not have the characteristics of infill within a village”*.

Although the school was not under construction at the time of the last appeal the application for the school had been approved and the Inspector considered the potential impact the school may have on the site stating: *“even if this development is implemented, the retained garden area of Stone Cottage would represent a significant visual break between the appeal site and the proposed school buildings and I therefore consider that this matter does not support the classification of the proposed dwelling as limited infill”*.

Having regard to the above, it is considered that the proposal does not amount to limited infilling in a village. Therefore assessing the proposal against point (e) of paragraph 145 of the Framework, and point 3(v) of policy PG3 in the CELPS, the proposal is considered to be inappropriate development in the Green Belt.

Design / Character

Policies SE1 and SD2 of the CELPS relate to design. Amongst other criteria, policy SD2 of the CELPS expects all development to contribute positively to an area’s character and identity, creating or reinforcing local distinctiveness in terms of:

- a. Height, scale, form and grouping;
- b. Choice of materials;
- c. External design features;
- d. Massing of development - the balance between built form and green/public spaces;

Summerhill Road is characterised by large detached individually designed properties set in spacious grounds. The proposed site would consist of two plots of similar size to neighbouring residential plots. The width and depth of the proposed plot is large, but comparable with others in the immediate vicinity of the site and is clearly capable of accommodating two large dwellings comparable to those in the immediate vicinity of the site.

The details regarding the design of the development including its scale and siting would be considered at the Reserved Matters stage.

Amenity

Local Plan policy DC3 seeks to ensure development does not significantly injure the amenities of adjoining or nearby residential properties through a loss of light, overbearing effect or loss of sunlight/daylight. Similarly, saved policy DC41 of the MBLP states that proposals should not result in overlooking of existing private gardens and should not lead to excessive overshadowing of existing habitable rooms.

The site layout plan submitted is indicative only but it is considered that due to the size of the plot, any future Reserved Matters application would be able to ensure that sufficient distances to neighbouring property would be able to be achieved to ensure that the development would accord with saved policies DC3, DC38 and DC41 of the Macclesfield Borough Local Plan (MBLP) and that a commensurate degree of space, light and privacy would be able to be achieved between all neighbouring property. The distance between the rear of the proposed dwelling and the rear of number 50 Hayesbank is approximately 19m, however this is commensurate with the other development in the area and if required a greater distance could be achieved during the Reserved Matters application.

Highways

Summerhill Road is an unadopted private road, which provides access to 13 dwellings. As such, its use to serve three additional dwellings is considered acceptable; and there is sufficient space within each plot for off-street parking provision to be in accordance with CEC parking standards.

There are no other material highway considerations associated with this proposal; accordingly, the Strategic Infrastructure Manager has no objection to the planning application.

Ecology

No significant ecological issues are raised by the proposal. The nature conservation officer raises no objections. A condition requiring the incorporation of features into the scheme suitable for use by breeding birds is recommended in the event that the application is approved, to lead to an ecological enhancement as required by policy SE3 of the CELPS.

Landscape

Landscaping has been reserved for subsequent approval as part of the reserved matters.

Flood Risk

No objections are raised by the Council's Flood Risk section or United Utilities subject to appropriate drainage conditions. Subject to these conditions the proposal is considered to comply with policy SE13 of the CELPS.

Contaminated land

Residential developments are a sensitive end use and could be affected by any contamination present or brought onto the site. The underlying soil should be proven to be suitable for use in a residential setting garden setting.

As such, and in accordance with the Framework and policy SE12 of the CELPS conditions are recommended relating to unforeseen contamination, the testing of soil imported onto the site, a scope of works to address risks posed by land contamination, and a verification report.

