



Northern Planning Committee

Agenda

Date: Wednesday, 4th November, 2020
Time: 10.00 am
Venue: Virtual Meeting

How to Watch the Meeting

For anybody wishing to watch the meeting live please click in the link below:

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or dial in via telephone on 141 020 33215200 and enter Conference ID: 617 708 16# when prompted.

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 meetings are live 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.

OFFICIAL

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 Virtual Meeting** (Pages 5 - 8)

To approve the minutes of the virtual meeting held on 7 October 2020 as a correct record.

4. **Public Speaking-Virtual Meetings**

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. **20/1560M - 107 & 109, MANCHESTER ROAD, WILMSLOW: Demolition of existing buildings and construction of a 60 bedroom care home (Use Class C2), with associated access, parking, landscaping and site infrastructure** (Pages 9 - 26)

To consider the above application.

6. **20/2640M - WILMSLOW HIGH SCHOOL, HOLLY ROAD NORTH, WILMSLOW: Extensions and Alterations to School and Associated Landscaping and Highway Improvement Works** (Pages 27 - 50)

To consider the above application.

7. **19/0684M - LAND OFF HEYES LANE, ALDERLEY EDGE: Erection of 6no. new dwellings on land off Heyes Lane** (Pages 51 - 68)

To consider the above application.

8. **20/0554M - CORNER CROFT, GREEN LANE, ALDERLEY EDGE, SK9 7UW:
Erection of New Detached Dwelling Adjacent to the Existing Property**
(Pages 69 - 78)

To consider the above report.

9. **20/3612M - FERNLEA, STANLEY ROAD, KNUTSFORD, CHESHIRE, WA16 0DJ:
Demolition of Existing Bungalow and Construction of One Detached and a Pair
of Semi-detached Dwellings** (Pages 79 - 96)

To consider the above application.

Membership: Councillors L Braithwaite, C Browne (Chairman), T Dean (Vice-Chairman), JP Findlow, A Harewood, S Holland, J Nicholas, I Macfarlane, N Mannion, B Murphy, B Puddicombe and L Smetham

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CHESHIRE EAST COUNCIL

Minutes of a virtual meeting of the **Northern Planning Committee**
held on Wednesday, 7th October, 2020

PRESENT

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

Councillors L Braithwaite, JP Findlow, A Harewood, S Holland, J Nicholas,
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 N Jones (Principal Development Officer) and Mr P Wakefield (Principal
Planning Officer)

32 APOLOGIES FOR ABSENCE

There were no apologies for absence.

33 DECLARATIONS OF INTEREST/PRE DETERMINATION

There were no declarations of interest.

34 MINUTES OF THE PREVIOUS VIRTUAL MEETING

RESOLVED

That the minutes of the previous virtual meeting held on 9 September
2020 be approved as a correct record and signed by the Chairman.

35 PUBLIC SPEAKING-VIRTUAL MEETINGS

RESOLVED

That the public speaking procedure be noted.

36 20/1472M-REDEVELOPMENT OF FORMER GARDEN CENTRE TO 10NO. DWELLINGS (INCLUDING 2 AFFORDABLE UNITS) WITH ASSOCIATED LANDSCAPING, TOGETHER WITH CONVERSION OF EXISTING SITE BUILDING TO OFFICE USE, OLLERTON NURSERY, CHELFORD ROAD, OLLERTON, CHESHIRE FOR D MEREDITH

Consideration was given to the above application.

(Councillor M Asquith, the Ward Councillor, Parish Councillor N Speakman, representing Ollerton with Marthall Parish Council, Jacky Slator, an objector and Amy Brighthouse, representing the applicant attended the virtual meeting and spoke in respect of the application).

RESOLVED

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

- 20% Affordable Housing (i.e. 2 units as proposed), available for affordable rent.
- Provision and management of on site open space
- Contribution of £1,000 per dwelling for off site Recreation & Outdoor Sport to be directed towards Oaklands Road playing field, Ollerton for pitch improvements and informal active recreation.

And subject to the following conditions:-

1. Commencement of development (3 years)
2. Development in accordance with approved and amended plans
3. Construction of access and parking made available for use prior to first occupation
4. Landscaping scheme to be implemented in accordance with submitted scheme
5. Details of boundary treatments to be submitted, approved and implemented
6. Development shall be carried out in accordance with the Arboricultural Impact Assessment / Method Statement and Tree Protection Plan
7. Retention of retained trees
8. Details of ground levels to be submitted, approved and implemented
9. Foul and surface water drainage to be connected on separate systems
10. Scheme of surface water drainage and management plan to be submitted, approved and implemented
11. Sustainable drainage management and maintenance plan to be submitted, approved and implemented
12. Details of materials to be submitted, approved and implemented
13. Removal of permitted development rights for extensions and outbuildings
14. Development to be carried out in accordance with noise survey
15. Supplementary Phase II contaminated land investigation to be submitted and approved
16. Verification of remediated contaminated land to be submitted and approved
17. Details of bin / refuse storage to be submitted, approved and implemented prior to first occupation
18. Details of pile foundations to be submitted, approved and implemented
19. Travel Plan to promote alternative / low carbon transport options for residents to be submitted, approved and implemented
20. Electric Vehicle Infrastructure to be provided prior to first occupation

- 21. Scheme of dust control to be submitted, approved and implemented
- 23. Obscured glazing on side elevations of upper floors
- 24. Accordance with Ecological Assessments
- 25. Nesting bird mitigation measures to be submitted, approved and implemented
- 26. Details of external lighting to be submitted, approved and implemented
- 27. Scheme of biodiversity enhancement to be submitted, approved and implemented
- 28. Cycle storage provided prior to first occupation

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 Chairman) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

(During consideration of the application, Councillor L Braithwaite and B Murphy lost connection and therefore did not take part in the debate or vote on the application).

37 20/1957M-THE CONSTRUCTION OF A SINGLE STOREY 1-BED APARTMENT WITHIN THE GROUNDS OF NO 16 GEORGES ROAD EAST, POYNTON, 16, GEORGES ROAD EAST, POYNTON, CHESHIRE FOR MR CHRIS RUSSELL, QMS DEVELOPMENTS

Consideration was given to the above application.

(Councillor J Saunders, the Ward Councillor, Town Councillor L Clarke, representing Poynton Town Council and Chris Russell, the applicant attended the virtual meeting and spoke in respect of the application).

RESOLVED

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

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Materials as application
4. Landscaping (to include boundary treatment) - submission of details
5. Landscaping (implementation)
6. Removal of permitted development rights
7. 2 parking spaces to be provided and retained
8. Details of existing ground levels, proposed ground levels and finished floor levels to be submitted

9. Detailed strategy / design limiting the surface water runoff to be submitted
10. Electric vehicle infrastructure to be provided
11. Contaminated land risk assessment to be submitted
12. Verification Report to be submitted in event that contaminated land remediation is required
13. Imported soil to be tested for contamination
14. Actions to be undertaken in event of unidentified contamination being found
15. Details of bin stores to be provided

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 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 12.30 pm

Councillor C Browne (Chairman)

Application No: 20/1560M

Location: 107 & 109, MANCHESTER ROAD, WILMSLOW, CHESHIRE, SK9 2JH

Proposal: Demolition of existing buildings and construction of a 60 bedroom care home (Use Class C2), with associated access, parking, landscaping and site infrastructure.

Applicant: c/o Agent, Care UK

Expiry Date: 12-Jun-2020

SUMMARY

The application lies within Wilmslow, which is identified as a Key Service Centre where the principle of such development on the site is acceptable. As the proposal is not classified as use class C3 (dwellinghouses), there is no affordable housing requirement. However, the development will provide suitable accommodation to enable an ageing population within Cheshire East to live full independent lives for as long as possible. It is considered that the proposal would make a valuable contribution towards housing for elderly people within the Borough, as well as continuity in their care, which is a material consideration. In light of an objection from the Council's Adult Services, the precise need is still being discussed with the applicant and will be reported to Members by way of an update.

The impact on European Protected Species and other ecological interests has been assessed by the Nature Conservation Officer and is acceptable. The proposal accords with the relevant ecology policies in the local plan and national guidance in the Framework. There is not considered to be any reason, having regard to the Conservation of Habitats and Species Regulations 2010, to withhold planning permission in this case.

Similarly, the proposal also raises no significant visual, highway safety, amenity, design or flooding issues, and complies with relevant local and national planning policies.

A number of economic benefits will also arise from the development including additional trade for local business and the creation of employment.

Subject to discussions regarding the need for development in the area, it is considered that the proposal accords with all other relevant Development Plan policies and could be approved, subject to relevant conditions and a s106 contribution towards healthcare provision.

SUMMARY RECOMMENDATION

Approve subject to further negotiations regarding need, conditions and completion of a s106 agreement

DESCRIPTION OF SITE AND CONTEXT

The site is located within the Low Density Housing Area (LDHA) designation which generally follows Manchester Road. A key characteristic of this designation is the larger than average dwellings set in large plots. Through the set back of these properties and the landscaping along Manchester Road, there is a sylvan character to this area. It is noted that to the eastern side, the plots are arranged at a slightly higher density (in terms of width) in comparison to those on the west.

There is no definitive architectural style to this area, and whilst the dwellings are generally large, their presence is relatively unassuming due to the filtered views, and the space between the main highway, curtilage and position of the dwellings.

The site is located to the north of Wilmslow, within a predominantly residential area, as defined in the Macclesfield Local Plan.

DETAILS OF PROPOSAL

Full planning permission is sought for the demolition of the two existing detached dwellings and the erection of a 60no. bed care home with associated landscaping, car parking and access.

The proposed care home would be two-storey in height with traditional styled pitched roofs and gables. The pitched roof elements are proposed to be broken up with flat roofed glazed links to break up the overall form and mass of the building. Materials would include red brick and white render with grey roof tiles.

The building would extend into a significant proportion of the existing plot with a 'T-shape' form behind the front elevation necessitating the removal of existing trees and shrubs which currently form the boundary between the two existing plots. Landscaped garden areas would be formed either side of the central wing with parking for 33 cars situated at the front of the site.

RELEVANT HISTORY

18/2622M Erection of one new dwelling to the rear of the existing dwelling, including associated access and landscaping
Approved 7 August 2018

18/0746M Erection of two new dwellings to the rear of the existing.
Withdrawn 12 April 2018

15/4171M Formation of New Vehicular Access.
Approved 15 July 2016

12/0658M Change of Use from Part Dental Surgery back to Complete Domestic Property.
New Roof, Entrance Canopy & Steps to Existing Extension on North Side of
Property Plus Internal Alterations
Approved 27 March 2012

POLICIES

Cheshire East Local Plan Strategy – adopted 27th July 2017

MP1 Presumption in Favour of Sustainable Development

PG1 Overall Development Strategy

PG2 Settlement Boundaries

CO1 Sustainable Travel and Transport

PG7 Spatial distribution of development

SD1 Sustainable development in Cheshire East

SD2 Sustainable development principles

IN1 Infrastructure

IN2 Developer Contributions

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

SE9 Energy Efficient development

SE12 Pollution, Land Contamination and Land Instability

SC1 Leisure and Recreation

SC2 Indoor and Outdoor Sports Facilities

SC3 Health and Well Being

SC4 Residential Mix

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

DC3 (Protection of the amenities of nearby residential properties)

DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)

DC8 (Landscaping)

DC9 (Protected Trees)

DC38 (Guidelines for space, light and privacy for housing development)

NE11 (Nature conservation)

H12 (Low Density Housing)

DC57 (Community Uses - Residential Institutions)

Wilmslow Neighbourhood Plan;

LSP1: Sustainable Construction

LSP2: Sustainable Spaces

LSP3: Sustainable Transport

NE5: Biodiversity Conservation

NE6: Development in Gardens
H2: Residential Design
H3: Housing Mix
CR3: Local Green Spaces
CR4: Public Open Space
CR5: Health Centres
TA2: Congestion and Traffic Flow

Other Material Considerations

National Planning Policy Framework (NPPF)
National Planning Practice Framework (NPPG)
Cheshire East Design Guide

CONSULTATIONS (External to Planning)

United Utilities: no objection subject to conditions relating to drainage

Housing: no objection

Manchester Airport: no objection

Highways: no objection subject to a construction management plan condition

Flood Risk: no objections subject to conditions

Environmental Protection: No objections subject to conditions relating to a noise, lighting, a travel plan, piling and contaminated land.

NHS Eastern Cheshire Clinical Commissioning Group: Request a financial contribution of £30,240 to support the development of Alderley Edge Medical Centre, Chelford Surgery, The David Lewis Medical Practice, Handforth Health Centre, Kenmore Medical Centre, and Wilmslow Health Centre.

VIEWS OF THE TOWN COUNCIL

Wilmslow Town Council: *“Wilmslow Town Council recommends refusal of this application on the grounds of overdevelopment of the site within a low-density area and being contrary to Policy NE6 of the Wilmslow Neighbourhood Plan with regards to garden development. The development is out-of-keeping with the streetscene, particularly in terms of mass. The proposed parking provision is of poor design, insufficient and contrary to Cheshire East Council's policy in respect of care home parking provision.”*

OTHER REPRESENTATIONS

Representations from 145no. properties have been received; below is a summary of the relevant comments:

- Lack of car parking with the scheme – the area is becoming an overflow for workers in Wilmslow town centre.

- Highway safety issues due to the increase in traffic.
- Impact on bats in the mature trees to the rear has not been properly assessed.
- The area has suffered from poor drainage and flooding and this will exacerbate that.
- Doctors' surgeries in the area will be overwhelmed.
- There is not a need in the area for additional care homes.
- Loss of light and overlooking to surrounding adjacent neighbours.
- The building will be out of character with the surrounding area - the surrounding area contains mainly two storey detached dwellings.
- Construction traffic to the proposed site will pose a significant risk to pedestrians.
- The mass of the building would be overbearing to neighbouring properties.
- The applicant has not submitted a manoeuvrability diagram demonstrating that emergency vehicles can enter and leave the site in a forward gear.
- In order to construct the development a number of mature trees would have to be destroyed altering the local landscape and wildlife of this area.
- Public transport is lacking to the site.
- The pedestrian footpaths in both directions are very hilly and unsuitable for residents walking around.
- This development would also bring out-of-hours noise from Lorries and vehicles, manoeuvring and loading which will impact local residents, particularly at times of the day/night when ambient noise levels are low.
- The visual impact to the frontage of the plot will create a street scene dominated by vehicles having a detrimental effect on the character surrounding this residential area contrary to policy guidance.
- Over development of the site, within an area of 'low density housing'.
- There is a roof terrace to the rear which will overlook the properties to the rear.
- The site is not within walking distance to Wilmslow or Handforth.
- The site boundary has included land within the highway as part of the comparison figures for the plot:building ratio.
- It will cause noise and light pollution to the area.
- A roundabout was recently installed near to the site which increases highway safety issues.

One of the letters mentions a restrictive covenant on the properties to be demolished. As covenants are outside of planning control this is not a material consideration.

OFFICER APPRAISAL

Principle of Development

The site lies within a Predominantly Residential Area of the adopted Macclesfield Borough Local Plan where residential uses are acceptable in principle.

The site is considered to be in a sustainable location. It is a previously developed site, within an area surrounded by housing, which is within walking distance of public transport links and to services. No policy objections are raised to the proposal.

Sec.38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning applications and appeals must be determined “in accordance with the plan unless material considerations indicate otherwise”.

As per para 11 of the Framework and CELPS Policy MP 1, there is a presumption in favour of sustainable development taking into account the three dimensions of sustainable development (social, economic and environmental) and compliance with the Development Plan in accordance with Sec.38 (6). The ‘presumption in favour of sustainable development’ at paragraph 11 of the NPPF means: “approving development proposals that accord with an up to date development plan without delay”

The Council can now demonstrate a 5 year housing land supply but it is important to note that this site will deliver up to 60 properties for older persons within a key service centre. Proposals like this that bring forward development of such sites make a valuable contribution to maintaining a 5 year housing land supply and preventing inappropriate development elsewhere.

Policy SC4 of the Cheshire East Local Plan states the following: *“Development proposals for accommodation designed specifically for the elderly and people who require specialist accommodation will be supported where there is a proven need; they are located within settlements; accessible by public transport; and within a reasonable walking distance of community facilities such as shops, medical services and public open space.”*

The purposes are broadly repeated in the saved Macclesfield Borough Local Plan policy DC57, which lists a number of relevant criteria for assessing new residential institutions.

The site falls in a sustainable location, within walking distance to Wilmslow town centre (approx. 750m), shops and facilities. The 130 bus route runs past the site. Despite many comments stating that this route had been cancelled a new operator took over the service at the beginning of the year. It has also been claimed that the distance to Wilmslow town centre is too great to walk. However, many comments also state that the area has recently become an overflow for people parking that work in Wilmslow town centre or people using the train station. This indicates that the distance is walkable.

Saved MBLP Policy DC57 states that the development must comprise a reasonable sized private garden in the order of 10 sq metres per resident. Accommodation would be provided for up to 60no. residents. This would require a private garden in excess of 600 sq metres for the use of the residents. The garden area surrounding the building would be well in excess of this, which would have a pleasant aspect and due to the mature landscaping, it would not be overlooked, or overshadowed.

Need for the Development

The Council’s Adult Services Section has raised an objection to this application on the grounds that the need for the development has not been demonstrated. The applicant is currently rebutting this and liaising with Adult Services. The outcome of these discussions will be reported to Members by way of a written update.

Healthcare

The NHS Eastern Cheshire Clinical Commissioning Group (CCG) has commented on the application noting that there are several GP Practices nearby that have the potential to be affected. These are Alderley Edge Medical Centre, Chelford Surgery, The David Lewis Medical Practice, Handforth Health Centre, Kenmore Medical Centre, and Wilmslow Health Centre.

In this case, the CCG requests a contribution to health infrastructure via Section 106 of £28,914. This is based on the NHS funding model for general practice (the Carr-Hill formula), which applies a workload factor to patients in nursing and residential homes of 1.43 leading to a calculation consisting of number of beds x 1.43 x £337, where £337 is the build cost per head of additional population. Subject to this, the scheme would be acceptable in this regard.

Design and Impact on the Character and Appearance of the Area

NPPF paragraph 127 notes that planning decisions should ensure that developments are: visually attractive as a result of good architecture and layout; are sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change; establish or maintain a strong sense of place, and create attractive and distinctive places to live, work and visit. Paragraph 130 notes that permission should be refused for poor design that fails to take the opportunities for improving the character and quality of an area.

CELPS Policy SD 2 notes that development will be expected to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of height, scale, form and grouping, choice of materials, external design features, massing of development, and relationship to neighbouring properties, street scene and the wider neighbourhood. Policy SE 1 notes that development proposals should make a positive contribution to their surroundings by:

- Ensuring design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements
- Encouraging innovative and creative design solutions that are appropriate to the local context

Wilmslow Neighbourhood Plan Policy NE6 outlines three criteria which applications are encouraged to meet:

- The built form and hard surface areas must not exceed 50% of the area of the original plot unless permeable surfacing is used.
- All mature trees, hedgerows and other woody species are retained and protected, and supplemented by new planting.
- The landscape proposals developed must meet all 10 Green Biophillic Points set out within Wilmslow Neighbourhood plan policy SP2: Sustainable Spaces.

Wilmslow Neighbourhood Plan Policy H2 states that all new residential development should seek to deliver high quality design.

Manchester Road comprises a varied array of large houses dating predominantly from the 1930s set in very large gardens. The proposed site currently contains two of these homes

and gardens. There is already a planning permission for the development of a detached dwelling to the rear of the site. The total site area is 0.5ha and the proposals are to demolish the two detached houses and replace them with a single, 60-bed care home.

Whilst the front third of the building occupies roughly the same space as the two existing houses, the central wing and the rear block cover most of what is currently the large rear gardens. The retention of the front element helps to keep the rhythm of the street and this is ably shown in the various visualisations included with the application.

The size of the proposed new building would unfortunately necessitate the removal of a number of mature trees that currently occupy the mid-section of the site as well as reduce the amount of green open space considerably. As a result of this change, and the resultant effect on the ratio of open space to building and hard surface, it is strongly recommended that all hard surfacing is permeable.

The parking has been retained at the front of the site and this is adequately screened by the proposed hedge and well-designed.

It is clear that the main issue with this proposal is the scale of the development, specifically the plot coverage. The proposed building would result in a much greater degree of plot coverage than the dwellings that it replaces and of those historically in the area. However, there appears to have been a number of changes to this in recent years, with larger homes built and plots being sub-divided. The density analysis provided shows that the plot to site ratio proposed, whilst at the higher end at 43.9 % is not the highest in the immediate vicinity. However, it is noted that a number of comments highlight the fact that the applicant has used part of the highway in the calculations so the site area should be 5021sqm rather than the stated 5292sqm. This equates to an amended ratio of 46.3% which still would not be the highest in the area.