CONCLUSIONS

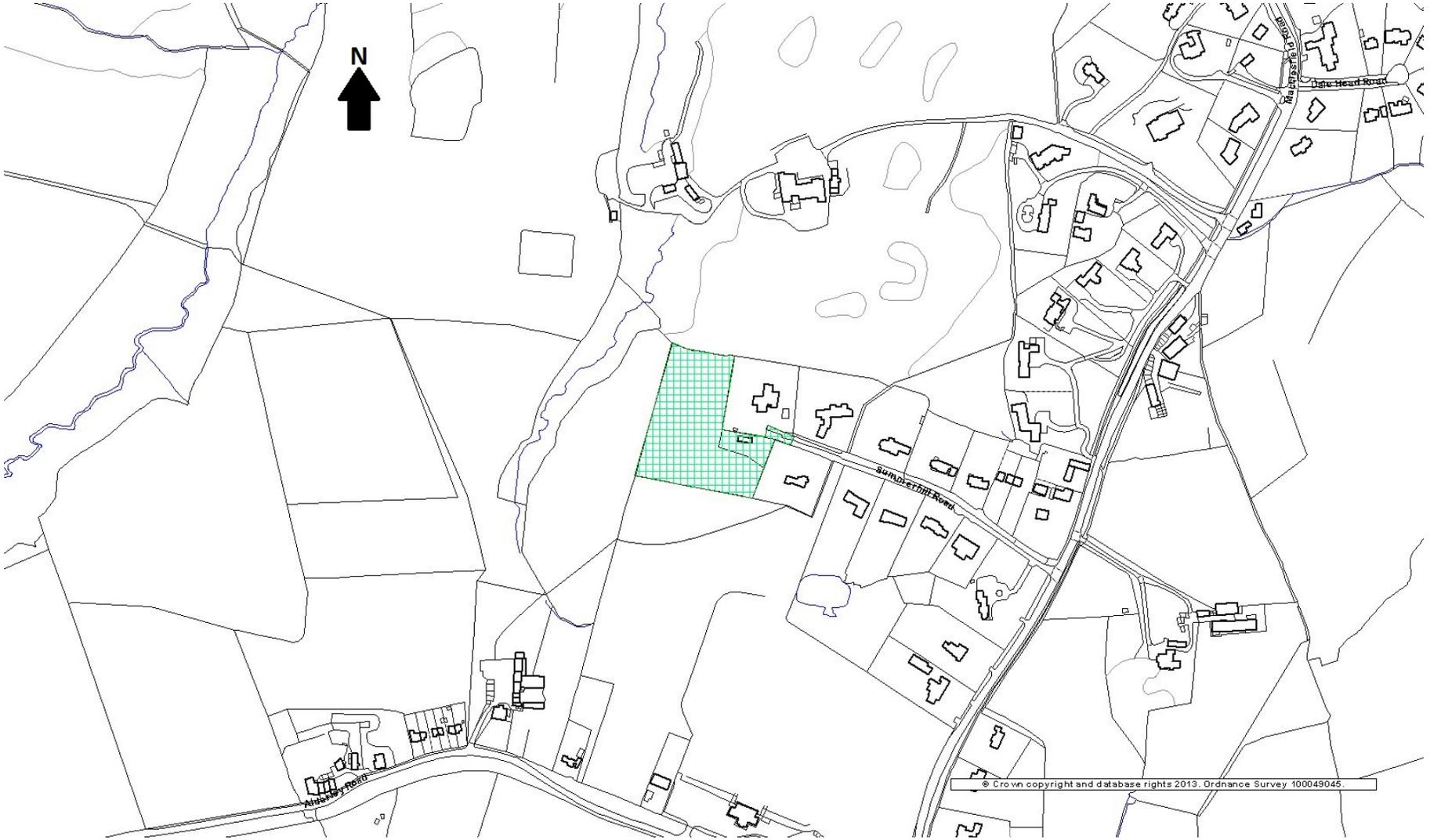
The comments from the neighbours are acknowledged and have been fully taken into consideration. There are not considered to be any significant adverse impacts relating to residential amenity, highways safety, ecology or environmental health arising from the development. The site is also considered to be in a sustainable location, with access to a range of local services and facilities nearby, including good public transport links.

However, by virtue of the width of the site, the lack of development to the west of the single plot to the north together with the position of the site outside the Prestbury settlement, the proposal is not considered to amount to limited infilling in a village in the Green Belt. The proposal is therefore considered to be inappropriate development in the Green Belt, and is contrary to policy PG3 of the CELPS, paragraph 145 of the NPPF.

A recommendation of refusal is therefore made for the following reasons:

- 1. The proposed development does not amount to limited infilling in a village, and therefore the proposal is contrary to policy PG3 of the CELPS, paragraph 145 of the NPPF and draft policy HOU1 of the Poynton Neighbourhood Plan.**

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



Application No: 19/3822M

Location: BARN HOUSE, OAK LANE, KERRIDGE, SK10 5AL

Proposal: Conversion, extension and alteration of an existing garage/workshop to form a one-bedroom dwelling with garden and parking.

Applicant: Janet Sharrocks

Expiry Date: 11-Oct-2019

SUMMARY

The proposal is for the conversion and extension of an existing detached garage, which currently serves Barn House, into a residential dwellinghouse. Whilst the application site is located within the Green Belt where development is considered to be inappropriate, two exceptions to the policy would apply. One exception met by the proposal is that the proposal is for the re-use of an existing building and the second being that the application proposes an extension which is assessed as being proportionate.

The impact on character, design, residential amenity and highways is considered to be acceptable and no concerns have been raised by consultees. Subject to appropriate conditions, the proposed development would not adversely impact the landscape character and would have an acceptable relationship with an adjacent protected Ash tree.

SUMMARY RECOMMENDATION

Approve subject to conditions

REASON FOR REPORT

The application has been called to Committee by the local Ward Member, Cllr Nicholas for the following reasons:

“It is in the Greenbelt.

Does not form part of the SADPD application.

The Bollington Neighbourhood Plan was approved in 2017.

Housing Policy HO.P2/2 states that:

‘Development on GB land as designated in 2015 is inappropriate and will only be permitted where covered by very special circumstances of CELP Policy PG3.’

No special circumstances have been shown.

On page 28 of the BNP there is VERY strong support (above 95%) for leaving GB land as Open Space, woods or nature trails.

Bollington Town Council has consistently objected to any houses being built on GB.”

DESCRIPTION OF SITE AND CONTEXT

The application relates to a garage and workshop building which is in ancillary use in relation to Barn House, located approximately 25m to the south of the application building. The site is located within the Green Belt and Local Landscape Designation Area (formerly ASCV). Various individual and group TPOs are identified adjacent to the site. The building is of a simple appearance, characterised by white rendered external walls and stone tile roofing. The original planning permission implemented for the construction of the building contains a condition attached limiting the use of the building for garage and workshop use in association with Barn House only and not for residential accommodation without approval from the LPA.

DESCRIPTION OF PROPOSAL

The application proposes to convert the garage/workshop building into a one-bedroom dwellinghouse. It is also proposed to construct a single storey extension to the side of the building. Proposed external materials would be to match the materials used on the existing building.

RELEVANT POLICIES

National Planning Policy

National Planning Policy Framework (2019)

Cheshire East Local Plan Strategy (CELPS)

PG 2 Settlement Hierarchy

MP 1 Presumption in Favour of Sustainable Development

SD 1 Sustainable Development in Cheshire East

SD 2 Sustainable Development Principles

PG 3 Green Belt

SE 1 Design

SE 4 The Landscape

SE 5 Trees, Hedgerows and Woodland

SE 15 Peak District National Park Fringe

Appendix C Parking Standards

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.

Saved Macclesfield Borough Local Plan Policies (MBLP)

DC2 Design – Extensions & Alterations

DC3 Design – Amenity

DC6 Design – Circulation and Access

DC8 Design – Landscaping

DC9 Tree Protection
DC38 Residential – Space, Light and Privacy
GC1 Green Belt – New Buildings
GC8 Green Belt – Reuse of Buildings
GC9 Green Belt – Reuse of Buildings for Residential
GC12 Green Belt – Alterations and Extensions to Houses

Bollington Neighbourhood Plan (BNP)

HO.P1 New Dwellings
HO.P2 Design of Housing
HO.P5 Parking Provision for New Dwellings
ENE.P3 Provision of Landscape Plan

RELEVANT PLANNING HISTORY

71843P – approved – 30 Sep 1992
Garage with workshop

96/1441P – approved – 20 Sep 1996
Garage with workshop (revised details)

CONSULTATION (external to planning)