It is also clear that the way that the large building has been designed would minimise its impact. This is something that is clearly shown in the visualisations. The articulation of the elevations and the effective visual separation of the building into 'separate elements' helps maintain the impression of domestic scale despite the large footprint. This is designed well and goes some considerable way towards mitigating the effects of the large building.

Some clever architectural devices are used to maintain the impression of two houses to the front which makes it more readily fit into the existing street scene. These include the use of the glazed section between the two halves of the Manchester Road elevation, the use of different materials and varying eaves heights and gables and the inclusion of chimneys. This use of separate house-sized building blocks is continued throughout the building and, as stated above, this has the net effect of reducing the perceived mass of the single building and makes it look more like a series of large detached homes.

With regard to local character and distinctiveness, the way that the analysis undertaken has informed the design is apparent in a number of ways and it is felt that the building would not conflict with its surroundings as a result.

It is acknowledged that the impression of the proposal - especially when looking solely at the site plan - is one of a large building that sits heavily on the site, however the effects of this are

minimised by some careful design. The breaking down of the mass of the building into more domestically scaled parts is effective and the net effect is a building that does not look out of place in the street scene.

Overall, it is considered that the proposed development provides a modern but locally distinctive design, which can be considered to be in keeping with the local area, in accordance with policies SE1 and SD2 of the CELPS, policies H2 and NE6 of the WNP and the Cheshire East Design Guide.

Amenity

Saved Macclesfield Borough local Plan policy DC3 seeks to ensure development does not significantly injure the amenities of adjoining or nearly residential properties through a loss of light, overbearing effect or loss of sunlight/daylight with guidance on space distances between buildings contained in saved policy DC38 of the Macclesfield Borough Local Plan and guidance within the Cheshire East Design Guide.

New residential developments should generally achieve a distance of between 21m and 25m between principal windows and 13m to 14m between a principal window and a blank elevation. This is required to maintain an adequate standard of privacy and amenity between residential properties and these are set out in Policy DC38. The policy includes provisions to increase these distances in circumstances when development exceeds two-stories in height. It should also be noted that the Cheshire East Design Guide SPD also includes reference to separation distances and states that separation distances should be seen as a guide rather than a hard and fast rule.

The Design Guide identifies the following separation distances;

- 21 metres for typical rear separation distance
- 18 metres for typical frontage separation distance
- 12 metres for reduced frontage separation distance (minimum)

To the north, a 45 degree angle drawn from the rear facing windows of number 111 Manchester Road would be positioned approximately 45m from the nearest point of the proposed building. The closest side facing window on the proposed building would serve a first floor corridor on the north facing gable. Due to the proximity to the boundary it is recommended that a condition is included obscuring glazing these windows.

The habitable first floor windows facing to the north are set back from the boundary at a distance of approx. 19m.

The side facing gable to the rear of the site would again serve corridors at first floor. However, there is a distance of over 30m to the nearest dwelling at number 1 Lacey Grove. The proximity to the boundary would necessitate a further condition obscuring glazing the first floor windows of the rear gable.

To the south the distance to the boundary would be slightly over 13m from the first floor habitable windows with a 45 degree line taken from the rear habitable windows at first floor rear windows of number 105 Manchester Road approx. 32m from the nearest point of the

proposed building. This property does contain side facing windows at first floor. However, they were conditioned to be obscurely glazed in the 2008 permission for the new dwelling.

The rear element of the south facing elevation would be approx. 34m from the closest point of 101B Manchester Road with a gap of approx. 10m to the boundary.

To the rear of the development a gap of 14.5m would be maintained to the boundary with a distance of over 45m to the nearest dwelling. There are no proposed rear first floor terraces proposed.

The mature boundary trees are to be maintained and the screening strengthened, with additional boundary treatment proposed.

With the above in mind it is considered that the impact of the proposal on the residential amenity of the neighbouring properties is within acceptable limits in line with saved policies DC3, DC41 and DC38 of the Macclesfield Local Plan.

Noise

In support of the application, the applicant has submitted an acoustic report. The impact of the noise from the proposed laundry, kitchen and plant room has been assessed and the report recommends noise rating levels for the permitted plant to ensure that occupants of nearby properties are not adversely affected by noise. The recommendations in the report are agreed by the Councils Environmental Protection Unit and an appropriate condition will be included. The proposal complies with Policy SE12 of the CELPS and DC14 of the MBLP relating to noise and soundproofing.

Highways

CELPS Policy CO 1 deals with sustainable travel and transport. It supports a shift from car travel to public transport and seeks to guide development to sustainable and accessible locations. As a key service centre, it is accepted that Wilmslow is a suitably accessible and sustainable location for additional development.

The proposal includes a car park fronting the building with 33 car parking spaces that includes two disabled spaces and there is one minibus space and a service space. There are also 10 covered cycle spaces provided within the site.

It has been indicated that 65 full time equivalent jobs at the site and staff will work in shifts during a 24 hour period.

There are no traffic impact concerns arising from the proposals on the local highway network, care homes are not peak based and most trips to the site are likely to be made by staff and visitors.

CEC parking standards indicate recommended levels of parking to be provided and this would be 20 resident/visitor spaces and 32 staff spaces. It is accepted that in general car usage by residents in care homes is low and that it is important that staff parking is provided.

Consideration of the level of parking provision is important to ensure operationally that parking is contained within the site and not over spilling into Manchester Road. To support the application details of parking accumulation surveys at similar care homes have been submitted that indicates that resident and visitor parking demand is relatively low and staff parking is the highest parking requirement. It is considered that the 33 spaces will comfortably accommodate the parking demand of the care home.

It should be noted that this application provides a car park ratio of 0.51 per bed which is in excess of the ratio provided at other examples of similar care homes and also in excess of the recent care home approved at appeal at Handforth Road in Wilmslow. A refusal on such grounds would therefore be difficult to sustain.

The single access design is 4.8m wide with 4.5 radii and replaces the two existing drives and acceptable levels of visibility are provided at the access to Manchester Road. The site is linked to the footway network and there is cycle parking provided within the site, a bus service is available on Manchester Road. Refuse collection will take place from within the site and swept paths have been submitted to indicate that the refuse vehicle can enter and turn within the site.

On this basis no objection is raised to the application in highway terms.

Accessibility

It is a reasonably sustainable location, with public transport adjacent to the site, and also positioned approximately 750m from Wilmslow town centre.

The topography of Manchester Road/Alderley Road closer to the centre means that there is an incline when travelling north or south. This may dissuade some people from walking to the village centre depending on mobility. However, the path is used by local people including the elderly. As a consequence, it seems unlikely that the more mobile residents or those with mobility scooters would be deterred from walking/riding to the local facilities along Handforth Road. Walking to the nearest facilities is therefore an option for residents.

Accessibility is therefore considered to be in accordance with the objectives of saved MBLP Policies DC6 and DC57 and CELPS Policy CO 1.

Trees

The supporting Arboricultural Impact Assessment has identified 88 trees/groups of trees and hedges within or immediately adjacent to the site. Twenty three Low (C) category trees and 3 (U) category trees that are unsuitable for long term retention will require removal to accommodate the proposed development. None of the trees within the application site are currently protected by a Tree Preservation Order or lie within a designated Conservation Area.

The loss of these trees which are of low quality and value will not have a significant adverse impact on the wider amenity of the area.

Para 4.1 refers to above ground tree constraints and is discussed further in para 5.3. These matters and the design implications are considered in sections 5.2.3.; 5.2.4 and 5.3.4 of BS5837: 2012 *Trees in Relation to Design, Demolition and Construction - Recommendations*. The problems related to buildings and spaces around them having low daylight and sunlight levels is well known and subject to specific guidance in government circulars; Chartered Institute of Building Service Engineers (CIBSE), British Standards Institute (BSI) and Building Research Establishment (BRE) guidance. All the guidance as a whole points to the need to have sufficient daylight and sunlight both within and around buildings and that this should be part of the site planning for development.

Particular reference is given to individual trees along the southern section of the site including two Cypress (5.1 and 5.2) both of which are stated as having outgrown their location and one is located offsite. A Beech (5.6) which will require a crown reduction by 3 metres to accommodate the development and has been identified as a long term issue, referring to some not having a significant life expectancy or may require regular pruning to maintain their size and address shading .

A mature Lombardy Poplar (5.7) which has been identified as a potential for limb shedding and therefore is unlikely suitable for retention close to development and an offsite Oak (5.9) which will require cyclical pruning to maintain clearance from the building and identified as a potential issue in the long term .

The position of the proposed footprint and its relationship/social proximity to trees on the western boundary is only briefly mentioned referring to Ash trees which may be susceptible to Ash dieback, although no evidence of the disease has been identified in the supporting tree survey.

The purpose of BS5837:2012 as a design guide is to allow space between developments to ensure the long term safe well being of trees. This building footprint appears mostly to ignore the issues of above ground tree constraints and relies on selective removals and pruning to achieve the aim of developing the site.

Nevertheless, as referred to above, many of the trees within the site, individually at least are low category specimens, collectively they may have some value for screening and landscape quality, their impact on the wider amenity of the area is limited. Many of the trees shown for retention will likely require removal in the longer term due to pressure for residents for daylight/sunlight and issues of shading and consequently these issues need factoring in in any future landscaping of the site, should the application be approved.

Para 4.2 and 5.4 refer to below ground constraints which identify encroachment of root protection areas (RPAs) of retained trees. The proposed access off Manchester Road will encroach within the RPA of two mature Beech trees on the highway verge (Trees 1.2 and 1.4). The proposed line of a sewer will also interface with Beech (1.4). A proposed surface water drain and the car park will also encroach/interface with a number of other trees proposed for retention although most of the encroachment is less than 8% of the total RPA. The RPA of two trees, a Holly and a Cypress (3.8 and 4.9) will see an encroachment of 17% however these are low (C) category trees.

As stated in the Assessment the most significant potential for impact is with regard to the Beech (1.4) located on the highway verge where the incursion into the RPA is estimated at 16%. It is suggested that aeration and soil improvement of the grass verge would improve longevity of the tree, however no details have been provided as part of the submitted tree protection scheme or part of the accompanying arboricultural method statement except as generalised recommendations. Similarly details have not been provided as to the extent of works required to install the proposed surface water drain/sewer or appropriate use no dig engineering solutions for the car park.

The proposal has the appearance of maximising the space available with only a limited regard to the retention of trees and provision of amenity space and this is unfortunate. Landscape proposals include provision for the planting of sixteen trees of heavy standard; extra heavy standard and semi mature sized Nursery Stock, although space for the future growth potential of some of these trees such as Acer Campestre and available rooting volume may limit their long term potential.

It is considered with suitably worded conditions the Council's Forestry Officer has no objections to the scheme.

Nature Conservation

Breeding Birds

Suitably worded conditions relating to breeding birds should be included in any approval to protect nesting birds.

Bats

A daytime inspection was carried out and while no evidence of bats was recorded during the survey, due to suitability of the building for roosting bats, the ecologist who undertook the survey has recommended that a bat activity survey is undertaken.

Subsequent activity surveys found no evidence of roosting bats in the buildings or trees on site. No further survey effort is required in respect of this application. If works are delayed beyond 2021 an update survey may be required. Subject to conditions, the proposal is considered to comply with saved Policy NE11 of the MBLP and SE3 of the CELPS.

Flood Risk and Drainage

The site is located within Flood Zone 1 where flooding from rivers and the sea is very unlikely with less than a 0.1 per cent (1 in 1000) chance of flooding occurring each year. Subject to conditions (including a surface water drainage strategy), the proposal would not give rise to flooding or drainage issues based on the Council's own flood risk advice and advice from United Utilities. Therefore the development is considered to comply with policy SE 12 of the CELPS.

Contaminated Land

The Council's Environmental Protection Unit have raised no objection subject to appropriate conditions. Consequently the proposal complies with policy DC63 of the MBLP and CELPS Policy SE12.

HEADS OF TERMS

If the application is approved a Section 106 Agreement will be required, and should include:

- Healthcare contribution of £28,914

Community Infrastructure Levy (CIL) Regulations

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

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

The provision of a healthcare contribution is necessary, fair and reasonable to provide a sustainable form of development, to contribute towards sustainable, inclusive and mixed communities and to comply with local and national planning policy.

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

CONCLUSIONS AND PLANNING BALANCE

The application lies within Wilmslow, which is identified as a Key Service Centre where the principle of such development on the site is acceptable. As the proposal is not classified as use class C3 (dwellinghouses), there is no affordable housing requirement. However, the development will provide suitable accommodation to enable an ageing population within Cheshire East to live full independent lives for as long as possible. It is considered that the proposal would make a valuable contribution towards housing for elderly people within the Borough, as well as continuity in their care, which is a material consideration. In light of an objection from the Council's Adult Services, the precise need is still being discussed with the applicant and will be reported to Members by way of an update.

The impact on European Protected Species and other ecological interests has been assessed by the Nature Conservation Officer and is acceptable. The proposal accords with the relevant ecology policies in the local plan and national guidance in the Framework. There is not considered to be any reason, having regard to the Conservation of Habitats and Species Regulations 2010, to withhold planning permission in this case.

Similarly, the proposal also raises no significant visual, highway safety, amenity, design or flooding issues, and complies with relevant local and national planning policies.

A number of economic benefits will also arise from the development including additional trade for local business and the creation of employment.

Bearing all the above points in mind, it is considered that the proposal accords with all other relevant Development Plan policies and as such it is recommended the application be approved, subject to relevant conditions and a s106 contribution towards healthcare provision.

RECOMMENDATION

Approve subject to further negotiations regarding need, the completion of a s106 agreement for healthcare contributions of £28,914 and the following conditions:

1. Commencement of development (3 years)
2. Development in accordance with approved and amended plans
3. Construction of access and parking made available for use prior to first occupation
4. Landscaping scheme to be submitted and approved
5. Landscaping scheme to be implemented
6. Details of boundary treatments to be submitted, approved and implemented
7. Submission of an Arboricultural Method Statement and Tree protection scheme to be submitted to and approved
8. Details of ground levels to be submitted, approved and implemented
9. Foul and surface water drainage to be connected on separate systems
10. Scheme of surface water drainage and management plan to be submitted, approved and implemented
11. Details of external facing materials to be submitted, approved and implemented
12. Windows to be set behind a reveal of at least 100mm
13. Development to be carried out in accordance with submitted noise survey with mitigation provided prior to first occupation Noise validation report to be submitted and approved within 6 months of first occupation.
14. Verification of remediated contaminated land to be submitted and approved
15. Details of bin / refuse storage to be submitted, approved and implemented prior to first occupation
16. Details of pile foundations to be submitted, approved and implemented
17. Travel Information Pack to promote alternative / low carbon transport options for staff and residents to be submitted, approved and implemented
18. Electric Vehicle Infrastructure to be provided prior to first occupation comprising of two Mode 3 compliant Fast Electric Vehicle Charging Points
19. Scheme of dust control to be submitted, approved and implemented
20. Submission, approval and implementation of a Construction Management Plan
21. Obscured glazing on specified windows
22. Accordance with Ecological Assessments
23. Nesting bird mitigation measures to be submitted, approved and implemented
24. Details of external lighting to be submitted, approved and implemented
25. Incorporation of features into the scheme for use by breeding birds to be submitted, approved and implemented

26. Details of cycle storage to be submitted, approved and implemented

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 Planning and Enforcement Manager 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: 20/2640M

Location: WILMSLOW HIGH SCHOOL, HOLLY ROAD NORTH, WILMSLOW,
CHESHIRE, SK9 1LZ

Proposal: Extensions and alterations to school and associated landscaping and
highway improvement works

Applicant: Nick Cook, Cheshire East Council Asset Management Service

Expiry Date: 06-Nov-2020

SUMMARY

The application site is located on an area of Existing Open Space in the MBLP, and it has not been demonstrated that the open space is surplus to requirements, it is not replaced by equivalent or better provision, and the development is not for alternative sports and recreational provision, as required by paragraph 97 of the NPPF. As such, there is some conflict with this policy document as well as policy RT1 of the MBLP and SE 6 of the CELPS, which weighs against the proposal.

However, the proposals do include improvements to the existing sports and recreation facilities within the site which will be a benefit, not only to the school, but also to the wider community through a Community Use Agreement, to enable the local community to also benefit from the improved facilities. These benefits include the provision of a new community sports entrance and reception, new changing facilities, a fitness suite, a new movement studio, a new cover to the existing MUGA pitches to allow increased usage by the school and the community. Sport England also raises no objections with regards to impact on playing pitches.

In addition, the extent of the development that does not represent improvements to the existing sport and recreation offer is relatively limited, and relates to the need for additional educational space, and ancillary facilities, to enable increased pupil numbers, and consequently staff numbers. As with many schools within the Borough, the entire site is allocated as Existing Open Space and such policy conflict is commonplace when considering extensions to schools. In this case, the specific areas of open space lost to development are very limited, and do not adversely affect the existing or potential recreational needs of the local population or the integrity of the open space given their position within the site and their minor scale. This view is shared by the Open Space Officer from ANSA. It is therefore considered that there are sufficient benefits in this case to outweigh the policy conflict, arising from the historic allocation of the site as protected open space.

The proposals would be of an acceptable design, that would not create any issues in relation to; Green Belt, playing pitch provision, amenity, landscape, trees, flood risk and drainage, ecology or public rights of way, subject to conditions where deemed necessary.

The comments received in representation are acknowledged, however, matters in relation to Highways are also deemed acceptable, but subject to the receipt of a £8,000 contribution towards parking (waiting) restrictions being introduced on Broadway. Given that the Council cannot enter into a legal agreement with itself, it is recommended that permission be delegated back to the Head of Planning, in conjunction with the Chair of Northern Planning Committee (or in their absence the Vice Chair), to approve, subject to this payment being made prior to the issuing of a decision notice, and conditions.

RECOMMENDATION

That authority be DELEGATED to the Acting Head of Planning, in consultation with the Chairman of Northern Planning Committee (or in their absence the Vice Chair), to APPROVE the application for the reasons set out in the report, subject to;

- The receipt of a contribution of £8,000, prior to the issuing of the decision notice, to provide parking (waiting) restrictions on Broadway
- Conditions

REASON FOR REFERRAL

The application has been referred to Cheshire East Council's Northern Planning Committee, in accordance with the Council's Terms of Reference for the Planning Committee, as it represents a '*Significant application by the Council either as the applicant or land owner*'.

DESCRIPTION OF SITE AND CONTEXT

This application relates to Wilmslow High School, a secondary school located to the east of Broadway, north and south of Holly Road North and west of the railway line and A34, Wilmslow, Cheshire.

Land to the north of Holly Road North is where the school buildings are located. This land is classed as 'existing open space'. Land to the south of Holly Road north is where most of the existing car parking provision is located, along with some playing fields beyond. This land is Green Belt land as well as 'existing open space in the Green Belt'.

DETAILS OF PROPOSAL

Full planning permission is sought for extensions and alterations to the school and its associated grounds. More specifically, the following developments are proposed;

New buildings / extensions & alterations

- Part demolition of design & technology block (south-west corner of site) to allow for;
- A single-storey extension to main building incorporating two-storey school entrance section and two-storey stairwell extension to link to existing building. This extension would provide a new main pupil and visitor entrance, new admin spaces, student services, reprographics and new DT spaces.
- Two-storey infill extension between sports buildings (Sports Hall and Olympic Hall). This extension would provide a new community sports entrance and reception, new changing facilities, a fitness suite, 3 classrooms, a new movement studio and a viewing gallery.
- New cover to the existing MUGA pitches, with the proposals being referred to as the 'Sports barn'. The cover will be a 'roof and wall system'. This is sought to allow increased usage by the school and improve the community offering
- New doors and windows and internal alterations associated with the re-purposing of existing accommodation.

In total, the amount of new built form proposed, minus demolition would equate to 2431m² (Gross external area)

The new development, in conjunction with the internal re-configuration would amount to 29 additional teaching areas.

Landscaping / Highway works

- Creation of a new pupil drop-off area (16 car capacity) and a staff parking area (30 spaces) to the western boundary. X2 of the spaces would include electric vehicle charging points. The intention is that this creates a new drop off area not previously provided away from the public highway and should remove some drop-off traffic from Broadway. Access to new drop-off road will be restricted by automatic gates to the beginning and end of the school day only.
- Creation of a new landscaped main entrance plaza to improve visitor and student pedestrian access into the building located on Holly Road North. The new extension is to be arranged around a new landscaped external courtyard area.
- Existing main car parking area (to south of Holly Road North) to be altered to form a segregated visitor parking area (16 spaces including 4 disabled), to account for that lost as a result of the proposed works, and creation of new, additional access point onto Holly Road North.
- Amendments to main vehicular entrance at Broadway to provide a roundabout. Existing loop road to be barriered with removable bollards to restrict access and only allow for coach pick up and drop off for school trips, so not available for everyday use. The main pedestrian access at this point is also proposed to be amended (changes to pavements and crossing points for safety reasons) in order to bring pupils in through the main entrance gates and towards the main entrance of the school.
- New immediate cycle parking in a dedicated cycle parking area (140 cycles) accessed off Holly Road North with a brick-built, refuse storage area and access provided adjacent. A separate lockable staff cycle parking facility is to be provided adjacent to the new sports facilities (10 cycles). A location for a future cycle store area is also proposed adjacent to the footpath extending to the north of the built form on site through to Broadway Meadows car park (60 cycles).
- Creation of a new footpath/cycle link (constructed from permeable asphalt) linking the site to and beyond the Broadway Meadows car park to the north. The link would extend from the main site campus northwards to the left of the existing sports pitches, then along the northern edge of the site before passing into and skirting the edge of the Broadway Meadows car park, through an existing strip of landscaping/scrubland. This later section would be constructed from tarmac. This would connect into a new cycle path and wider cycle network beyond. A lockable access gate will be included to the boundary, only being

opened at the beginning and end of the school day. Outside of these times, access will be by fob only.