Manchester Airport Safeguarding - No aerodrome safeguarding objections

CEC Environmental Protection – No objections - Comments made in relation to mitigation of amenity, air quality and contaminated land and recommended conditions and informatives, in the event of approval

CEC Highways – No objections

Bollington Town Council - Recommend refusal due to the property being within the Green Belt

REPRESENTATIONS

One comment was received from the occupier of a nearby property (Endon Lodge), objecting for the following reasons:

- Overdevelopment of the site
- Additional traffic will need to access onto a very bad bend, limited vision from right

OFFICER APPRAISAL

Green Belt

The application property is located within the Green Belt. Paragraph 145 of the NPPF states that the construction of new buildings and development in the Green Belt shall be regarded as inappropriate. Paragraphs 145 and 146 of the Framework list a number of exceptions to this, which are reflected in Policy PG3 of the CELPS. This is also reflected in Bollington Neighbourhood Plan policy HO.P2 (2) which states development in the Green Belt is

inappropriate and will only be permitted where covered by the very special circumstances of CELPS policy PG3.

Extension to the Building

The Framework and policy PG 3 state that the extension or alteration of a building is an exception to inappropriate development provided that it does not result in disproportionate additions over and above the size of the original building. Although there is no definition of what would be considered proportionate, policy GC12 of the MBLP relating to extensions to dwellinghouses states that a proportionate extension would be where the resultant floor space does not increase by more than 30% of the original floor space.

The proposed extension to the building would represent an 18% increase in floor space and would therefore be considered a proportionate increase to a building in the Green Belt in accordance with the Framework and policy PG 3.

Conversion of the Building

With regards to the principle of converting a the existing building to residential use, this would be considered appropriate under paragraph 146 of the Framework and CELPS policy PG3 which state that the re-use of buildings in the Green Belt is acceptable, provided that the buildings are of permanent and substantial construction. The application building is considered to be of permanent and substantial construction and would not require extensive demolition and re-building. The proposed conversion would preserve the existing openness of the Green Belt. As such, this exception to development in the Green Belt is relevant and so is considered to be appropriate.

Accordingly, the proposed extension and conversion of the application building is considered to be an appropriate and proportionate development in the Green Belt, in accordance with policy PG 3 of the CELPS and HO.P2 (2) of the BNP.

Design and Character

CELPS policy SE 1 states that development proposals should make a positive contribution to their surroundings. It seeks to ensure design solutions achieve a sense of place by protecting and enhancing quality, distinctiveness and character of settlements.

Amongst other criteria, CELPS policy SD 2 also expects all development to contribute positively to an area's character and identity in terms of height, scale, materials, design features, massing and relationship with the wider street scene.

The proposed conversion of the existing garage building would retain most of the original design features. Existing openings would be retained in the proposed development and the existing garage doors would be replaced with full height windows of a similar silhouette. The addition of new windows to the existing building would not significantly harm its appearance and would be an appropriate for the proposed use as a dwellinghouse.

The proposed extension would appear as a respectful addition to the existing building. Although the existing garage building is currently fairly modest in scale, the proposed extension would represent an approximate 18% increase in floor space and would appear proportionate.

Materials used for the extension would match those of the existing building and as such, the overall appearance would be considered acceptable.

It is considered that the proposed conversion and extension would accord with the requirements of CELPS policies SD 2 and SE 1.

Amenity

Policy DC3 of the MBLP seeks to protect the amenities of adjoining or nearby residential properties due to the potential development impact on loss of privacy, loss of light, noise and traffic generation. The objectives of MBLP policy DC38 also seek to safeguard residential amenities in respect of light, privacy and space between buildings.

The nearest neighbouring property to the application building is located approximately 25m to the south-west. By reason of the relatively large separation distance and mature planting between the application building and nearby residential properties, no concerns are raised in relation to amenity when considering impact on privacy, daylight, overbearing, noise or traffic.

The proposed conversion and extension to form a new dwellinghouse has been assessed against the DCLG's 'Technical housing standards – nationally described space standard (2015)'. For a one-bed, two-storey dwelling, the minimum gross internal floor area stated in the space standards is 58 square metres. The GIA of the proposed ground floor alone would meet this minimum standard with a further 15 square metres (approx.) at first floor level. As such, the proposed dwellinghouse is considered to provide acceptable internal living conditions.