- Improvements to existing cycle and pedestrian access into the site to link to existing and proposed cycle networks.
- Creation of an improved drop-off area, emergency access route and footway link (with relocated post and rail fence) on A34 side of site (east).

Revised plans were received during the application process moving the position of the proposed northern footpath link within the site from extending between the playing pitches, to along the west hand side of the pitches. In addition, the position of a bike store in association with this has been re-located.

A proposed external lighting plan has been removed from consideration at this time and is now intended that this detail be conditioned instead in the event of approval.

RELEVANT HISTORY

20/2495M - Temporary modular classroom buildings – Approved 14th August 2020

17/3319M - External fabric canopy with steel uprights to the exterior of the dining hall. Two glass canopies over existing doorways. 2.4m high polycarbonate fencing and metal gates to enclose space. New metal access gate and green PPC weldmesh fencing at 1.8m to skirt around the west side of the building – Approved 29th August 2017

13/3008M - Non material Amendment to approved planning application 12/2997M (2 storey extension to existing 6th form teaching block) for approval to amend external cladding – Approved 7th October 2013

13/0726M - Two-storey extension to existing sixth-form teaching block to provide learning support centre and associated soft and hard landscaping works (Non-material amendment) – Approved 15th March 2013

12/2997M - Two Storey Extension to Existing Sixth Form Teaching Block to Provide Learning Support Centre and Associated Soft and Hard Landscaping Works – Approved 18th October 2012

09/4170W - Construction Of Sports Hall And Associated Facilities – Approved 15th March 2010

07/1050P - Removal Of Condition No.2 On Approval 97/1950p To Allow Permanent Siting Of Modular Building For Use As Creche – Approved 15th August 2007

06/1607P - Construction of 2no. Car Parking Areas Providing 76 & 42 Car Parking Spaces Respectively – Approved 20th December 2006

06/0213P - Creation Of New Access With Pedestrian Gate To The Northern Boundary Of The School And Associated Footpaths (Cheshire County Council) – Not objected to – 2nd March 2006

CY/5/P04/2143 - Section 73 application to defer condition 21 of permission 5/03/0543P (new two storey building) requiring a new access on the northern boundary of the school site via a new pedestrian path and cycle way through the adjacent Macclesfield Borough Car Park for a period of 12 months – Approved 4th November 2004

03/0543P - New Two Storey Building Accommodating 11no. Classrooms, Dance And Fitness Studios, Changing Rooms & Sixth Form Common Room. Three Classroom Extension To Existing School. Classroom Link And New Office Extension. Extension To Existing Hard Play Area. Proposed Pedestrian Access And Emergency Vehicles Access. Temporary Site Access For Construction Traffic – Approved 29th May 2003

02/0896P - Single-Storey Modular Building with Link To Provide Additional Facilities To Existing Creche – Approved 19th June 2002

00/0595P - New Free-Standing Two-Storey Classroom Block Incorporating Ten General Classrooms And Ancillary Space, Plus Bridge Link To Existing Building – Not objected to – 5th June 2000

P98/0303P - Floodlighting For Existing Sports Pitch, Comprising 12 No. 15 Metre High Columns – Approved 29th April 1998

97/1950P - Modular Building For Use As Creche – Approved 13th November 1997

74878P - Creation Of School Playing Field – Approved 7th October 1993

67084P - Extensions Alterations And New Playing Fields Including Floodlit Synthetic Playing Pitch – Approved 19th July 1991

66197P - Extension And Alterations To Existing High School – 2nd May 1991

61166P - Playing Fields Temporary Classroom Accommodation Car Parking Hard Play Area And Three Pitches – Approved 10th January 1990

48156P - Wilmslow And Handforth By Passes And Airport Eastern Link (Part Of) – Approved 14th May 1987

40545P - Erection Of New Teaching Block And Changing/Drama Block With Open Air Link – Approved 3rd July 1985

14586P - New Twin Class Mobile Unit – Approve 9th June 1978

POLICY

Development Plan

The aspects of the Cheshire East Council Development Plan relevant to the application are; the Wilmslow Neighbourhood Plan (WNP), the Cheshire East Local Plan Strategy (CELPS) and the Macclesfield Local Plan (MLP).

The relevant policies within these plans are:

Wilmslow Neighbourhood Plan (WNP) (October 2019)

LSP1 – Sustainable construction, LSP2 – Sustainable Spaces, LSP3 – Sustainable Transport, NE3 – Green Links, NE4 – Countryside Access, NE5 – Biodiversity Conservation, TA2 – Congestion and Traffic Flow, TA4 – Access to Schools, TA5 – Cycling in Wilmslow, CR1 – Community Facilities, CR2 – Indoor Leisure Facilities, CR4 – Public Open Space and PR3 – Pedestrian movement in the Town Centre

Cheshire East Local Plan Strategy (CELPS) (July 2017)

PG1 - Overall Development Strategy, Policy PG2 - Settlement Hierarchy, PG3 – Green Belt, 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, SE6 – Green Infrastructure, SE9 - Energy Efficient Development, SE12 Pollution, Land Contamination and Land Instability, SE13 – Flood Risk Management, SC1 – Leisure and Recreation, SC3 – Health and Wellbeing, IN1 - Infrastructure, IN2 - Developer Contributions, CO1 – Sustainable Travel and Transport, CO2 – Enabling Business Growth Through Transport Infrastructure, LPS55 – Wilmslow Business Park

Cheshire East Design Guide SPD

Macclesfield Local Plan (MLP)

NE11 – Nature Conservation, NE15 – Habitat Enhancement, GC1 – Green Belt (new buildings), GC6 – Areas Outside of Green Belt, ASCV or JBO, RT1 – Protection of Open Spaces, RT7 – Cycleways, Bridleways and Footpaths, DC2 – Design – Extensions & Alterations, DC3 - Protection of the amenities of nearby residential properties, DC6 – Design - (Circulation and Access), DC8 - Design - (Landscaping), DC9 – Design (Tree Protection), DC17 – Design – (Water Resources) and T1 -General Transportation Policy

Other Material planning policy considerations

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)
Cheshire East Design Guide SPD

CONSULTATIONS (External to Planning)

Wilmslow Town Council – *‘Recommend refusal of this application on the grounds of additional traffic congestion at both the Holly Road and A34 entrances and the proposed solutions still being inadequate to resolve these issues. In addition, the proposal to create an entrance off Broadway Meadow does not appear to take into consideration the likelihood of a multi-storey car park being constructed on this site’*

Network Rail – No objections, subject to a number of advisories

ANSA Greenspace - No objections, subject to a condition requiring the submission/approval of a Community Use Agreement

Sport England - No objections

Head of Strategic Infrastructure (Highways) – No objections, subject to the provision of a £8,000 contribution to pay for parking (waiting) restrictions on Broadway

Environmental Protection – No objections, subject to a number of conditions including; implementation of noise mitigation measures, submission/approval of external lighting details (including lux levels), submission/approval of a dust mitigation scheme, the provision of electric vehicle charging infrastructure, the provision of low emission gas boilers, works to stop if land contamination is identified and the submission/approval of a soil verification report should any soil or soil forming materials be brought onto site. Informatives regarding hours of construction and contaminated land are also proposed.

Flood Risk Manager – No objections, subject to a number of conditions including; Submission/approval of a overall detailed surface water drainage strategy and associated management and maintenance plan and implementation of the details contained within the Flood Risk Assessment. An informative is also proposed providing guidance for filtration testing

United Utilities - No objections, subject to the following conditions; submission/approval of a surface water drainage scheme, that foul and surface water be drained on separate systems and the submission/approval of a sustainable drainage management and maintenance plan for the lifetime of the development

Public Rights of Way Officer – Recommend that an advisory note be added to the decision notice in the event of approval that no change to the surfacing of a PROW is permitted without the agreement of the PROW unit. Also a note advising the applicant of their responsibilities in relation to a PROW

Cadet Gas – Recommend informatives in the event of approval relating to operational gas apparatus within the site

OTHER REPRESENTATIONS:

Neighbour notification letters were issued to the occupiers of the adjacent properties, an advert was placed in the local newspaper and a site notice was erected. At the time of writing the report, letters of representation had been received from 8 interested

households, a community group (Residents of Wilmslow) and a limited company (Broadway Verge Ltd), all in relation to the original submission proposals. The main concerns raised include;

Highways

- Do not consider that the access solutions proposed go far enough to resolve existing congestion problems and pedestrian safety concerns, let alone accounting for increased numbers
- Traffic congestion and drop-off and pick-up times
- Confusion of 3-metre-wide cycle path across Holly Road North, seems to take cyclists from one side to the other for no apparent purpose
- How can it be assured that the pick-up/drop-off at Broadway will not continue as per existing or get worse?
- What happens if access to the north is not built out? Previously had permission, but not implemented

Amenity

- Proposed use of 6m tall lighting towers impacting nearby residents
- Air pollution concerns from additional pick-up and drop-offs

Trees

- Loss of trees on boundary with Broadway is regrettable

Other matters

- Ownership dispute – Broadway verge

Of the above representations, support has been received from 1 household.

In response to the re-consultation which was undertaken as a result of the proposed re-routed footpath and associated re-siting of an associated bike store, at the time of drafting this report, no further comments had been received. This short re-consultation expired on the 26th October 2020. A further written update will be provided to committee in the event that further comments are received after that date.

OFFICER APPRAISAL

Principle of development

There are deemed to be 3 elements to consider in establishing the principle acceptability of the development proposed. These are; the principle of works to extend and alter school buildings and associated grounds; the principle of works within an area of protected open space and the principle of works which fall within the Green Belt. These matters are considered in turn below;

Extensions and alterations to schools

Works are proposed within and adjacent to the school grounds in order to deal with an increased capacity of pupils from 10 form entries (plus sixth form) to 12 form entries (plus sixth form). The proposed development would allow an increased capacity for an intake of 360 pupils per year instead of current 300 per year. Over the 5 year groups, an additional 60 pupils per year would eventually equate to an additional 300 pupils (60 x5). The proposed works to allow for this increase and its knock-on effects include extensions and alterations to the existing school and changes the surrounding land to accommodate more parking provision and better access to the school.

There are three different local plans that include their own planning policies, which are all relevant to this application. These comprise of; the 'made' Wilmslow Neighbourhood Plan (WNP), the adopted Cheshire East Local Plan Strategy (CELPS) and saved policies within the Macclesfield Local Plan (MLP).

Policy CR1 (Community Facilities) of the WNP, supports proposals that seek to deliver additional community facilities or increase capacity, including education facilities.

Policy SD1 (Sustainable Development in Cheshire East) of the CELPS states that development should provide appropriate infrastructure to meet the needs of the local community.

Policy SC3 (Health and Well-being) of the CELPS states that the Council will create and safeguard opportunities for safe, healthy, fulfilling and active lifestyles by; improving education and skills training and encouraging life-long learning.

As such, the over-arching principle of improving the capacity and facilities at the school is supported.

Protected Open Space and sports facilities

The Wilmslow High School site is bisected by Holly Road North. To the north of this are the school buildings and outdoor sports provision. To the south of the road is parking for the school with playing pitches beyond. All parts are designated as 'Existing Open Space' by Macclesfield Borough Local Plan (MBLP).

Within the Cheshire East Council Development Plan are numerous policies that refer to the protection open space and sports facilities including policies; CR4 (Public Open Space) of the WNP, SE6 (Green Infrastructure), SC1 (Leisure and Recreation) and SC2 (Indoor and Outdoor Sports Facilities) of the CELPS and Policy RT1 (Open Space) of the MBLP.

Protection of open space

Policy RT1 (Open Space) of the MBLP states that existing open space will be protected from development. The policy goes on to state that *'redevelopment of a building footprint which does not harm the integrity of the open space will normally be permitted. Open space uses will be enhanced as appropriate. Additional or replacement educational buildings may be permitted provided that the integrity of the open spaces is not harmed.'*

Policy SE6 (Green Infrastructure) of the CELPS states that all development should; protect and enhance existing open spaces and sport and recreation facilities; encourage multiple use and improvements to their quality and provide adequate open space.

Paragraph 97 of the NPPF (2019), which is a more up to date policy document than the CELPS and the MBLP, states that *'existing open space, sports and recreational buildings and land, including playing fields, should not be built upon unless:*

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreation provision, the benefits of which clearly outweigh the loss of the current former use.'*

Policy CR4 of the WNP, also relates to Public Open Space, but this policy is focused more on the protection of playing fields as opposed to the protection of open space in its wider context.

Whilst there are improvements being made to the existing sports facilities within the site, which are discussed further below, those elements which are not related to open space or sports and recreational facilities, such as the new car park and some extensions to the school building, do not strictly protect the open space. Therefore, given that the proposed development will be constructed on an area of Existing Open Space as identified in the MBLP, and it has not been demonstrated that the open space is surplus to requirements; it is not all being replaced by equivalent or better provision, and the entire development is not for alternative sports and recreational provision, the proposal does not fully comply with the requirements of the development plan. Accordingly, whilst there is no direct conflict with policy CR4 of the PNP, the proposal does conflict with the requirements of policy RT1 of the MBLP, SE 6 of the CELPS and paragraph 97 of the Framework.

Protection of sports facilities

Policy CR4 (Public Open Space) of the WNP states that proposals which result in the loss of public, private or school playing fields will not be supported unless the applicant can demonstrate;

- that there is surplus of similar facilities in the area;
- the loss would not adversely affect the existing or potential recreational needs of the local population or educational requirements;
- a replacement facility is provided.

Policy SC1 (Leisure and Recreation) of the CELPS seeks to protect and enhance existing leisure and recreation facilities and support and promote the provision of better leisure, community and recreation facilities.

Policy SC2 (Indoor and Outdoor Sports Facilities) of the CELPS seeks to; protect existing indoor and sports facilities; support new indoor and outdoor sports facilities.

The proposed development in the round seeks to enhance the provision of leisure and recreation facilities at the site through the provision of a new community sports entrance and reception, new changing facilities, a fitness suite, a new movement studio, a new cover to the existing MUGA pitches to allow increased usage by the school and improve the community offering.

As such, it is deemed that the proposals adhere with policies SC1 and SC2 of the CELPS.

Policy CR4 of the WNP states that proposals to enable community use agreements with schools will be supported where it can be fully demonstrated that there will be no significant adverse implications for the local community adjacent to the site. Policy SE6 of the CELPS also supports community use.

In response, the Council's ANSA Greenspace Officer has advised that in the event of approval, a condition should be imposed requiring the submission/approval of a Community Use Agreement (CUA). The ANSA Greenspace Officer advises that a CUA would give some comfort that the retained and improved outdoor and indoor sports facilities had a good and consistent level of community access and ensure current users were not displaced.

For the above reasons, the proposals are deemed to adhere with the requirements of Policy CR4 of the WNP and Policy SC1 and SC2 of the CELPS.

Playing Pitch Impact

As the proposed development possibly prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last 5 years, as defined by the Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No.595), consultation with Sport England (SE) is a Statutory requirement.

As part of the original proposals, Sport England raised no objections to the new sports hall link and the MUGA cover as they would meet an identified need and it is likely to increase participation in sport and physical activity. However, objections were raised in relation to the footpath extending through the playing pitch to the Broadway Meadow's Car Park. The footpath (as originally proposed extending through the middle of the playing pitches (albeit between them)) would limit the opportunities to mark out different winter pitches and summer sports of different types and sizes to meet changes in the PE curriculum and any community use over time. In addition, it represented a safety hazard for the users of the pitches given its proximity to them.

As such, the applicant has sought to re-route this along the western edge of the playing pitches instead. This amendment has overcome Sport England's objections and it can now be concluded that the development would have no impact upon Playing Pitches.

Green Belt

The land south of Holly Road North, currently occupied by the main car park for the school and playing pitches, is designated as Green Belt land.

In this location, works are proposed to create a small additional access point from Holly Road North to the existing car park, create pavements to the south and west of the round-about and re-configure the existing car park layout.

Policy PG3 of the CELPS states that within the Green Belt, permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national policy. However, exceptions to inappropriate development include '*engineering operations*' so long as the works preserve the openness of the Green Belt and would not conflict with the purposes of including land within it.

In response, given the minor scale of the works proposed and their position adjacent or in-between existing hardstanding, it is deemed that such works would indeed preserve the openness of the Green Belt and not conflict with the purposes of including land within it.

The proposed elements of the works within the Green Belt are therefore deemed to represent appropriate development.

Design

Policy H2 of the WNP seeks to ensure new development in Wilmslow is of high quality design. Policy SE1 of the CELPS sets out the design criteria for new development Cheshire East wide, which is underpinned by achieving high quality design in development. Policy SD2 of the CELPS further details the design matters that should be considered including; height, scale, form and grouping of development, choice of materials, external design features, massing of development and impact upon the streetscene.

It is advised within the Design and Access Statement that the overall design seeks to provide a new, clear main entrance for the school and new sports facilities whilst providing new accommodation internally. It is advised that due to the wide range of building types and forms on site already, the overall aesthetics for the new build areas are to relate to and rationalise the character of the buildings adjacent whilst forming a contemporary interpretation.

It is deemed that the overall layout, scale and massing of the built form proposed would be acceptable and commensurate with the existing school buildings. Although the link extension between the existing sports hall and the two-storey entrance area would be taller than their existing adjoining built form (includes taller sections), this

height is not considered to have a significant detrimental impact upon the character and appearance of the site, given that there are taller existing buildings on the campus, because they will comprise of flat roofs, also found on site already, reducing their bulk and because they would be mostly translucent by design, further alleviating their mass.

In consideration of appearance, it has been advised within the Design and Access Statement that the existing building materials and colour palette and building forms vary across the site. It is advised that the appearance of each of the proposed works (extensions or alterations), would work with the existing buildings directly adjacent, but in a contemporary way.

The proposed new built main entrance would be constructed from red multi-brick walls with dark colour brick with feature pattern detail to recessed panels, glazing and grey window frames. A blue glazed brick is proposed to the internal façade of the projecting wall and canopy and is intended to highlight the entry point. This blue colour is used throughout the existing buildings and façade along Holly Road North.

The proposed sports hall is surrounded by buff brick buildings with grey cladding. The proposed link would comprise of buff brick walls to match. Again, dark brick is proposed to areas that are set-back and the windows will be grey aluminium. Once again, the glazed blue brick will be used to the recessed entrance areas and wall cheeks, to carry the theme throughout. The upper floor, flat-roofed dance studio will be finished in translucent panels.

It is advised that the new windows and doors to the existing buildings would be grey in colour to match the new development and any minor brickwork infilling required would be constructed from brickwork to match.

It is considered that the proposed materials palette would be acceptable.

For the above reasons, the design of the development proposed is deemed to respect the character and appearance of the site, whilst introducing contemporary finishes which enhance the overall appearance. The development is therefore deemed to adhere with the relevant design policies of the development plan.

Amenity

Policy DC3 of the MBLP states that development should not significantly injure the amenities of adjoining or nearby residential properties or sensitive uses due to (amongst other considerations); loss of privacy, sunlight and daylight, an overbearing impact and environmental considerations. Separation standards are referred to in Policy DC38. Policy SE1 of the CELPS states that development should ensure an appropriate level of privacy for new and existing residential properties.

The closest of the new buildings to surrounding neighbouring dwellings would be the extension proposed in association with the new entrance area. The closest neighbouring dwellings to this part of the proposals would be No.36 Broadway which would be approximately 50 metres away from this built form. As a result of this large distance, it is not deemed that the occupiers of this property would be detrimentally

impacted by the proposed development with regards to loss of privacy, light or an overbearing impact.

The additional drop-off zone and staff parking area along the western boundary of the site would be opposite and parallel the occupiers of No's; 24, 26, 28, 30, 32 and 34 Broadway. However, at its closest point to these properties, it would be over 35 metres away. Given this distance and the nature of a car park development, again, no concerns with regards to privacy, light or an overbearing impact would be created.

In consideration of environmental matters (noise, air and light pollution), the Council's Environmental Protection Officer has advised that they have no objections to the development, subject to a number of conditions including; implementation of noise mitigation measures, submission/approval of a dust mitigation scheme, the provision of electric vehicle charging infrastructure, the provision of low emission gas boilers, works to stop if land contamination is identified and the submission / approval of a soil verification report should any soil or soil forming materials be brought onto site.

A number of residents have raised concerns about the impact of light pollution as a result of the proposed external lighting sought as part of the development. A lighting plan was submitted with the application, but this has subsequently been requested to be removed from consideration at this time, so its impact upon trees, ecology and amenity can be carefully be considered at discharge of condition stage.

As such, subject to the above conditions, including a prior submission/approval of external lighting details condition, the proposal is deemed to adhere with the relevant requirements of policy DC3 of the MBLP and Policy SE1 of the CELPS.

Highways

The application seeks various works to access and parking arrangements.

Current Access Arrangements

There are currently two vehicular access points to the school, the western access is from Holly Road North or Broadway and the other, from a roundabout on the A34. There is no through route for vehicles along Holly Road North from the A34 to Broadway or vice versa, although there is provision for pedestrian access along this route.

Proposed Access Improvements

The western access will have a single access via a mini roundabout and a new larger drop off facility is to be provided adjacent to the western side of the school and this will be accessed from Holly Road North. A new staff car park for 30 cars is provided immediately north of the drop off area and access is controlled by a barrier.

The eastern roundabout has an improved drop off zone to allow more cars to drop off whilst not blocking the roundabout. More specifically, it is proposed that the fencing around the drop-off roundabout is relocated further away from the carriageway and a

footway provided to increase the length of the drop-off zone and improve the flow of vehicles entering the school. These works will increase drop-off capacity at this entrance from 2 to 9 cars.

To the north of the site a new 3m footway/cycleway is proposed that runs along the boundary of Broadway meadows car park and connects to Broadway. This link would allow access to the leisure centre and railway station and also the town centre.

Parking

The redevelopment proposals will create a new car park for staff at the northern end providing 30 spaces, the visitor car park will be integrated into the main staff car park providing 16 spaces and this would result in a total of 253 car parking spaces for the school. The submitted Transport Statement assessed that the total school parking demand after the morning drop-off and before afternoon pick-up is around 200 vehicles.

A new cycle parking area providing 140 secure parking spaces is provided at the front of the school and also there is a separate cycle parking for staff consisting of 10 spaces.

Development Impact

Wilmslow High School is a large school that already has a large number of pupils (2,045) and 260 staff, as with many other schools there are impacts during the school opening and closing times. The main existing highway concerns are the high numbers of parents that drop off children by car either on Broadway/Holly Road North or from the east affecting the A538 Pendleton Way.

The Council's Head of Strategic Infrastructure (Highways Officer), advises that whilst the proposed drop-off facilities are considered to be substantial, it is important that these facilities are actually used. As such, the Council's Highways Officer has advised that the applicant should fund a TRO for waiting restrictions to be introduced around the school especially on Broadway. These would be subject of a Traffic Regulation Order (TRO) and secured by S106, a sum of 8k would be required to promote the Order.

It is important that the proposals improve access to the site and also do not result in a materially worse highway impact affecting the operation of the local highway network.

The applicant has undertaken a number of capacity assessments on the following local junctions;

- Holly Road north/Broadway
- A34/Prestbury Road Roundabout
- A34/A538 Birrell Way Roundabout
- A34/B5359 Alderley Road Roundabout

The Council's Head of Strategic Infrastructure advises that the new mini roundabout at the junction of Holly Rd North and Broadway will operate well within capacity and with very little or no queueing occurring.

The results of the assessment of the A34/Prestbury Rd roundabout indicate there are capacity problems on the Holly Road North arm of the junction and this is to be expected as there are existing queues with the school traffic. The Council's Head of Strategic Infrastructure has advised that the proposed improvements to drop off on the school's western roundabout should improve the congestion of this arm of the roundabout.

The Council's Highways Officer advises that both the A34/A538 and A34/B5359 Alderley Road roundabout does experience some queueing, although in terms of this application, as the additional traffic added to these junctions is only minor, there would be little increase in the length of queues and also the congestion and will not result in a material deterioration in capacity.

Response to neighbouring highway concerns

The vast majority of the objections received related to highways matters. As such, in order to attempt to address those concerns/points/questions that have arisen most numerous, the Council's Head of Strategic Infrastructure has sought to respond to these in turn below;

That the proposed improvements do not go far enough to resolve existing congestion/access issues, let alone accounting for more pupils

Highways response: There are substantial changes to parking and drop off especially at the Broadway access that will allow parents to enter the site rather than stopping on Broadway to drop children, the improvements at the Holly Rd western roundabout are not as extensive but will provide larger area to aid drop off and this will also reduce congestion.

What is the point/thinking behind the provision of the footpath link/cycle path proposed across Holly Road North linking the A34 to Broadway?

Highways response: Providing sustainable linkages to improve travel by non-car modes is an important part of the Travel Plan and the Holly Road North path allows a link between the A34 and Broadway and thereby provides access to the town centre and railway station by pedestrians and cyclists.

There is no way to control the fact that the pick-up/drop-off issues will not remain as existing or get worse as a result of development (e.g. cannot enforce parents to utilise new arrangements)

Highways response: It is not possible to force the use of the new drop off facilities, although if they are convenient and provide better access then they are likely to be used. Furthermore, the implementation of parking restrictions on Broadway have been

discussed with the applicant and it has been agreed that these also be progressed. To fund this, the applicant has agreed to pay a sum of £8,000.

Given that the Council cannot enter into a legal agreement with itself, it has been agreed that in the event that the Council resolves to grant planning permission it is proposed that permission be granted subject to this payment being made and that the payment be made prior to the issuing of a decision notice.

Highways summary and conclusions

The main point to consider is the scale of extension in regard to the increase in pupil numbers and staff. There are currently some 2045 existing pupils at the school and it is proposed to increase pupil numbers by 60 per year, over 5-year groups which would eventually equate to 300 additional pupils (60x5) which is not a significant increase overall and staff numbers are only increasing by 15.

As with all schools, there are peak time congestion issues with drop off and collection. The Council's Head of Strategic Infrastructure advises that the improvements that are being proposed to improve drop off and collection are considered to be beneficial and also the Travel Plan also should improve sustainable travel to the site.

Although there is congestion at some of the local junctions, the Head of Strategic Infrastructure advises that the actual traffic impact arising from the development is only small and could not be considered to constitute a severe impact that would warrant an objection.

Overall therefore, the Head of Strategic Infrastructure advises that the off-site and on-site infrastructure improvements are sufficient to mitigate the effects of this application and no objections are raised, subject to a financial contribution of £8,000 to pay for possible parking restrictions on Broadway.

For the above reasons, the application is deemed to be acceptable from a highway perspective, adhering with highway policies; CO1 of the CELPS, DC6 – Design - (Circulation and Access) of the MBLP and TA2 and TA4 of the WNP.

Landscape

The Council's Landscape Officer has reviewed the scheme and advised that he does not consider that the proposals would result in any significant landscape or visual impacts and the proposed landscape proposals as shown on the submitted plans are acceptable. As such, subject to the implementation of these drawings, no Landscape objections are raised and the application is deemed to adhere with the Landscape policies of the development plan.

Trees

The application is supported by an arboricultural method statement. None of the potentially impacted trees are subject to TPOs or fall within Conservation Areas.

As part of the development it has been identified that 23 individual trees, 3 groups of trees and part of an additional group of trees need to be felled.

The Council's Tree Officer has reviewed the submission and advised that the majority of the trees proposed for removal are considered to be of lesser importance, and necessary to implement the proposal.

The removal of trees and vegetation to accommodate the footway/cycleway around Broadway Meadows car park will result in a loss of screening between the existing car park and properties on Covington Close, however, the Council's Tree Officer advises that none of the trees individually or collectively are of sufficient arboricultural importance or amenity value to warrant formal protection, and subsequently, there are no objections to this element of the proposal.

Revised proposals to re-route the footpath extending to the Broadway Meadows car park, away from the middle of the playing pitches to along to eastern edge of the pitches, has brought the footpath closer to a number of trees. However, the alignment of this footpath has been further tweaked to overcome conflict with trees of amenity value and subject to a condition requiring the prior submission/approval of a construction method statement for this part the path to ensure the trees are protected; no tree objections are raised in relation to this change.

Given that lighting bollards along this footpath could impact upon the nearby trees if not carefully considered, details of external lighting are to be sought by condition.

One of the trees (ref: T74) has been considered in terms of the veteran features referenced within the schedule. The root protection area of the tree remains unaffected with the nearest disturbance indicated no closer than 15 metres from the stem base and accords with Natural England and Forestry Commission standing advice for Veteran trees. Should the tree be verified as a veteran tree, the Council's Tree Officer advises that it is considered that the proposed relationship with new parking should not result in any conflict.

To conclude, no tree objections are raised, subject to a number of conditions including; tree retention, tree protection, method statement for construction of footpath, service/drainage layout details, and no-dig construction. Subject to these conditions, the proposals are deemed to adhere with policies; SE5 of the CELPS, DC9 of the MBLP and LPS2 of the WNP.

Flood Risk and Drainage

The application site falls within a Flood Zone 1, an area deemed to be of low flood risk. The Council's Flood Risk Officer has been consulted on the proposals and has raised no objections, subject to a number of conditions including; Submission/approval of a overall detailed surface water drainage strategy and associated management and maintenance plan and implementation of the details contained within the Flood Risk Assessment.

In consideration of drainage, United Utilities have raised no objections subject to a number of conditions including; the submission/approval of a surface water drainage

scheme, that foul and surface water be drained on separate systems and the submission/approval of a sustainable drainage management and maintenance plan for the lifetime of the development.

As such, subject to the above conditions, amalgamated where necessary to avoid duplication, the proposals are deemed to adhere with the relevant flood risk and drainage conditions of the development plan, namely; SE13 of the CELPS and the drainage elements of LPS2 of the WNP.

Ecology

The application is supported by an Ecological Impact Assessment. In addition, further points of clarification have been provided by the applicant's ecologist in response to questions raised by the Council's Nature Conservation Officer. The below breaks down the relevant ecology considerations in turn;

Bats

A daytime inspection was carried out and while no evidence of bats was recorded during the survey, due to suitability of the western end of the kitchen block for roosting bats, the ecologist who undertook the survey recommended that a bat activity survey is undertaken. A subsequent survey was undertaken and no evidence of a legally protected roost was identified. As such, the Council's Nature Conservation Officer advises that no further bat surveys are required in support of this application.

Great Crested Newts

The submitted Impact Assessment details the negative results of eDNA surveys carried out on the onsite ponds. Environmental DNA (eDNA) is nuclear or mitochondrial DNA that is released from an organism into the environment. Sources of eDNA include secreted faeces, mucous, gametes, shed skin, hair and carcasses. Recent research has shown that the DNA of a range of aquatic organisms can be detected in water samples at very low concentrations using qPCR (quantitative Polymerase Chain Reaction) methods.

As such, the Council's Nature Conservation Officer advises that no further surveys for GCN are required to support this application.

Breeding Birds

The Council's Nature Conservation Officer advises that in the event of approval, a condition to protect nesting/breeding birds is recommended.

Wildlife sensitive lighting

In accordance with the BCT Guidance Note 08/18 (*Bats and Artificial Lighting in the UK*), in the event of approval, the Council's Nature Conservation Officer recommends that a condition be imposed requiring the prior submission/approval of an external lighting scheme. The Officer advises that the scheme should consider both illuminance (lux) and luminance (candelas/m²). It should include dark areas and avoid light spill

upon bat roost features, bat commuting and foraging habitat (boundary hedgerows, trees, watercourses etc.) aiming for a maximum of 1lux light spill on those features.

Ecological enhancement

CELPS Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with this policy. The Council's Nature Conservation Officer therefore recommends that if planning permission is granted a condition should be included to provide details of features for nesting birds (including swifts), roosting bats, deadwood piles, a wildlife pond and native species planting.

Subject to the imposition of the above suggested conditions, the application is deemed to adhere with the relevant ecological policies of the development plan, namely; SE5 of the CELPS, NE5 of the WNP and NE11 of the MBLP.

Public Rights of Way (PROW)

The development has the potential to affect Public Footpath Wilmslow No. 63. The Council's PROW Officer has reviewed the proposals and advised that they have no objection, subject to the inclusion of an advisory in the event of approval.

Network Rail

To the west of the application site is the railway. Network Rail has reviewed the application and raises no objections, subject to a number of requirements as the proposal includes works within 10 metres of the railway boundary. These take the form of a series of advisories which will be added as an informative to the decision notice in the event of approval.

Other matters

The possible ownership dispute regarding the strip of land separating the school from the Broadway, referred to as the 'Broadway Verge' is not a material planning consideration. It is a matter to be resolved outside of the planning process as a civil matter.

Planning balance / Conclusions

The application site is located on an area of Existing Open Space in the MBLP, and it has not been demonstrated that the open space is surplus to requirements, it is not replaced by equivalent or better provision, and the development is not for alternative sports and recreational provision, as required by paragraph 97 of the NPPF. As such, there is some conflict with this policy document as well as policy RT1 of the MBLP and SE 6 of the CELPS, which weighs against the proposal.

However, the proposals do include improvements to the existing sports and recreation facilities within the site which will be a benefit, not only to the school, but also to the

wider community through a Community Use Agreement, to enable the local community to also benefit from the improved facilities. These benefits include the provision of a new community sports entrance and reception, new changing facilities, a fitness suite, a new movement studio, a new cover to the existing MUGA pitches to allow increased usage by the school and the community. Sport England also raises no objections with regards to impact on playing pitches.

In addition, the extent of the development that does not represent improvements to the existing sport and recreation offer is relatively limited, and relates to the need for additional educational space, and ancillary facilities, to enable increased pupil numbers, and consequently staff numbers. As with many schools within the Borough, the entire site is allocated as Existing Open space and such policy conflict is commonplace when considering extensions to schools. In this case, the specific areas of open space lost to development are very limited, and do not adversely affect the existing or potential recreational needs of the local population or the integrity of the open space given their position within the site and their minor scale. This view is shared by the Open Space Officer from ANSA. It is therefore considered that there are sufficient benefits in this case to outweigh the policy conflict, arising from the historic allocation of the site as protected open space.

The proposals would be of an acceptable design, that would not create any issues in relation to; Green Belt, playing pitch provision, amenity, landscape, trees, flood risk and drainage, ecology or public rights of way, subject to conditions where deemed necessary.

The comments received in representation are acknowledged, however, matters in relation to Highways are also deemed acceptable, but subject to the receipt of a £8,000 contribution towards parking (waiting) restrictions being introduced on Broadway. Given that the Council cannot enter into a legal agreement with itself, it is recommended that permission be delegated back to the Head of Planning, in conjunction with the Chair of Northern Planning Committee (or in their absence the Vice Chair), to approve, subject to this payment being made prior to the issuing of a decision notice, and conditions.

RECOMMENDATION

That authority be DELEGATED to the Acting Head of Planning, in consultation with the Chairman of Northern Planning Committee (or in their absence the Vice Chair), to APPROVE the application for the reasons set out in the report, subject to;

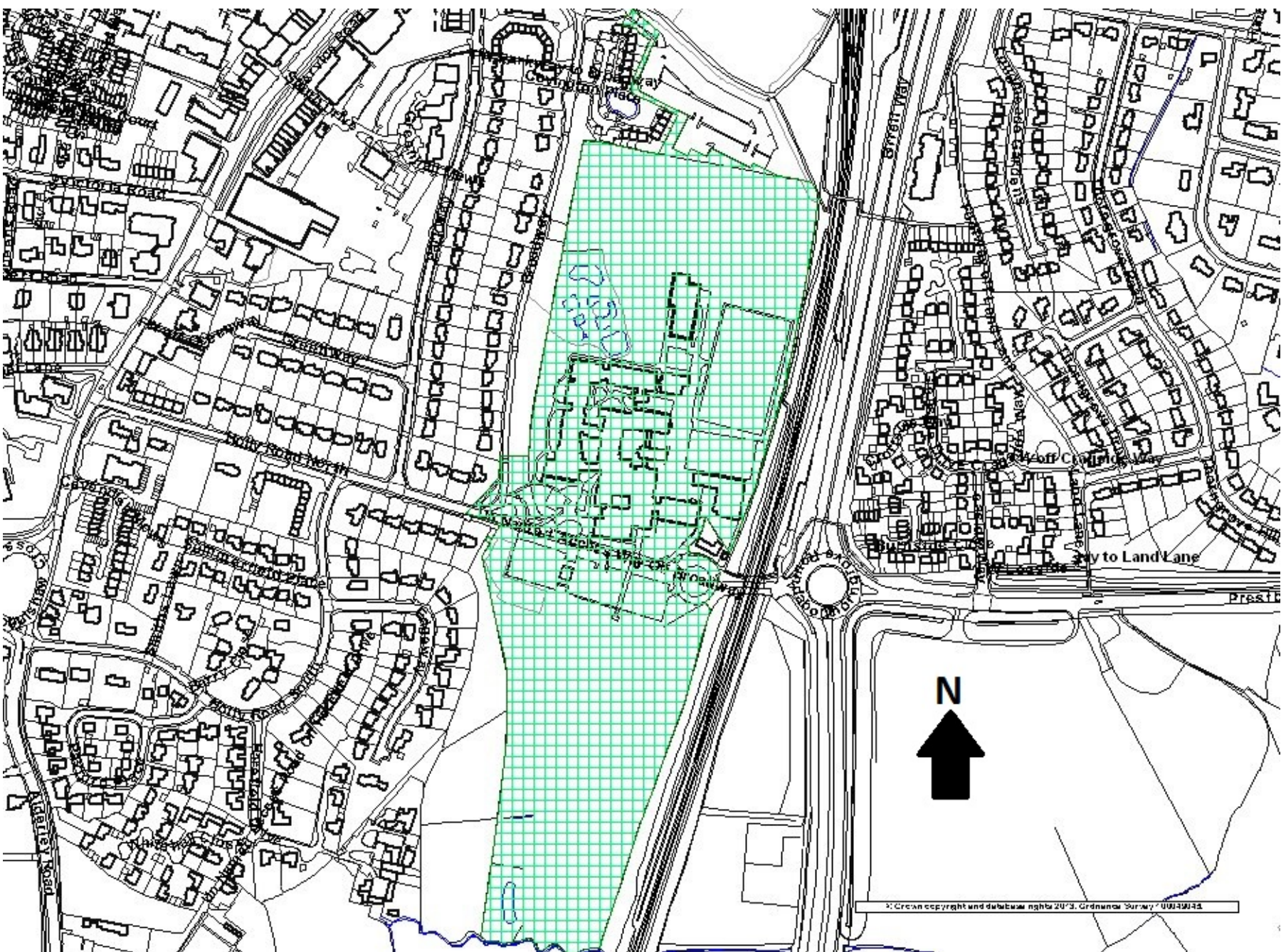
- The receipt of a contribution of £8,000, prior to the issuing of the decision notice, to provide parking (waiting) restrictions on Broadway**

And following conditions;

- 1. Time limit (3 years)**
- 2. In accordance with approved plans**
- 3. Submission/approval of a Community Use Agreement**

- 4. Materials as per application**
- 5. Implementation of noise mitigation measures**
- 6. Submission/approval of a dust mitigation scheme**
- 7. Provision of electric vehicle charging infrastructure**
- 8. Provision of low emission gas boilers**
- 9. Works to stop if land contamination is identified**
- 10. Submission/approval of a soil verification report should any soil or soil forming materials be brought onto site**
- 11. Submission/approval of external lighting details**
- 12. Submission/approval of a post compliance lighting assessment**
- 13. Landscaping – Implementation**
- 14. Retention of trees/shrubs and hedgerows as shown**
- 15. Tree protection measures – Implementation**
- 16. Submission/approval of an Engineer designed no dig hard surface construction specification for any area of hard surfacing within the root protection area of retained trees**
- 17. Submission/approval of a overall detailed; service & surface water drainage strategy and associated management and maintenance plan**
- 18. Implementation of the details contained within the Flood Risk Assessment**
- 19. Foul and surface water be drained on separate systems**
- 20. Nesting birds**
- 21. Submission/approval of an ecological enhancement plan including; features for nesting birds (including swifts), roosting bats, deadwood piles, a wildlife pond and native species planting**

In order to give proper effect to the Northern Committee`s intent and without changing the substance of its decision, authority is delegated to the Acting Head of Planning in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.



Application No: 19/0684M

Location: LAND OFF HEYES LANE, ALDERLEY EDGE

Proposal: Erection of 6no. new dwellings on land off Heyes Lane

Applicant: Mr I Smits

Expiry Date: 10-Sep-2020

SUMMARY

The application lies within Alderley Edge, which is identified as a Local Service Centre where the principle of residential development on the site is acceptable. The developments accords with Policies PG 2 and SE 2 of the CELPS and draft Policy AE1 of the emerging Neighbourhood Plan (AENP).