As such, no concerns are raised with respect of residential amenity and the proposed development is considered to accord with paragraph 127(f) of the NPPF and MBLP policies DC3 and DC38.

Trees

Standing directly to the south of the existing building is a large mature Ash protected as T3 within the Macclesfield Borough Council (Bollington - Kerridge) Tree Preservation Order 1974. An Oak identified as T4 within the Order to the north of the building no longer exists.

The presence of the protected Ash is clearly a material consideration. The identified Ash (T3) is assessed to have a Root Protection Area (RPA) of 12 metres and as such the proposed extension would stand within the tree's RPA. Although the foundations of the proposed extension would be within the RPA of the Ash, this land appears to have been historically utilised as hardstanding where compaction is likely to have occurred.

In summary, there is not considered to be any significant impact upon trees on the site subject to conditions relating to tree protection measures, and engineer designed drawings to ensure the continued wellbeing of the trees, and consequently the development is in accordance with CELPS policy SE 5.

Parking and Access

The existing site contains a generous level of hardstanding including a relatively long driveway and hard surface around the building. One on-site car parking space is required for a one-bed dwellinghouse in all areas of Cheshire East as set out in CELPS Appendix C. The

proposed site plan clearly shows provision for at least two parked cars within the site and as such, the proposal accords with the local minimum standards.

The proposed development would result in the loss of a detached garage originally built to serve Barn House. The proposed site plan shows that there would be at least two on-site car parking spaces provided for Barn House following the conversion of the garage.

As such, the provision of off-road car parking would easily satisfy the minimum standards stated in CELPS Appendix C: Parking Standards and also satisfies Bollington Neighbourhood Plan policy BNP HO.P5.

CEC Highways were consulted on the application and confirm that there are no material highway implications associated with the proposal. Accordingly, the Strategic Infrastructure Manager has no objection to the planning application.

Landscape and National Park Fringe

Policy SE 4 of the CELPS seeks to ensure that development in Local Landscape Designation Areas should conserve and enhance the quality of the landscape and protect it from development which is likely to have an adverse effect on its character, appearance and setting. The proposal is considered to be of an acceptable scale, commensurate with the existing building and other structures in the area. Subject to appropriate landscaping, it is considered that the development would not have a harmful impact upon the Local Landscape Designation Area it is located within and would therefore comply with the objectives of CELPS policy SE 4.

The site is also located within the identified Peak District National Park Fringe where development which affects the setting of this designated area will be resisted where it compromises the statutory designation and purposes of the national park. These purposes include the conservation and enhancement of natural beauty, wildlife and cultural heritage and the promotion of opportunities to understand and enjoy the special qualities of the parks by the public. As outlined previously, is considered the proposal is of an appropriate scale and would not conflict with these objectives of the Peak District National Park Fringe designation.

Accordingly, the proposed development is considered to have an acceptable impact on the character, appearance and setting of the local landscape subject to the delivery of appropriate hard and soft landscaping, which can be dealt with by condition.

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 181 of the NPPF and the Government's Air Quality Strategy.

This proposal is for a single dwelling. Whilst this scheme itself is of a small scale, and as such would not require an air quality impact assessment, there is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality.

It is therefore considered appropriate to require the installation of electric vehicle charging infrastructure to the dwellinghouse, and an appropriate condition is therefore recommended.

CONCLUSIONS AND RECOMMENDATION

The proposed re-use of the building as a dwellinghouse is appropriate development in the Green Belt and accords with the relevant policies of the development plan. The proposed extension would be a proportionate addition to the building. The application for planning permission is accordingly recommended for approval, subject to the following conditions.

1. 3 years commencement
2. Development in accordance with approved plans
3. Materials to match existing
4. EV Charging point to be provided
5. Tree Protection details to be submitted
6. Tree Pruning / Felling specification to be submitted
7. Trees – engineer designed method statement to be submitted
8. Landscaping scheme to be submitted
9. Landscaping implementation

In the event of any changes being needed to the wording of the Committee'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 has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.



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