The site is sustainably located and is in easy walking distance of the village centre, public transport and services and facilities within Alderley Edge. The development complies with Policies SD 1 and SD 2 of the CELPS and AE1 of the AENP.

The development is considered to be acceptable in terms of its impact upon the residential amenities of the dwellings surrounding the site. There is no significant conflict with Policy DC38 of the MBLP with respect to neighbouring properties and internally, the proposal would accord with the advice of the Cheshire East Design Guide.

Following the receipt of amended plans and a Transport Note, the development is considered to be acceptable in terms of its impact upon the highway network and parking provision. The development complies with MBLP Policy DC6, CO2 and Appendix C of the CELPS and AE17 of the AENP.

There would be no significant impacts in terms of flood risk drainage or ecology. As such the development complies with SE 3 and SE 13 of the CELPS and MBLP DC17.

The impact upon trees is acceptable subject to the imposition of planning conditions. The development complies with Policy SE 5 of the CELPS, MBLP DC9 and AE9 of the AENP.

The design has been subject to negotiations during the course of this application and is now considered to be acceptable and complies with Policies SE 1 and SD 2 of the CELPS and the CEC Design Guide and AE2 of the AENP.

The proposal is for sustainable development which would bring environmental, economic and social benefits. The proposal is therefore considered to be acceptable in the context of the relevant policies of the Cheshire East Local Plan Strategy, the saved policies of the Macclesfield Borough Local Plan, the draft policies within the emerging Alderley Edge Neighbourhood Plan and advice contained within the NPPF. The application is therefore recommended for approval subject to conditions.

SUMMARY RECOMMENDATION

Approve subject to conditions

REASON FOR REFERRAL

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

“Following concerns expressed by local residents and supported by the Parish Council, this application is called in for the following reasons:

- *potential overintensive development of the site*
- *potential impact on amenity of neighbouring residents*
- *potential issues with vehicular access/egress to/from the site*
- *potential incongruence with neighbouring properties (height/levels)*
- *potential contravention of Cheshire East Parking Standards*
- *potential impact on A1 graded oak tree, referenced in the Ecology Report*
- *potential disputes over land ownership and access rights to the site”*

PROPOSAL

This application seeks full planning permission for the erection of 6 detached dwellings on land accessed off Heyes Lane, Alderley Edge. The 6 units would comprise of 2 x bungalows and 4 x two-storey properties with accommodation in the roof space. Vehicular access would be taken off an unadopted road which takes its access off Heyes Lane in between nos. 75 and 89 Heyes Lane.

SITE DESCRIPTION

The application site comprises a parcel of land bounded by residential properties, accessed via an unmade road, off Heyes Lane. The site is visually enclosed from wider perspectives although many private gardens front on to this development. The site itself is overgrown and is characterised by long established shrubbery / unarranged vegetation. Land levels descend to the north towards Oakfield Close with these properties at a lower topography.

The architectural styles are varied in the area with traditional dwelling types the predominant style comprising predominantly brick-built terraced and semi-detached. The site itself is not bordered and forms quite an obvious vacant site to this part of Alderley Edge. Part of the site appears to be used informally for parking.

The site is designated as being within the predominantly residential area of Alderley Edge according to the Macclesfield Borough Local Plan (MBLP) 2004.

RELEVANT HISTORY

18/4255M - Erection of 8 new dwellings on land off Heyes Lane – Refused 06-Nov-2018

21443P - RESIDENTIAL DEVELOPMENT (OUTLINE) – Approved 04-Jun-1980

NATIONAL & LOCAL POLICY

Cheshire East Local Plan Strategy

The following are considered relevant material considerations:

PG2 – Settlement Hierarchy
PG7 – Spatial Distribution of Development
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SC3 – Health and Well-Being
SC4 – Residential Mix
CO1 - Sustainable Travel and Transport
SE 1 - Design
SE 2 - Efficient Use of Land
SE 3 - Biodiversity and Geodiversity
SE 4 - The Landscape
SE 5 - Trees, Hedgerows and Woodland
SE 8 – Renewable and Low Carbon Energy
SE 9 – Energy Efficient Development
SE12 – Pollution, Land Contamination and Land Instability
SE 13 - Flood Risk and Water Management

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.

Macclesfield Borough Local Plan

NE3 – Protection of Local Landscapes
NE11 – Protection and enhancement of nature conservation interests
NE17 – Nature Conservation in Major Developments
DC3 – Amenity
DC6 – Circulation and Access
DC8 – Landscaping
DC9 – Tree Protection
DC15 – Provision of Facilities
DC17 – Water Resources
DC35 – Materials and Finishes
DC37 – Landscaping
DC38 – Space Light and Privacy
DC41 – Infill Housing Development
DC63 - Contaminated Land)

Alderley Edge Neighbourhood Plan (AENP) - has reached Regulation 16 - Consultation Stage. At this stage, the policies are only draft and can only be given limited weight. The relevant draft policies are:

AE1 - Alderley Edge Development Strategy
AE2 - Location, Design, Scale and Type of New Housing
AE3 - Sustainable Housing Design
AE4 - Rear Garden and Backland Development
AE17 - Car parking
AE9 - Landscape Character and Access

Other Material Considerations:

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

CONSULTATIONS (External to Planning)

Environmental Protection – No objection subject to conditions and informatives relating to electric vehicle infrastructure, use of low emission boilers, construction hours and contaminated land.

Head of Strategic Infrastructure (Highways) – No objection.

Flood Risk Manager – No objection subject to conditions requiring the submission of a surface water drainage scheme and compliance with the submitted Drainage Strategy.

United Utilities – No objection subject to foul and surface water drainage being connected on separate systems, the submission of a surface water drainage scheme and a sustainable drainage management plan.

VIEWS OF THE ALDERLEY EDGE PARISH COUNCIL

The Parish council recommends refusal on a number of grounds and requests its call in to committee:

“It is an over intensive development and the design of houses not in keeping with the character of its intended location. The massing of the proposal would be overbearing to neighbouring properties in both its height of 3 floors and proximity (a case in example plots along the NW side and neighbouring Oakfield Close). The cited example of precedent of 71 Heyes lane is not in context. There would be loss of amenity to other existing properties in way of access, loss of privacy by overlooking, probable loss of daytime sunlight. There is insufficient car parking provision that is not to required CE policy. Provision of amenity space to future occupants seems inadequate, this emphasises the over intensive nature. Access to and from Heyes lane would be a severe concern, the junction is narrow, with limited splay and much needed on street parking further inhibits visibility onto a busy road. There would also be concerns around drainage and water provision and there are numerous rights of way and ownership issues that need to be resolved.”

OTHER REPRESENTATIONS

Representations have been received from 91 addresses (including a petition and the ‘Edge Association residents group) over three periods of consultation objecting to this application on the following grounds:

- Development and design out of keeping with the traditional character of the area and the scale will dominate neighbouring properties

- Loss of grass verges along on Heyes Lane will undermine the historic character of the area, the local landscape and rural village feel
- Overdevelopment of the site, over dense and will be overbearing
- Dwellings too large and close to each other
- Disruption to existing infrastructure / utilities
- Proposal does not match the local housing requirements specifically in relation to affordable housing
- The latest Cheshire East Council SADPD has been revised to remove any allocations from Alderley Edge, noting that such allocations are not needed to deliver localised housing targets
- Potential impact on trees
- Lack of parking provision which will overspill onto neighbouring areas and deny other residents chance to park
- Buckhorn Street is a privately owned - the proposed upgrade for access by both pedestrians, cyclists and vehicles will require the permission of other landowners for which permission is not given
- Access is dangerous and will cause further hazard as well as further traffic generation and congestion
- Altering Heyes Lane making the footway narrower and losing the grass verges on the opposite side will cause further hazard for pedestrians and inconvenience existing residents
- The amendments to Heyes Lane are not shown properly on the revised site plan
- Vehicles already speed down Heyes Lane using it as a cut through and this would be made worse by making it wider and because of lack of traffic calming measures
- The visibility splays on the access will be obscured by cars parked either side of the access
- The vehicle tracking plans will not work as cars will likely be parked in them (including the proposed turning area) and will not be enforced against
- Proposal does not maintain vehicular access for some existing properties accessed off Buckhorn Street and would prejudice existing prescriptive parking rights
- Access is a fait accompli
- Submitted Transport Note is inaccurate and site edged red should link with Heye's Lane
- Road are not wide enough for vehicles to pass one another and refuse collections will be difficult
- Impact on wildlife including loss of flora and fauna
- The land was originally bequeathed to the rscpa on the basis it would be used for animals and wildlife – this is illegal as it does not accord with the previous owner's wishes
- Site used to hosts oak trees which were removed
- The site was originally allotments for the existing 12 properties
- Site includes land not in the applicant's control / ownership
- Conveyancing undertaken in 1853 states the land cannot be built on
- Will devalue neighbouring properties
- Loss of green space / green belt
- Impact on neighbouring amenity through overlooking, loss of light, sun and privacy, light pollution and noise during construction

- Flooding / high water table - neighbouring gardens have previously flooded, made worse by the removal of the trees on the site and would be worsened further by the proposals
- Drainage cannot cope including the sewerage system
- Likely to be further amendments to the scheme
- Who will meet the financial responsibility of the scheme
- Proposal would be contrary to the Alderley Edge Neighbourhood Plan including protection of green spaces, design policies and back-land development
- Developer has not consulted with residents
- Proposal is for commercial gain / profit and will not benefit the community
- Planning decisions must be made within 6 months
- Change to bungalows makes no difference

APPRAISAL

Background

This application follows the refusal of a scheme for the erection of 8 no. terraced three storey dwellings (planning ref; 184255M refers). The previous scheme was refused for the reasons summarised below:

1. Impact on the character of the area
2. Poor design
3. Amenity
4. Insufficient information (Flood Risk)

This application seeks to address the previous concerns and is now for the erection of 6 no. detached dwellings. During the life of this application, there have been a number of revisions in response to officer concerns and those raised by residents also. The main revisions have been the subject of a re-consultation.

Principle of Development

Sec.38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning applications and appeals must be determined “in accordance with the plan unless material considerations indicate otherwise”. The National Planning Policy Framework reinforces a ‘presumption in favour of sustainable development’ and states that decisions that accord with an up to date development plan should be approved without delay.

Paragraph 68 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out quickly. To promote the development of a good mix of sites local planning authorities should amongst other things *‘support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes’*.

The application site lies within a predominately residential area in Alderley Edge. Alderley Edge is identified as being a Local Service Centre under Policy PG 2 of the Cheshire East Local Plan Strategy (CELPS). This policy confirms that within Alderley Edge, small scale

development to meet needs and priorities will be supported where they contribute to the creation and maintenance of sustainable communities.

Whilst Alderley Edge Neighbourhood Plan (AENP) has not yet been the subject of examination, draft Policy AE1 advises that new residential development within the settlement boundary (such as this site) will be supported where proposals are for 'small to medium sized developments' (under 10), are sustainably located have a high quality of design.

As a windfall site, CELPS Policy SE 2 states that development should;

- Consider the landscape and townscape character of the surrounding area when determining the character and density of development
- Build upon existing concentrations of activities and existing infrastructure
- Not require major investment in new infrastructure
- Consider the consequences of the proposal for sustainable development having regard to Policies SD 1 and SD 2

In this case, the provision of 6 no. dwellings would be of an acceptable scale relative to Alderley Edge and would deliver housing within a sustainable location with the Village centre within walking / cycling distance. From here, there are good rail links (including to Manchester and London) and buses to other local / key service centres. There are local amenities nearby, and social infrastructure such as schools, hairdressers, gyms, employment etc. The site is vacant and its redevelopment to provide residential units in a sustainable location aligns with the general principles of national policy, local policy and emerging neighbourhood policy.

The development would make a small contribution to the Borough's housing requirements through the provision of 6 no. market dwellings. It must be noted that a development of this size, does not trigger the need for affordable housing provision or any other planning obligations.

In accordance with these policies, there is no objection in principle to new dwellings in this location, subject to compliance with the other relevant development plan policies

Housing Mix

CELPS Policy SC 4 and draft Policy AE2 of the emerging AENP identify the need for housing developments to offer a mix of housing types, size and tenures to accommodate the specific requirements of the demographic. Reference is made to the need for development proposals to accommodate units capable of being occupied by the elderly and people who require specialist accommodation. Whilst a proposal for 6 dwellings would not usually be of a size that would be expected to provide such accommodation, in this case, two of the proposed units would be bungalows. This is a positive of the scheme as the provision of such would assist in providing a diverse community and would therefore compliment CELPS Policy SC 4 and draft AENP Policy AE2.

Design, Character and Appearance

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 enhance the quality, distinctiveness and character of settlements. It should also respect the pattern, character and form of the surroundings. There are also further references to design within policies; SD1, SD2 and SE3 of the CELPS.

Amongst other criteria, Policy SD 2 of the CELPS also 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

Draft Policy AE2 of the Alderley Edge Neighbourhood Plan applies a similar approach to design as Policies SE 1 and SD 2, but also seeks to secure an appropriate mix of housing, which is already dealt with earlier in this report.

The proposal seeks the erection of 6 detached properties comprising of 2 bungalows and 4 two and a half storey dwellings providing further accommodation in the roof space. The units would comprise of 1 x two bed bungalow, 1 x three bed bungalow and 4 x four bed units. They would be arranged in two blocks of 3 facing one another and would take their access off Buck Horn Street. Plots 1-5 inclusive would be traditionally designed gable ended properties with Plot 6 benefiting from a hipped roof form. They would be of simple form and design with good proportions with some architectural details such as stone cills, brick banding and bay windows. Subject to the use of good quality materials, this would not be at variance with the character of the surrounding area.

The immediate area is characterised by traditionally designed Edwardian / Victorian properties situated to the east along Heyes Lane. To the west and northwest, there are more modest post war terraced properties. Whilst predominantly gable ended, there are a number of hipped roof forms in the locality and properties that make use of their roof space including Velux and dormer windows, similar to those subject of this application. As such, the proposed use of predominantly gabled ended properties and the use of their roof space would accord with the existing form of property in the area, which whilst predominantly terraced, also features detached and semi-detached properties.

Owing to the back land nature of the site, the proposal will not be directly visible from Heyes Lane and consequently the public domain. As such, the impact on the street scene will be neutral. It is considered that the proposed dwellings are acceptable in terms of the detailed design. As amended, the proposal will sit well in the existing surroundings. Conditions relating to landscaping and materials will be included on the decision notice. Having regard to the above, the design is found to be acceptable and in accordance with Policies SE 1 and SD 2 of the CELPS, the CEC Design Guide and draft Policy AE2 of the AENP.

Landscape

The proposed dwellings have been aligned with existing neighbouring dwellings which are set behind and to the west of Heyes Lane, and which have their gable-ends facing this site's south-east boundary. Following officers comes and concerns raised by representation, revised plans have moved the southern row of dwellings further north to increase the separation distance from existing dwellings along the SW site-boundary. The proposed dwellings' alignment and positions within the site would make them largely obscured from view from public highways due to the site's set-back location and due to existing buildings and therefore landscape impact is minimised.

Whilst concern has been expressed regarding the reduction in grass verges on Heyes Lane which are required to facilitate the junction improvement for access into the site, the loss would be minimal and the re-alignment of Heyes Lane would not negatively impact on the character and appearance of the street.

The Council's Landscape Officer initially expressed concern that the proposed properties were too close to the north-western boundary to allow appropriate landscaping and that the properties should be terraced to facilitate this. However, the site is not sensitive in landscape terms and is bounded by existing residential gardens with associated boundary treatments. Given the back-land nature of the development, it is considered that appropriate boundary treatments and soft landscape can be appropriately secured by condition. Subject to this, the scheme is found to accord with CELPS Policy SE 4 and saved MBLP Policy DC8 and draft Policy AE 9 of the AENP.

Trees

The site contains some natural regeneration of young Oak and Willow which present no significant contribution to the wider amenity of the area. A mature Oak standing outside the site adjacent to Heyes Lane is a prominent specimen in the immediate locale but not directly impacted by the development. Consequently there are no significant arboricultural implications associated with this application and it is found to accord with CELPS Policy SE 5 and MBLP Policy DC9.

Highways and Parking

CELPS Policy CO 1 deals with sustainable travel and transport. It supports a shift from car travel to public transport and seeks to guide development to sustainable and accessible locations. As a local service centre, it is accepted that Alderley Edge is a suitably accessible and sustainable location for additional housing.

Concerns have been raised regarding the safety of the access by both the Parish Council and neighbours.

MBLP saved Policy DC6 requires new developments to provide safe and convenient access for vehicles and pedestrians, as well as providing adequate parking and turning for vehicles.

The site is accessed using an existing private access road known as 'Buck Horn Street', which provides access to some existing properties and also a number of garages. The use of

an existing path adjacent to Maple Cottage is also proposed as access to the site for pedestrians and cyclists. It is intended that the proposed vehicular access to the north east is a shared surface for pedestrians and vehicles. The Council's Head of Strategic Infrastructure (HSI – Highways) has confirmed that the use of a shared surface would be acceptable having regard to the low speeds and low traffic generated by the proposed development.

With respect to car parking provision, each of the units would benefit from 2 spaces. This is consistent with the car parking standards found at Appendix C of the CELPS. Cycle parking is to be provided within each of the units.

The application has been supported by a Transport Technical Note. The Technical Note has assessed the refuse collection for the site and provided a swept path analysis. Currently, the refuse vehicle enters Buck Horn Street and turns at the end of the road. As part of the proposal, an additional turning area will be provided within the development to allow the refuse vehicle to collect close to each of the proposed units. This has been confirmed to be acceptable by the HSI.

The existing junction of Buck Horn Street and Heyes Lane has visibility problems due to a boundary hedge and also the presence of a tree. The applicant has submitted a number of options to improve the visibility at the junction. The revised access proposals would realign Heyes Lane around the junction to achieve the required visibility by widening the footway on one side. Given there is no loss of carriageway width caused by the realignment of the road and also that visibility can be achieved, the HSI has confirmed that there is no technical reason to reject the proposed improvement.

In regard to the use of Buck Horn Street as access to the proposed development, it is a private road and the applicant will require a right of access to use the road. However, this is not a material planning consideration and will be a civil matter.

In summary, the technical issues regarding achieving a safe access to serve the development has been addressed and also the requirements for providing adequate parking and facilities for refuse and deliveries has been demonstrated to be acceptable subject to a condition that secures the access improvements to be delivered via a S278 Agreement.

Therefore, the Head of Strategic Infrastructure (HSI - Highways) has confirmed that the application is acceptable and the proposal complies with saved MBLP Policy DC6 and the adopted parking standards.

Residential Amenity

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

It should also be noted that the Cheshire East Design Guide SPD also includes reference to separation distances and states that separation distances should be seen as a guide rather than a hard and fast rule.

Figure 11:13 of the Design Guide identifies the following separation distances;

- 21 metres for typical rear separation distance
- 18 metres for typical frontage separation distance
- 12 metres for reduced frontage separation distance (minimum)

The nearest neighbouring properties to the site are no.s 10, 11 and 12 Oakfield Close to the north, no.s 81 and 83 Heyes Lane to the east, Pear Tree Cottage, Helmscraig and Harmattan to the south and no. 2 Oakfield Road to the west.

The properties on Oakfield Close to the north are angled obliquely to the proposed dwellings. The existing pair of north-facing semi-detached houses and the west-facing end-terrace house, located in the south-east corner of Oakfield Close, would have the most direct views of these proposed dwellings from their south-facing rear-windows and gable-end windows. However, the proposals have been amended so that the nearest proposed dwelling (Plot 3) would be a modest sized bungalow (2.1 metres to eaves and 5.6 metres to ridge) as well as moving it slightly further away from the boundary. It would also be offset at an angle. The effect of this is that the proposals, whilst occupying slightly higher ground (c800mm), would not directly overlook the side elevation or rear elevation of no. 10 Oakfield Close. The next unit, Plot 2 would be two and half storey. However, it would be 9 metres away from the boundary with no. 10, and 17 metres from no. 10's side elevation and would therefore be sited far enough into the site so as to not result in direct overlooking, to have an overbearing impact or to result in loss of sunlight / daylight. The same conclusions are drawn for no. 11 Oakfield Close, which would enjoy a slightly greater separation.

The rear of Plots 1-3 would look out over the rear gardens of properties on Heyes Lane, but would be sufficient distance to ensure not direct overlooking.

The end of the row of terraced properties forming no.s 83-87 Heyes Lane would sit alongside Plots 1-3 with the access road sat in between. The side elevation of no. 83 would be most affected. However, this neighbouring elevation only has secondary windows in it and therefore the separation of 7.5 metres between the side elevation of Plot 1 and no. 83 is acceptable.

The second row of terraced properties forming nos. 77-81 Heyes Lane would sit alongside Plots 4-6, although the proposed units would sit slightly further forward. The side elevation of no. 81 would be most affected. However, during the life of the application, the scheme has been amended so that Plot 6 has been changed from two and half storey to a hipped roofed bungalow with accommodation in the roof. The effect is that the eaves height would be 2.1 metres with the roof sloping away from the common boundary shared with no. 81 up to a height of 5.7 metres. The side of Plot 6 would be sited 4 metres from the side of no. 81. Whilst no. 81 has side facing windows, including one which is a principal window at ground floor level, the very modest height and the slight offset nature of the units would ensure no overbearing impact or loss of light would result. No side facing windows are proposed and therefore no direct overlooking would result.

There are 3 properties on Oakfield Road to the south whose rear windows would face the development. 2 of these Oakfield Road properties' rear gardens would abut proposed rear gardens of Plots 4-6. The proposed dwellings with their backs facing Oakfield Road have rear skylights in Plots 4 and 5 and a rear dormer in the bungalow on Plot 6. The separation here would be over 21 metres. This would be sufficient to ensure no direct overlooking, overbearing impact or loss of light.

Within the development itself, the front to front separation between the 2 proposed blocks would be 17 metres. Whilst this is short of the separation advised by saved Policy DC38, it generally aligns with the guidance of the Cheshire East Design Guide of 18 metres and accordingly, the scheme is found to be acceptable in this regard. Elsewhere, the proposal would meet with the separation standards and the amenity afforded to future residents (in terms of light and outlook) of the proposed scheme would be acceptable having regard to the character of the area.

The proposal is for a residential type use in close proximity to other residential properties. On that basis the proposal will not have any adverse impacts in respect of noise, dust, odour or any other environmental impact. Whilst some disruption may be apparent during the construction process this is for a limited time.

Air Quality

Policies SC 3, SE 8 and SE 12 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 includes encouraging the uptake renewable and low carbon energy. This is in accordance with paragraph 124 of the NPPF and the Government's Air Quality Strategy. When assessing the impact of a development on Local Air Quality, regard is had to the Council's Air Quality Strategy, the Air Quality Action Plan, Local Monitoring Data and the EPUK Guidance "Land Use Planning & Development Control: Planning for Air Quality May 2015).

Electric vehicle infrastructure can be provided on-site and this would be conditioned. Environmental Protection Officers have suggested single Mode 2 compliant charging points per property (30a spur to enable minimum 7kW charging). This would be a reasonable condition and is necessary in tackling local and wider air quality issues, and promoting the uptake of more renewable and environmentally sustainable transport modes in accordance with CELPS Policy SC 3, SE 8 and SE 12.

Nature Conservation

Macclesfield Borough Local Plan Policy NE11 and CELPS Policy SE 3 seek to protect nature conservation interests and indicate that where development would adversely affect such interests, permission should be refused.

The application has been supported by a Phase 1 Ecology Report. The Council's Nature Conservation Officer (NCO) has confirmed that the proposal would be unlikely to affect any species protected by law. CELPS Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. This proposal provides an opportunity

to incorporate features to increase the biodiversity value of the development. The NCO therefore recommends that a condition should be attached which requires the submission of an ecological enhancement strategy. Subject to this and a condition to safeguard nesting birds, the proposal is considered to comply with policy NE11 of the MBLP and SE 3 of the CELPS.

Flood Risk and Drainage

The site is located within Flood Zone 1 where flooding from rivers and the sea is very unlikely with less than a 0.1 per cent (1 in 1000) chance of flooding occurring each year. Whilst some objectors have expressed concern that flooding of adjoining gardens has been made worse by the removal of vegetation from the site, subject to conditions (including a surface water drainage strategy and updated flow rates and ground conditions), the proposal would not exacerbate this and would not give rise to flooding or drainage issues. The Council's Flood Risk Manager and United Utilities offer no objection to the proposal. Details relating to foul sewage connection would be a separate matter for approval by United Utilities. Subject to conditions, the development is considered to comply with Policy SE 12 of the CELPS.

Contaminated Land

The Council's Environmental Protection Unit have offered no objection subject to a Phase 1 and Phase 2 Ground investigation and risk assessment being carried out prior to the commencement of works. Any soil or soil forming material brought to site for use as garden area or soft landscaping shall be tested for contamination and suitability for residential use. Consequently the proposal complies with saved Policy DC63 of the MBLP and CELPS Policy SE 12.

Economic Sustainability

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

Other Issues Raised by Representation

A number of the points of objection have been addressed in the main body of the report.

Given the scale of the development and proximity to nearby residential properties, a construction method statement would be necessary. This would seek to minimise the impact on amenity and highways during construction works.

With regard to private access rights and landownership issues, these are not material planning considerations and cannot be given due weight in the determination of this application. They will be a civil matter between the developer and the respective landowners. Additionally, any covenants or parking rights are also civil matters.

In terms of the reference to site allocations in the draft SADP of the Local Plan, these relate to sites outside of the settlement boundaries and are not therefore relevant.

CONCLUSIONS

The application lies within Alderley Edge, which is identified as a Local Service Centre where the principle of residential development on the site is acceptable. The developments accords with Policies PG 2 and SE 2 of the CELPS and draft Policy AE1 of the emerging Neighbourhood Plan (AENP).

The site is sustainably located and is in easy walking distance of the village centre, public transport and services and facilities within Alderley Edge. The development complies with Policies SD 1 and SD 2 of the CELPS and AE1 of the AENP.

The development is considered to be acceptable in terms of its impact upon the residential amenities of the dwellings surrounding the site. There is no significant conflict with Policy DC38 of the MBLP with respect to neighbouring properties and internally, the proposal would accord with the advice of the Cheshire East Design Guide.

Following the receipt of amended plans and a Transport Note, the development is considered to be acceptable in terms of its impact upon the highway network and parking provision. The development complies with MBLP Policy DC6, CO2 and Appendix C of the CELPS and AE17 of the AENP.

There would be no significant impacts in terms of flood risk drainage or ecology. As such the development complies with SE 3 and SE 13 of the CELPS and MBLP DC17.

The impact upon trees is acceptable subject to the imposition of planning conditions. The development complies with Policy SE 5 of the CELPS, MBLP DC9 and AE9 of the AENP.

The design has been subject to negotiations during the course of this application and is now considered to be acceptable and complies with Policies SE 1 and SD 2 of the CELPS and the CEC Design Guide and AE2 of the AENP.

The proposal is for sustainable development which would bring environmental, economic and social benefits. The proposal is therefore considered to be acceptable in the context of the relevant policies of the Cheshire East Local Plan Strategy, the saved policies of the Macclesfield Borough Local Plan, the draft policies within the emerging Alderley Edge Neighbourhood Plan and advice contained within the NPPF. The application is therefore recommended for approval subject to conditions.

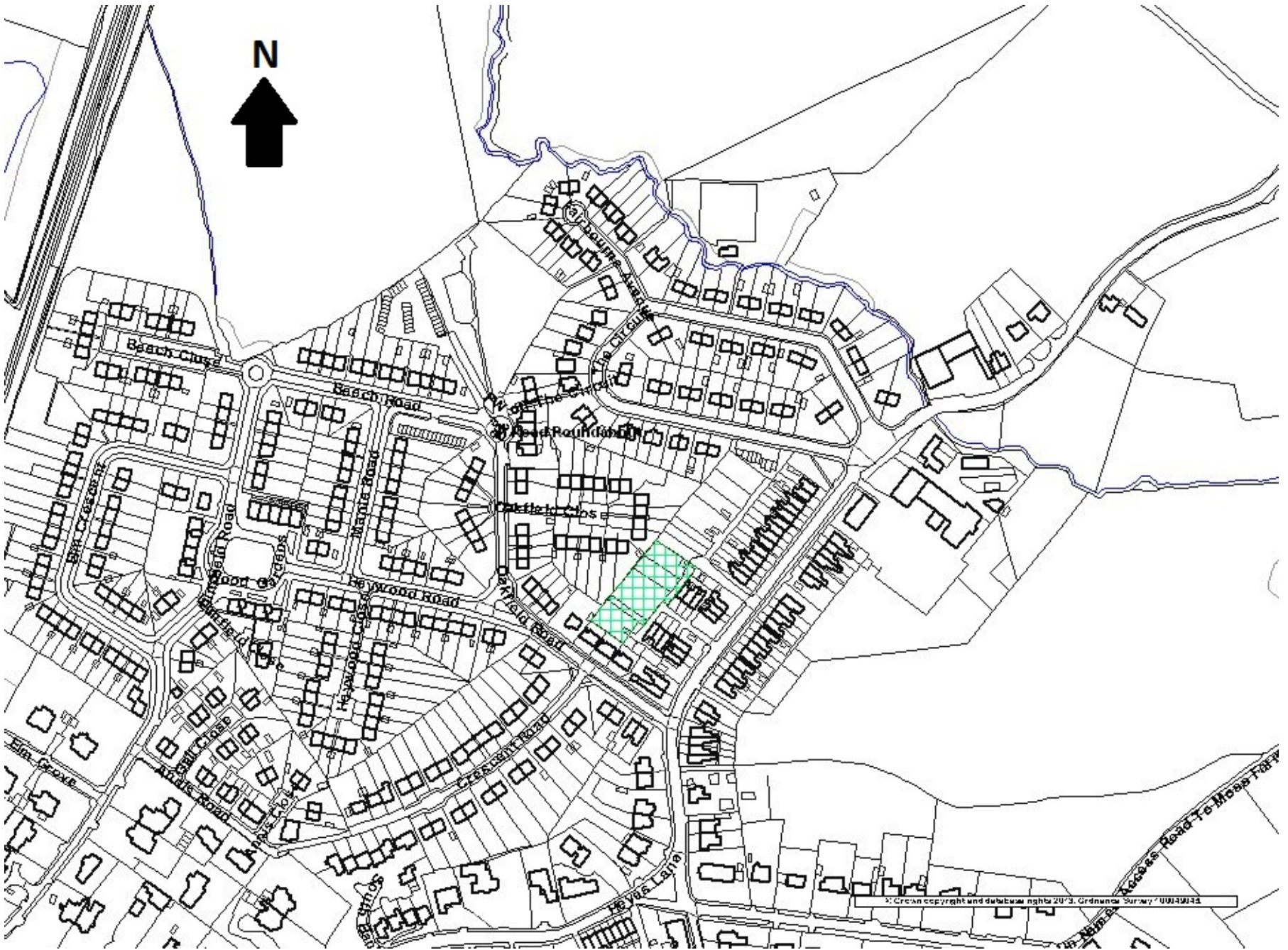
RECOMMENDATION

Approve subject to the following conditions:

- 1. Commencement of development (3 years)**
- 2. Development in accordance with approved and amended plans**
- 3. Construction of access and parking made available for use prior to first occupation**

4. Details of boundary treatments to be submitted, approved and implemented
5. Details of ground levels to be submitted, approved and implemented
6. Foul and surface water drainage to be connected on separate systems
7. Scheme of surface water drainage and management plan to be submitted, approved and implemented
8. Sustainable drainage management and maintenance plan to be submitted, approved and implemented
9. Details of materials to be submitted, approved and implemented
10. Removal of permitted development rights for extensions and outbuildings
11. Phase I contaminated land investigation to be submitted and approved
12. Verification of remediated contaminated land to be submitted and approved
13. Details of bin / refuse storage to be submitted, approved and implemented prior to first occupation
14. Details of pile foundations to be submitted, approved and implemented
15. Electric Vehicle Infrastructure to be provided prior to first occupation
16. Scheme of construction management plan including dust control to be submitted, approved and implemented
17. Accordance with Ecological Assessments
18. Nesting bird mitigation measures to be submitted, approved and implemented
19. Scheme of biodiversity enhancement to be submitted, approved and implemented
20. Cycle storage provided prior to first occupation
21. Applicant to enter into s278 highways agreement

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 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.



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Application No: 20/0554M

Location: CORNER CROFT, GREEN LANE, ALDERLEY EDGE, SK9 7UW

Proposal: Erection of new detached dwelling adjacent to the existing property

Applicant: Mr & Mrs Kaminski

Expiry Date: 06-Apr-2020

SUMMARY

The principle of a new dwelling within the predominantly residential area of Alderley Edge is acceptable in principle. The comments from the neighbours and the Town Council are noted. However, the site comprises development in a sustainable location within the predominantly residential area of Alderley Edge, with access to a range of local services and facilities nearby. It would add to the stock of housing and its construction and occupation would result in social and economic benefits, albeit relatively minor. The development would make effective use of an available site.

The proposal also raises no significant design, amenity or highway safety issues.

The proposal is found to accord with the relevant local plan policies, national planning advice as well as draft policies in the emerging neighbourhood plan. The application is therefore recommended for approval subject to conditions and comments from the Council's Environmental Protection Unit and Flood Risk Manager.

RECOMMENDATION:

Approve subject to conditions

REASON FOR REPORT

The application is to be presented at Northern Planning Committee because it has been 'called-in' to committee at the request of Cllr Craig Browne on the 26th February 2020 for the following reason:

"This application is called in at the request of Alderley Edge Parish Council following concerns expressed by local residents relating to:

- *massing and overbearing nature of the proposed development*

- *impact on residential amenity of neighbour*
- *privacy and overlooking*
- *overdevelopment of the site*
- *complementarity with the existing streetscene*
- *compliance with the emerging Alderley Edge Neighbourhood Plan”*

DESCRIPTION OF SITE AND CONTEXT

The application site comprises the side garden area of the property referred to as ‘Corner Croft’. This property has a large garden which extends to the side and rear. The proposal would be sited to the side (south) of Corner Croft.

The site is located in a predominantly residential area of Alderley Edge on the edge of the urban area, adjacent to the Green Belt.

The site benefits from good boundary screening and is accessed by a narrow lightly trafficked unadopted road.

DETAILS OF PROPOSAL

Full planning permission is sought for the erection of a new dwelling in the large side garden area of Corner Croft.

Amended plans have been received during the course of the application in order to address the Council’s concerns.

RELEVANT HISTORY

03/3344P ERECTION OF 1NO. TWO STOREY DETACHED DWELLING (OUTLINE PLANNING)

Refused 6 February 2004 (Refused due to the housing supply restrictions which were in place at the time)

00/0405P DETACHED DWELLING (OUTLINE)

Approved 30 March 2000

POLICIES

Cheshire East Local Plan Strategy – adopted 27th July 2017

MP1 Presumption in Favour of Sustainable Development
PG1 Overall Development Strategy
PG2 Settlement Boundaries
PG7 Spatial distribution of development
SD1 Sustainable development in Cheshire East
SD2 Sustainable development principles
IN1 Infrastructure
IN2 Developer Contributions
SC4 Residential Mix
SC5 Affordable Homes

- SE1 Design
- SE2 Efficient Use of Land
- SE3 Biodiversity and Geodiversity
- SE4 The Landscape
- SE5 Trees, Hedgerows and Woodland
- SE6 Green Infrastructure
- SE8 Renewable and Low Carbon Energy
- SE9 Energy Efficient Development
- SE12 Pollution, Land Contamination and Land Instability
- SE13 Flood risk and water management
- CO1 Sustainable travel and transport

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

- NE11 (Nature conservation interests)
- DC3 (Amenities of residential property)
- DC6 (Circulation and Access)
- DC8 (Landscaping)
- DC9 (Tree protection)
- DC35 (Materials and Finishes)
- DC36 (Road layouts and circulation)
- DC37 (Landscaping in housing developments)
- DC38 (Space, light and Privacy)
- DC41 (Infilling housing or redevelopment)
- DC63 (Contaminated land)

Alderley Edge Neighbourhood Plan

The Alderley Edge Neighbourhood Plan has reached regulation 16 stage and has been through public consultation. On this basis some weight can be given to the relevant draft policies which are;

- AE1: Alderley Edge Development Strategy
- AE2: Design, Scale and Type of New Housing
- AE3: Sustainable Housing Design
- AE4: Rear Garden and Backland Development
- AE9: Landscape Character and Access
- AE15: Promoting Accessibility to Public Transport

Other Material Considerations

- National Planning Policy Framework (NPPF)
- National Planning Practice Framework (NPPG)

The Cheshire East Borough Design Guide (2017)

CONSULTATIONS (External to Planning)

Highways: no objections

Environmental Health: no comments received

United Utilities: no objections, subject to conditions relating to drainage

Flood risk: no comments received

VIEWS OF THE PARISH / TOWN COUNCIL

Alderley Edge Parish Council: *“Parish council recommends refusal and call in to council. Alderley Edge Neighbourhood plans emerging policy AE4 is resistive to infill development this should be born into consideration along with CE policies for this form of development. Current housing supply requirements for CE are being met. The submitted applications plans do not complement the existing building line and if there are intentions to alter the existing properties perhaps this should be submitted as a single application. It is considered that there would be loss of amenity and privacy for the property to its rear through overlooking of garden and likely the existing properties front garden also. The overall proximity and massing of the new property would be overbearing also.”*

OTHER REPRESENTATIONS

Amended plans were received during the application period. 3no. representations were received prior to the amendments with a further representation received following. Below is a summary of the main issues:

- The mass and siting of the proposed dwelling would lead to a loss of light and loss of privacy to the surrounding dwellings. The privacy distances are shown from first floor and not ground floor.
- The development would lead to a noise nuisance both during and after construction.
- The proposed garden space would be smaller than the neighbours.
- The hedge to the rear is Beech so overlooking would be exacerbated in winter.
- The size of the dwelling is disproportionate to the plot size.

Following submission of amended plans, neighbours were re-consulted and the original comments were repeated.

OFFICER APPRAISAL

Principle of Development

The application site lies within a predominately residential area in Alderley Edge. Alderley Edge is identified as being a Local Service Centre under Policy PG 2 of the Cheshire East Local Plan Strategy (CELPS). This policy confirms that within Alderley Edge, small scale

development to meet needs and priorities will be supported where they contribute to the creation and maintenance of sustainable communities.

Whilst Alderley Edge Neighbourhood Plan (AENP) has not yet been the subject of examination, draft Policy AE1 advises that new residential development within the settlement boundary (such as this site) will be supported where proposals are for 'small to medium sized developments' (under 10), are sustainably located have a high quality of design.

As a windfall site, CELPS Policy SE 2 states that development should;

- Consider the landscape and townscape character of the surrounding area when determining the character and density of development
- Build upon existing concentrations of activities and existing infrastructure
- Not require major investment in new infrastructure
- Consider the consequences of the proposal for sustainable development having regard to Policies SD 1 and SD 2

In this case, the provision of 6 no. dwellings would be of an acceptable scale relative to Alderley Edge and would deliver housing within a sustainable location with the Village centre within walking / cycling distance. From here, there are good rail links (including to Manchester, London) and buses to other local / key service centres. There are local amenities nearby, and social infrastructure such as schools, hairdressers, gyms, employment etc. The development to provide a residential unit in a sustainable location aligns with the general principles of national policy, local policy and emerging neighbourhood policy.

The development would make a small contribution to the Boroughs housing requirements through the provision of 1 no. market dwelling. In accordance with these policies, there is no objection in principle to new dwellings in this location, subject to compliance with the other relevant development plan policies

Design and Impact on Character of the Area

NPPF paragraph 127 notes that planning decisions should ensure that developments are: visually attractive as a result of good architecture and layout; are sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change; establish or maintain a strong sense of place, and create attractive and distinctive places to live, work and visit. Paragraph 130 notes that permission should be refused for poor design that fails to take the opportunities for improving the character and quality of an area.

Local Policy SD 2 notes that development will be expected to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of height, scale, form and grouping, choice of materials, external design features, massing of development, and relationship to neighbouring properties, street scene and the wider neighbourhood. Policy SE 1 notes that development proposals should make a positive contribution to their surroundings by:

- Ensuring design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements

- Encouraging innovative and creative design solutions that are appropriate to the local context

Draft Policy AE2 of the Alderley Edge Neighbourhood Plan applies a similar approach to design as Policies SE 1 and SD 2.

The triangle of development within which the application site lies contains a variety of relatively large dwellings set within reasonable sized plots. The existing dwelling is an anomaly in terms of the plot:building ratio and the subdivision into two would not be to the detriment of the pattern or character of the area.

The new dwelling would display a hipped roof with three front facing gables matching features of the existing dwelling at Corner Croft. Amended plans have been received reducing the scale and increasing the set back of the front projection from the road.

The added detail in the previously blank front gable helps to soften the appearance and assimilate it into the street scene. The design features of the proposed dwelling would complement the street scene

Saved Macclesfield Local Plan policy DC41, relating to infill housing states:

'The garden space should reflect the typical ratio of garden space within curtilages in the area and the location, size and shapes should be suitable for the intended purpose'.

The size of plots:building ratios of the surrounding dwellings within the 'triangle' vary from 10.7% to 22.3%. While at the higher end of the scale at 21.87 following the amended plans there are two properties within the vicinity displaying a higher plot:building ratio.

It is considered that the improvements satisfy the raised issues of density, elevational design and scale in accordance with policies SE1 and SD2 of the CELPS, draft Policy AE2 of the Alderley Edge Neighbourhood Plan and the Cheshire East Design Guide.

Amenity

Saved Macclesfield Borough 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 with guidance on space distances between buildings contained in saved policy DC38 of the Macclesfield Borough Local Plan and guidance within the Cheshire East Design Guide.

The objections have been carefully considered. The south facing side elevation of the proposal faces onto the rear elevation of number 10 Blackshaw Lane (Ashwater House). The distance between the two buildings would be 16.1m at its closet with the dwellings set at an angle to each other meaning that the natural outlook from number 10 would not be interrupted by the new dwelling. The side elevation would not contain any windows.

To the rear the distance between the closest habitable windows at first floor between number 6 Blackshaw Lane (Little Meadows) and the proposal would be 15.6m. While this is slightly substandard the bedroom at number 6 contains three other windows facing onto other directions so this window is clearly secondary and is relatively small. The dwellings would

also be set at an angle to each other so there would be no direct views. The other habitable rear facing window of number 6 would be positioned 24.9m and 25.15m from the habitable rooms on the proposed dwelling. Again these are at an angle to each other.

The gap between the dwellings, together with the oblique angle and boundary screening ensures that the relationship between proposed new dwellings is within acceptable limits.

Highways

MBLP saved Policy DC6 requires new developments to provide safe and convenient access for vehicles and pedestrians, as well as providing adequate parking and turning for vehicles. The new dwelling would be accessed from an unadopted road and would contain sufficient off street parking. There are no objections to the application raised by the Head of Strategic Infrastructure and as such, it is acceptable in terms of highway safety and parking provision.

Arboriculture and Forestry

This application is supported by an Arboricultural Report which includes a Tree Survey Schedule, a Development Layout Plan, a Tree Protection Plan and a Tree Constraints Plan. The report is broadly in accordance with the requirements of *BS5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations*.

The site consists chiefly of ornamental shrubs and small trees with no significant high amenity value offered. The Arboricultural Report has identified 15 trees, 1 Group and 1 Hedge within the application site. The Alderley Edge Urban District Council (Chorley Hall Lane) TPO 1968 affords protection to one group (G2 of the original Order) to the northern boundary of the existing property with no impact expected by the proposal.

The proposed removal of T18 Cherry, T23 Juniper and T26 Cherry are identified as U (T18 & T23) and C (T26) category trees within the submitted BS5837 Tree Schedule and therefore the Council's Arboricultural Officer has confirmed that their removal is considered to be acceptable with no detriment to the long term amenity expected.

A section of proposed external patio area at the southern elevation will extend slightly into the Root Protection Area (RPA) of an existing unprotected Beech (T25). BS5837:2012 makes provision and design recommendations for incursions into the RPA of trees, which has been addressed in the submitted report. The incursion within the RPA of the Beech tree is relatively minor and taking into account the species characteristics, age and vitality of this tree, the Council is satisfied that the tree will remain viable in the long term.

The Council's Arboricultural Officer therefore raises no objections subject to a suitably worded condition. The proposal is found to accord with CELPS Policy SE 5 and MBLP Policy DC9.

CONCLUSIONS AND PLANNING BALANCE

The principle of a new dwelling within the predominantly residential area of Alderley Edge is acceptable in principle. Comments from the neighbours and town council are noted. However, the site comprises development in a sustainable location, with access to a range of local services and facilities nearby. It would add to the stock of housing and its construction and

occupation would result in social and economic benefits, albeit relatively minor. The development would make effective use of an available site.

The proposal also raises no significant design, amenity or highway safety issues.

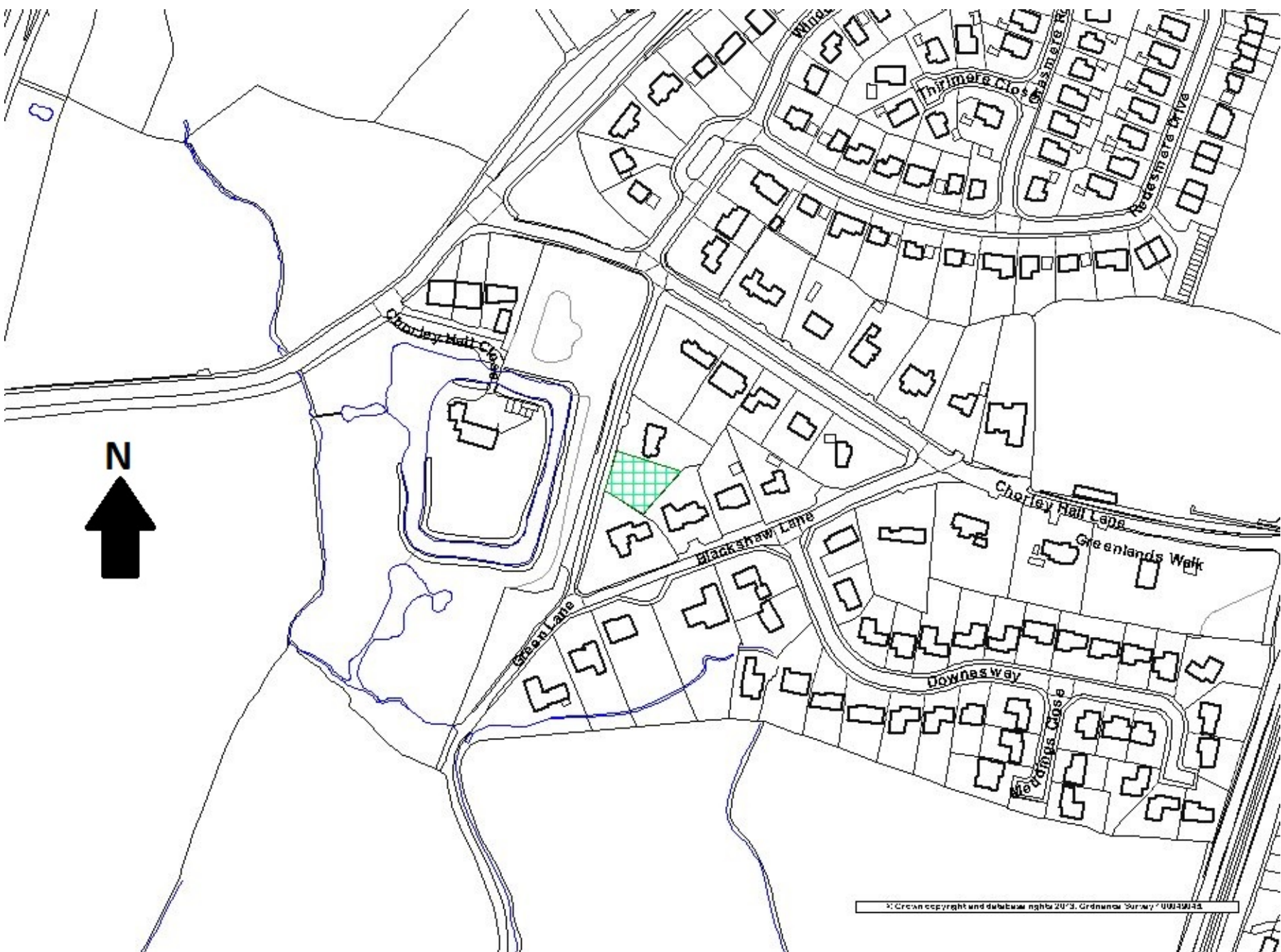
The proposal is found to accord with the relevant local plan policies, national planning advice as well as draft policies in the emerging neighbourhood plan. The application is therefore recommended for approval subject to conditions and comments from the Council's Environmental Protection Unit and Flood Risk Manager.

RECOMMENDATIONS

APPROVE with the following conditions;

- 1. Standard time limit**
- 2. Accordance with approved Plans**
- 3. Breeding birds – timing of works**
- 4. Arboricultural works to be carried out in accordance with the submitted Method Statement**
- 5. Tree protection measures to be implemented in accordance with submitted details**
- 6. Submission and approval of a drainage strategy**
- 7. Land levels to be submitted, approved and implemented**
- 8. Dust Management Plan to be submitted, approved and implemented**
- 9. Electric Vehicle Charging point to be provided**
- 10. Contaminated land survey to be submitted, approved and implemented**
- 11. Details of any soils imported onto the site**
- 12. Works to stop if any unexpected contamination is discovered**
- 13. Details of boundary treatments to be submitted and approved**
- 14. Landscaping scheme to be submitted and approved**
- 15. Landscaping implementation**
- 16. Materials to be submitted**
- 17. Access and visibility splays to be provided prior to first occupation**

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 (Regulation) 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: 20/3612M

Location: FERNLEA, STANLEY ROAD, KNUTSFORD, CHESHIRE, WA16 0DJ

Proposal: Demolition of existing bungalow and construction of one detached and a pair of semi-detached dwellings

Applicant: PHIL THEWLIS, PLT PROPERTIES LTD

Expiry Date: 06-Nov-2020

SUMMARY

The application site lies within a predominantly residential area of Knutsford. Within such locations, development is deemed to be acceptable in principle, subject to its adherence with all relevant policies of the development plan.

It is deemed that the revised design of the scheme compared to the previous scheme refused by committee responds well to its prominent location within the streetscene providing an attractive feature which also respects the character of Knutsford. The revisions to the scheme, most notably the reduction in the scale, mass and bulk of the development, are deemed to overcome the previous reasons for refusal.

The carefully considered positioning of obscure glazing and obscure green wall screens to ensure that the development would not significantly injure the amenities of the occupiers of nearby dwellings.

The development creates no concerns in relation to; highways, landscape, trees, ecology or flood risk, subject to conditions, where deemed necessary.

For the above reasons, the application is recommended for approval.

RECOMMENDATION

APPROVE subject to conditions

REASON FOR REFERRAL:

This application has been called in to Northern Planning Committee by Councillor Abel, for the following reasons;

'The Proposal does not fit with Knutsford Neighbourhood plan.'

It is not in keeping with the area it is located

It is over development

A very similar plan was rejected by planning relatively recently.

It reduces the number of Bungalows'

DESCRIPTION OF SITE AND CONTEXT

This application relates to a residential plot comprising of a detached bungalow and detached garage and associated garden, located on a prominent corner location between Stanley Road and an access to Stanley Road Trading Estate within a predominantly residential part of Knutsford.

There are two Conservation Areas within close proximity of the site comprising of the Town Centre Conservation Area on the opposite side of the road to the east of Libris Place and St John's Conservation Area on the opposite side of St John's Road.

DETAILS OF PROPOSAL

Full Planning permission is sought to demolish a detached bungalow and associated ancillary outbuilding and erect 3 dwellings.

The 3 dwellings would comprise of a pair of 3-storey, semi-detached, 3-bed properties and a single, detached 2-storey, 3-bed unit.

The application is a re-submission of planning application 19/2254M, which was refused by Cheshire East Council's Northern Planning Committee on the 17th June 2020, for the following reasons;

- 1. The proposed dwellings would result in an overdevelopment of the site by virtue of their scale and form and would be overbearing to, and out of character with, the adjoining single storey properties on St Johns Road. The development would therefore be contrary to policies SD2 and SE1 of the Cheshire East Local Plan Strategy and policies D1, D2 and H2 of the Knutsford Neighbourhood Plan.*

This refusal has been appealed and the appeal process is ongoing.

This re-submission seeks to address the reasons for refusal by making a number of changes including;

- Re-designing the dwelling proposed on Plot 1. Main changes of the re-design compared to the refused scheme are;
- a small reduction in the amount of 2-storey development proposed. The refused scheme was all 2-storey, but included a taller, feature element on the corner between Stanley Road and St Johns Road. The revised scheme reduces the extent of this taller, feature element as well as removing a first-floor section on boundary with Tynedale
- a set-back of the development footprint by approximately 0.6 metres further away from the Stanley Road frontage, and;

- a set-forward of the development by between approximately 0.6 and 0.8 metres further towards the corner of Stanley Road and St John's Road
- Re-configuration of fenestration and associated obscure glazing, including provision of a 'green vertical wall' on side elevation of projecting window, facing Tynedale
- Re-designing the dwellings proposed on Plots 2 and 3 (pair of semi-detached). Main changes compared to the refused scheme include;
- Re-configuration of the footprint of the block (when read as a whole) so the built form it is pulled further away from the corner junction of Stanley Road and the road down to the Stanley Road Trading Estate by approximately 4.5 metres (in order to create a larger private garden space for plot 3). This has been achieved by making a small reduction in the amount of built form proposed, but also by moving the block further to the south-west towards the back garden of Tynedale (by approximately 1 metre) and further towards Stanley Road (by approximately 0.8 metres)
- Re-design of the appearance of the principal elevation so instead of previously including 3, slight forward projecting 3-storey, flat-roofed elements, now only includes 2 such projections
- Re-design of the appearance of the rear elevation so instead of previously including 3, slight forward projecting 3-storey, flat-roofed elements, now only includes 2 such projections. Also change in the balcony arrangement from previously including x2 second floor balconies to now including x2 first floor balconies on the rear elevation facing the trading estate road.
- Inclusion of an additional second floor balcony on principal/side elevation corner closest to the dwelling proposed on plot 1
- internally re-configured in an attempt to reduce the extent of required obscure glazing
- Re-configuration of fenestration and associated obscure glazing
- The suggested materials palette has changed so more brick has been included instead of stone

RELEVANT HISTORY

19/2254M - Construction of 3 dwellings following demolition – Refused 17th June 2020 – **Currently at appeal**

17/6144M - Construction of 3 detached dwellings following demolition of the existing dwelling – Withdrawn 10th September 2018

05/1118P - Retention of Amendments To Applications 04/2398p And 05/0378p Including Raising Height Of Garage To 5.6m, Alterations To Fenestration And Raising Of Boundary Wall To 2.1m – Approved 19th July 2005

05/0378P – New Boundary Wall – Approved 13th April 2005

04/2395P - Erection of Detached Garage And 2 Metre High Boundary Wall – Approved 18th November 2004

03/2099P - Demolition of Bungalow and Erection Of 1 Detached Dwelling And 4 Town Houses (Resubmission Of Application 03/0501p) – Refused 22nd October 2003 – Appeal Dismissed 26th August 2004

03/0501P - Demolition of Detached Bungalow and Erection Of 1 No Detached Dwelling And 4 No Terraced Dwellings – Refused 16th April 2003

01/2843P - Demolition of Existing Bungalow & Erection of New Dwellinghouse & 7 Flats In A Two/Three-Storey Block – Refused 23rd January 2002

01/2305P - Demolition of Existing Bungalow & Erection of New Dwellinghouse & 7 Flats In A Two/Three-Storey Block – Withdrawn 30th October 2001

72137P - Ground Floor Extensions and New Access – 3rd November 1992

ADOPTED PLANNING POLICIES

The aspects of the Cheshire East Council Development Plan that are relevant to the application proposals include; the Knutsford Neighbourhood Plan, the Cheshire East Local Plan Strategy (CELPS) and the Macclesfield Borough Local Plan (MBLP). The relevant policies within that document are detailed below;

Knutsford Neighbourhood Plan (Made 14th March 2019)

C4 – Utilities, D1 – The Knutsford Design Guide, D2 – Local Distinctiveness, D3 – Landscape in New Development, D4 – Sustainable Residential Design, E5 – Pollution, HW1 – Health and Wellbeing, HE1 – Landmarks, Views, Vistas and Gateways, HE2 – Heritage Assets, HE3 – Conservation Areas, H1 – Housing mix, H2 – Previously Developed and Infill Development, T3 – Public Transport, T4 – Parking

Cheshire East Local Plan Strategy (CELPS)

MP1 - Presumption in favour of sustainable development, PG1 - Overall Development Strategy, PG2 – Settlement Hierarchy, PG7 - Spatial Distribution of Development, SD1 - Sustainable Development in Cheshire East, SD2 - Sustainable Development Principles, IN1 – Infrastructure, IN2 - Developer contributions, SC3 – Health and Wellbeing, SC4 - Residential Mix, SE1 – Design, SE2 - Efficient use of land, SE3 - Biodiversity and geodiversity, SE4 - The Landscape, SE5 - Trees, Hedgerows and Woodland, SE6 - Green Infrastructure, SE7 – This Historic Environment, SE9 - Energy Efficient Development, SE12 - Pollution, Land contamination and

land instability, SE13 - Flood risk and water management and CO1 - Sustainable Travel and Transport

Macclesfield Borough Local Plan (MBLP)

DC3 - Protection of the amenities of nearby residential properties, DC6 - Circulation and Access, DC8 – Landscaping, DC9 - Tree Protection, DC13 & DC14 – Noise, PDC38 - Guidelines for space, light and privacy for housing development

Other material planning policy considerations

National Planning Policy Framework (NPPF) 2019
National Planning Policy Guidance (NPPG)

CONSULTATIONS (External to Planning)

Head of Strategic Infrastructure (HSI) – No objections, subject to an informative regarding entering into a S184 Agreement (related to new vehicle crossing over adopted footway/highway)

Environmental Protection (Cheshire East Council) – No objections, subject to the following condition/s; implementation of noise mitigation measures, provision of electric charging points, provision of low emission gas boilers, submission/approval of a soil verification report (if soil is imported onto site) and that works should stop should contamination be identified.

United Utilities – No objections, subject to a number of conditions including; that foul and surface water be drained on separate systems, the prior submission/approval of a surface water drainage scheme and the prior submission/approval of a sustainable management and maintenance plan of drainage measures.

Natural England – No objections

Network Rail – No objections, subject to informatives including; that noise and vibration mitigation measures be considered for future residents, that a BAPA (Basic Asset Protection Agreement) will need to be agreed between the developer and Network Rail due to proximity of site to railway and that any sub-station details need to be submitted to Network Rail.

Knutsford Town Council – Object to the proposed development for the following reasons;

- 'a) The amended proposal continues represent an overdevelopment of the site leading to unacceptable relationships within and adjoining the site*
- b) The materials palette chosen are not sympathetic to the character of the adjacent Conservation Areas.'*

OTHER REPRESENTATIONS:

Neighbour notification letters were sent to all adjacent properties. In response, comments were received from 3 interested parties, including the South Knutsford Residents Group. The main areas of concern raised included;

- Principle
 - SHLAA determined site was only suitable for 2 dwellings
 - Loss of single-storey dwelling/bungalow house type
 - Previous reasons for refusal and dismissed appeals all consistent in their reasons; harm to character and appearance of area, negative impact of neighbours, overdevelopment of site
 - Not noticeably changed from refused application
- Heritage and Design
 - Overdevelopment of site
 - Character comprises of bungalows & site falls within a group identified in the South West Residential Character Assessment in the KNP
 - Height, scale and form out of character and overbearing (detached 2-storey and semi-detached 3-storey)
 - Proposal would blur distinctiveness of 2 different sides of Stanley Road
 - Harm to 2 adjacent Conservation Areas
 - future pressures for other taller development
- Highway safety
 - Access/turning safety
 - lack of parking provision for visitors
 - on-street parking concerns
 - underground parking space sizes not to standard
- Amenity
 - Overlooking/loss of privacy for occupiers of No.1 St John's Road (Tynedale) and Libris place – infringement of separation standards for 3-storey development
 - Loss of light and overbearing impact upon Tynedale as development proposed now closer (800mm) than refused scheme
 - Insufficient garden sizes, garden size for plot 1 not appropriate for 3 bedroomed dwelling
 - amount of internal space per dwelling is small (space standards)
 - lack of required obscure glazing
- Drainage
 - Provision not clear, no drainage plan submitted or United Utilities comments
- Trees & Landscape

- Trees have been removed
 - Tree canopy is wrong compared to refused scheme
 - Lack of tree information contained within the application
 - Future pressures to fell existing trees / tree loss concerns
 - Common hedge between site and Tynedale will need to be cut-back (or thinned) to accommodate development which could impact its future health
- Procedural matters
 - no dimensions on drawings
 - no roof plan submitted
 - Stanley Road dimensions incorrect
 - distances shown incorrect (between plot 2 and Tynedale)
 - Have owners of commercial estate been notified?
 - Proposed solar panels are not shown on the plans
 - Window positions do not tie-up between floor plans and elevations
 - No detail of referred to source heat pumps
 - Errors within submitted Design and Access statement
 - No details submitted of water re-cycling
 - Levels details not shown e.g. site at higher position to highway to rear of site
 - Scale of drawings not acceptable/not to required scale for validation purposes
 - CGI of development from towncentre is misleading because incorrect (no reason given as to why)
 - Areas listed on plan are incorrect
 - Possible ownership issue with CEC – green slope to rear of site
 - not clear if DDA has been addressed
 - landscaping proposed outside of red edge

OFFICER APPRAISAL

Procedural matters

Various Officer site visits have been undertaken, with the most recent being on the 7th October 2020.

This application is considered in the context of the previously refused scheme (19/2254M), which was refused by Northern Planning Committee on the 17th June 2020 due to matters of design. This report considers whether this revised, re-submitted scheme overcomes the previous reasons for refusal.

Principle of Development

The application site is located within a predominantly residential part of Knutsford, where there is a general presumption in favour of development, just outside of the defined Town Centre as determined by the MBLP as well as being just outside the 'Central Zone' as defined by the Knutsford NP.

Policy PG2 of the CELPS identifies Knutsford as a Key Service Centre. Within such locations, development of a scale, location and nature that recognises and reinforces the distinctiveness of the town will be supported to maintain the vitality and viability.

Policy H1 of the Knutsford NP supports residential development on brownfield sites, (which the application site represents), which primarily seeks to deliver specific types of housing. This includes; 2/3 bedroom family housing and housing for older people.

The floor plans submitted with the application show that the proposals would each be 3-bed units. There is no reason why these units would not be suitable for the elderly, unless they have mobility issues. The policy also requires the applicant to demonstrate how they have delivered a mix of housing which responds to the site's specific location. In response, although all units are 3-bed units, all 3 dwellings would be suitable for young professionals, families or retired couples given the open plan layout and the site's sustainable location within walking distance to the local shops, restaurants, bars, parks, schools and very close to major transport links. These points are agreed with.

Policy H2 of the Knutsford NP states that new housing on previously developed land within the urban area should be approved, where such schemes are able to meet a number of design criteria including;

- Ensuring the proposed scheme has a plot ratio, density, scale and height which is commensurate with the surrounding townscape
- Preservation of vegetation (paraphrased)
- Provision of on-site parking (in accordance with Policy T4) including bin storage, which does not dominate the streetscene.

The previous reason scheme was refused partly as it was deemed contrary to this policy due to its design. In response, the applicant has sought to address the conflict with this policy by reducing the scale of the development. The main reductions in scale are a reduction in the footprint (and associated scale and bulk) of the semi-detached dwellings proposed on plots 2 and 3 and a reduction in the extent of taller, two-storey development proposed on plot 1. It is deemed that for these reasons, this revised proposal overcomes these concerns.

Although the proposal involves an increase in mass and scale of built form on the site compared to the existing situation as per the previous scheme, it is considered that this re-submission reduces the extent of this in a sensitive way, when compared to the refused scheme. For these reasons, it is deemed that the proposal meets the requirements of Policy H2 of the Knutsford Neighbourhood Plan. The principle of development is considered to be acceptable.

Design

The application site is located in a prominent location and as such, it is deemed that design is a key element of the assessment, and relevant to the previous reason for refusal.

In addition to the above design policies within the Knutsford NP for new residential development such as that proposed, Policy SE1 (Design) of the CELPS advises that the proposal should achieve a high standard of design and; wherever possible, enhance the built

environment. It should also respect the pattern, character and form of the surroundings. Policy SD2 of the CELPS states that development should contribute positively to an area's character and identity, creating or re-enforcing local distinctiveness in terms of; height, scale, form, grouping, choice of materials, design features, massing and impact upon the streetscene. These policies are supplemented by the Cheshire East Design Guide SPD.

Policy D1 of the Knutsford NP states that new development of all types and scales should be of a high design quality and complement its surroundings. Design solutions must positively respond to localised conditions, landscape and built vernacular. All planning applications must demonstrate how schemes comply with the Design Guide or justify why they do not. Policy D2 of the Knutsford NP states that all development should respond to the local townscape character.

The previous application was refused because it was deemed contrary to all of the above design policies because of its; overdevelopment, scale, form and impact upon local character.

As part of the previous application, the Council's Urban Design Officer considered the proposals against the criteria of the Council's Cheshire East Design Guide SPD and concluded the scheme was acceptable in all respects, subject to a materials condition.

However, in order to try and overcome the Committee's previous concerns, the scale, mass and bulk of the development has been reduced, which in turn has resulted in more private garden space being provided, the development has been pulled further away from one of its more prominent positions within the streetscenes (on the corner between Stanley Road and the road down to the Trading Estate) and the proposed obscure glazing has been reconfigured.

Within the Knutsford Design Guide, there is a section that states that the development of gardens within the town shall only be supported in exceptional circumstances and should subsequently meet a set of design criteria. Whilst it is accepted that part of this development would be on garden land, the revised scheme would result in just approximately 9% more of the plot is being developed (footprint) compared to the existing built form that is to be demolished. In total, that would only account for 31% of the entire plot, with the remainder to be retained as garden land. Furthermore, this element of the Design Guide is only one part of many. The design of the scheme, in the round, is deemed to meet the vast majority of the requirements of the Knutsford Design Guide as well as the Cheshire East Design Guide. The scheme is considered to positively respond to the site's characteristics.

It is considered that these changes do address the reasons for refusal relating to; overdevelopment, scale, form and impact upon local character and would adhere with the relevant design policies of the Development Plan.

Heritage

The application site lies within relative close proximity to two Conservation Areas. These comprise of St John's Conservation Area, located approximately 8 metres to the west and the Town Centre Conservation Area, located approximately 11-12 metres to the north-east, both on the opposing sides of highways. There is also a Grade II listed building 27 metres to the

north-east within the Town Centre Conservation Area. As such, the impact of the proposed development upon the setting of these heritage assets is a consideration.

Policy SE7 of the CELPS states that development should seek to avoid harm to heritage assets including their setting, and make a positive contribution to the character of Cheshire East's historic and built environment. Policy HE1 of the Knutsford NP seeks to protect Landmarks, views, vistas and gateways. Policy HE2 seeks to conserve and protect heritage assets. Policy HE3 refers to Conservation Areas and the impact of development upon these.

The Council's Heritage Officer was involved in detailed discussions helping to arrive at the previous set of proposals determined as part of 19/2254M. In response to these, the Heritage Officer advised that although the proposal would be larger and more prominent adjacent to the Town Centre Conservation Area, it was her view that the proposal would relate in form and mass to the library/apartment development on the other side of Stanley Road. With carefully detailed elevations and complementary materials the Council's Heritage Officer advised that this could result in the creation of a gateway to St John's Conservation Area, creating a better form of urban design in an area which has little architectural or historic character currently. The Heritage Officer went on to state that she agreed with the Council's Urban Design Officer that this scheme is a good example of contemporary design.

Part of the concern of the Inspector back in 2004 was the impact of the dominance and visually intrusive nature of the development when viewed from the adjacent Conservation Areas. This was not a concern of the Council's Heritage Officer as part of the recently refused application. The 2004 scheme was more prominent and intrusive largely because of its position at the front of the site, whereas most of the development in this instance is pushed back towards the rear of the site.

On the above basis, the Council's Heritage Officer considered that the previously refused scheme (19/2254M) would improve the neutral impact of the existing bungalow on this unusual corner plot and would create a new positive character which would not harm the setting of the adjacent Conservation Areas. Given the reduced scale of development now proposed within the current application, and the absence of any heritage impact issues within the previous reason for refusal, there is no reason why similar conclusions cannot once again be drawn.

The proposals are therefore deemed to adhere with Policy SE7 of the CELPS and policies HE1 to HE3 of the Knutsford Neighbourhood Plan.

Amenity

Policy DC3 of the MBLP states that development should not significantly injure the amenities of adjoining or nearby residential property or sensitive uses due to (amongst other considerations); loss of privacy, sunlight and daylight, an overbearing impact and environmental considerations.

Policy DC38 sets out separation standards as does the Cheshire East Design Guide. The separation standards within Policy DC38 of the MBLP state that for 3-storey properties, there should be a separation distance of 28 metres between habitable rooms and 16.5 metres where only one of the buildings impacted includes habitable rooms. However, the more up-to-

date Cheshire East Design Guide SPD refers to the standards within the emerging SADPD, which sets a minimum standard separation distance for 3-storey development of 20 metres (front-to-front) and also encourages the *'use innovative, design led approaches to ensure privacy without slavishly responding to the minimum distances approach'*

Policy SE1 of the CELPS states that development should ensure an appropriate level of privacy for new and existing residential properties.

The closest neighbouring dwellings to the proposed development would be the occupiers of Tynedale a bungalow on the adjoining plot to the south-west and the occupiers of Libris Place, a part two-storey apartment block (with an internal second floor mezzanine level) on the opposite side of Stanley Road.

Tynedale

Tynedale is a detached bungalow on St John's Road. Its side elevation would lie parallel and 4.5 metres away from the dwelling proposed on plot 1. There is a tall hedgerow between the sites at this juncture and within the relevant side elevation of Tynedale is a kitchen window (also served by another opening on the rear elevation), 2 doors and 2 roof lights.

Four openings are proposed on the proposed elevation closest to Tynedale (Plot 1). All four would be obscurely glazed as shown on updated plans received. As such, subject to the obscure glazing being conditioned, no privacy issues for this neighbour are considered to occur as a result of the proposals with regards to this elevation.

The occupiers of Tynedale have raised concerns about overlooking into their private amenity space from the openings within the flank and front elevation of plot 2. The flank elevation would be between 7.5 and 10 metres away from the rear portion of the garden of Tynedale.

To rectify this, the applicant has agreed to obscurely glaze all of the first and second floor windows on this elevation and this is shown on updated plans. Subject to these being conditioned accordingly, it is deemed that this is an effective solution. In addition, a privacy screen has been introduced to the balcony facing Tynedale on the front/flank corner at second floor level. This too, is deemed to represent an effective solution to overlooking to this side. It is considered that the other windows on the principal elevation of plot 2 are sufficiently offset or obscured from Tynedale so not to result in a loss of privacy. As such, no privacy concerns are deemed apparent upon the occupiers of Tynedale from the dwelling proposed on plot 2.

A daylight and sunlight report accompanies the application. It states that although 2 openings (a window and a glazed door) on Tynedale would be detrimentally impacted in terms of loss of light by the dwelling proposed on plot 1, which would serve a kitchen/diner, the room impacted benefits from light from another opening so any loss of light would be 'minor'. Given that none of the openings within the side elevation of Tynedale represent sole windows to principal habitable rooms, no significant concerns with regards to loss of light or visual intrusion are envisaged.

It should be noted that as part of the dismissed appeal for 4 townhouses on this site back in 2004, where a two-storey dwelling was proposed in a similar location than that currently proposed, the Inspector found no amenity issues in relation to Tynedale.

Libris Place

The principal elevations of the dwellings sought on plots 2 and 3 which form the proposed semi-detached units would be between 13.8 metres and 27.6 metres away from the principal elevation of Libris Place. This variation in distances is because these semi-detached units proposed would be erected at an angle to Libris Place opposite. The closest part of the dwelling proposed on plot 1, the corner of the detached unit, would be approximately 14.5 metres away from the principal elevation of Libris Place.

Privacy

No concerns are raised about the proposed ground-floor accommodation of any of the 3 dwellings sought upon the occupiers of Libris Place, as this accommodation would be predominantly screened by existing and/or proposed boundary treatment.

In consideration of the dwellings proposed on plots 2 and 3, at first-floor level, the layout proposed seeks the inclusion of 6 openings facing in the direction of Libris Place (although offset). Working from the closest to the furthest openings to Libris Place, these would comprise of; x2 obscurely glazed windows which would be between 16.3m and 17.8m from Libris Place and x4 clear windows between 20m and 26m from Libris Place. These clear windows are deemed sufficiently far enough away and sufficiently offset so not to result in privacy concerns.

At second floor, 8 openings are also proposed facing Stanley Road and subsequently Libris Place. Balconies with 1.7 metre-tall privacy green walls on their outside edges are proposed forward of 4 of the 8 openings.

Working from the closest to the furthest openings to Libris Place, these would comprise of; a screened balcony with bedroom window/door behind, x2 obscurely glazed windows to an ensuite and bathroom, x2 screened balconies with bedroom windows/doors behind, x2 clear windows to bedrooms located approximately 24m plus from Libris Place and a shower room window screened by a balcony screen. Due to the obscure glazing and privacy walls combined with the generous distance between the non screened/obscured openings and Libris Place, no loss of privacy concerns are noted to be created from this elevation.

For the above reasons, it is not deemed that the dwellings proposed on plots 2 and 3 would significantly injure the privacy of the occupiers of Libris Place.

In terms of the dwelling proposed on plot 1, at first-floor level, the layout proposed seeks the inclusion of 6 openings facing in the direction of Libris Place (although offset). Working from the closest to the furthest openings to Libris Place, at first-floor level, these would comprise of; an obscured bedroom window (with other clear element facing towards Booths Supermarket), an obscured window to a laundry room and a clear bedroom window. As the closest 2 windows would be obscurely glazed and the furthest away bedroom window would

be approximately 20 metres away from Libris Place, it is not considered that the dwelling proposed on Plot 1 would significantly injure the privacy of the occupiers of Libris Place.

Loss of privacy to the occupiers of Libris Place was a concern of the Inspector on the 2004 appeal. However, this proposal differs as previously explained as the application proposals are set-back within the site whereas this historical proposals were forward of the site, closer to Libris Place.

Light

The application units would be located to the south of Libris Place, therefore, there is a potential for the development to impact upon the light of the occupiers of this neighbouring block mostly in the winter months. In response to this concern, the applicant commissioned a daylight and sunlight survey. This concluded that none of the proposed development would breach the light standards as set out in the widely used BRE Report '*Site Layout Planning For Daylight and Sunlight – A guide to good practice*'. As such, there are no concerns regarding a loss of light as a result of the development upon Libris Place.

Loss of light was not a concern of the Inspector as part of the 2004 application which was closer to Libris Place than the current application proposals.

Visual obtrusion

Although 3-storeys in height, it is deemed that the flat-roofed nature of the building comprising of plots 2 and 3, with a maximum height of 8.7 metres, a typical height of a two-storey dwelling, in conjunction with the off-set relationship to Libris Place, ensures that the occupiers of Libris Place should not be detrimentally impacted in relation to visual obtrusion.

Again in 2004, the Inspector did not raise visual obtrusion as a concern.

Amenity of future occupiers

Each of the 3 dwellings shall be afforded a private amenity area (garden space), sufficient for them to undertake normal activities such as sitting outside, having a BBQ or hanging out washing. The garden size of plot 3 has been increased following concerns raised as part of the last submission, although not refused on these grounds.

In terms of loss of privacy, light or visual obtrusion, clearly plots 2 and 3 would not directly impact each other. The south-east elevation of plot 1 has the potential to result in a loss of privacy for the future occupiers of Plot 2, in terms of their private amenity space. However, as the openings proposed on Plot 1 on this elevation are at ground floor level only, which would be screened by boundary treatment, no such concerns are deemed apparent.

Environmental considerations

The Council's Environmental Protection Officer has reviewed the submission and advised that they have no objections, subject to the following condition/s; implementation of noise mitigation measures, provision of electric charging points, provision of low emission gas

boilers, submission/approval of a soil verification report (if soil is imported onto site) and that works should stop should contamination be identified.

As a result of the above reasons, subject to the suggested conditions (minus the gas boiler condition as it is not deemed to meet the conditions tests), it is considered that the application proposals would adhere with Policy DC3 and DC38 of the MBLP and the amenity aspects of Policy SE1 of the CELPS.

Highways

The application proposes to retain the existing access and create a new, second access 6 metres further to the west to serve the dwelling proposed on plot 1. Two off-street parking spaces are proposed for each of the 3 dwellings as well as turning space.

The Council's Head of Strategic Infrastructure (HSI), has reviewed the proposals and advised that there are no material highway implications associated with the above proposal as; the proposal for access to each of the dwellings is acceptable; and; there is sufficient space within each plot for off-street parking provision to be in accordance with CEC parking standards.

As such, no highways objections are raised subject to an informative regarding entering into a S184 Agreement for the new vehicular crossing. Subject to this condition and a condition to implement the access, the proposal is deemed to adhere with the requirements of Policy DC6 of the MBLP.

Landscape & Trees

The site falls within a predominantly residential area of Knutsford and relates to an existing residential plot. The existing site has a brick wall on the Stanley Road frontage and the rear, facing the access road down to the trading estate. The northern corner and along St John's Avenue is hedgerow.

The application seeks to retain the majority of this existing arrangement and replace to match where necessary. It is not considered that the proposal would result in any wider landscape considerations subject to a condition for the specific detail of the boundary treatment to be agreed.

In relation to trees, the Council's Tree Officer has advised that no objections are raised, subject to a number of conditions including; that the development proceed in accordance with the tree protection measures identified in the Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan report and Tree protection plan; that a detailed Method Statement for the demolition of the boundary wall and construction of plots 2 and 3 in relation to trees T9 and T10 be submitted to and approved in writing by the Local Planning Authority prior to commencement of development and; the submission/approval of a detailed service and foul and surface water drainage layout.

Subject to the conditions as suggested, the application is deemed to adhere with the relevant landscape and tree policies of the development plan.

The concerns raised about the health of the hedgerow on the common boundary between the application site and Tynedale are not material considerations, but a civil matter.

Ecology

The application site falls within Natural England's SSSI impact Zone (Tatton Meres). Natural England have reviewed the proposals and advised that they have no objection to the proposals as they do not consider they will have a significant adverse impact upon this statutory protected site.

The Council's Nature Conservation Officer has advised he has no objections to the proposed development, subject to a number of conditions including; a condition to protect nesting birds, the prior submission/approval of breeding bird and roosting bat features and that the landscaping scheme be updated so the existing hawthorn hedgerow be retained as part of the development.

Subject to these conditions, the proposal is deemed to adhere with Policy SE3 of the CELPS and the ecology policies of the development plan.

Flood Risk and Drainage

The application site does not fall within a Flood Risk Zone 2 or 3 and is not of a scale that triggers the requirement of a Flood Risk Assessment (FRA) or sequential test to accompany/be considered as part of the application. As such, no flood risk concerns are raised and as part of the recent previous application and the Council's Flood Risk Officer has raised no objections. There appears no reason to deviate from this conclusion once again.

In relation to drainage, United Utilities have been consulted and have advised that they have no objections, subject to a number of conditions including; that foul and surface water be drained on separate systems, the prior submission/approval of a surface water drainage scheme and the prior submission/approval of a sustainable management and maintenance plan of drainage measures.

Subject to the above recommended conditions, the application is deemed to adhere with Policy SE13 of the CELPS and the other drainage policies of the development plan.

Other matters

In response to the outstanding objections raised which have not been addressed above;

Strategic Housing Land Availability Assessment (SHLAA)

Reference is made to the Cheshire East Council's Strategic Housing Land Availability Assessment (SHLAA). The Cheshire East SHLAA, last produced in 2012, identified sites with the potential for housing, assessed their housing potential and assessed when they are likely to be developed. An objector has stated that when reviewed for the preparation of the SHLAA, the application site was found to be suitable for 2 dwellings and as such, an application for 3 suggests overdevelopment.

In response, paragraph 9 of the Cheshire East Council's SHLAA Summary states that *'The SHLAA does not determine whether any site is acceptable for future housing development; this will be determined through the Local Plan via the Cheshire East Core Strategy, Site Allocations DPDs and also through planning applications assessed against the adopted Development Plan.'*

As detailed within the above assessment, the application proposals for 3 dwellings as sought, is deemed to be acceptable and documents prepared in the formulation of the SHLAA has no bearing on these conclusions.

Procedural matters

There is no requirement for an application to include dimensions on drawings. This is because the plans should be to scale and dimensions can be taken accordingly.

Although no roof plan originally accompanied the application, this has now been submitted and is found to be acceptable.

There dimensions of Stanley Road shown on the submitted appear correct when checked against Council records, contrary to an objector's concerns.

Ownership matters are not a material planning consideration.

Further solar panel details have been provided during the scope of the application and as deemed to be acceptable as have the further details provided relating to the heat pump recovery system and water recycling details.

Landscaping was also originally proposed outside of site edged red. This has been revised to exclude this element.

Conclusions

The application site lies within a predominantly residential area of Knutsford. Within such locations, development is deemed to be acceptable in principle, subject to its adherence with all relevant policies of the development plan.

It is considered that the revised design of the scheme compared to the previous scheme refused by committee responds well to its prominent location within the streetscene providing an attractive feature which also respects the character of Knutsford. The revisions to the scheme, most notably the reduction in the scale, mass and bulk of the development sought are deemed to overcome the previous reasons for refusal.

The carefully considered positioning of obscure glazing and obscure green wall screens to ensure that the development would not significantly injure the amenities of the occupiers of nearby dwellings.

The development creates no concerns in relation to; highways, landscape, trees, ecology or flood risk, subject to conditions, where deemed necessary.

For the above reasons, the application is recommended for approval.

RECOMMENDATIONS

APPROVE subject to the following conditions;

- 1. Time (3 years)**
- 2. In accordance with approved plans**
- 3. Submission/approval of facing and roofing materials**
- 4. Obscure glazing - Implementation**
- 5. Obscure balcony green wall screens – Implementation**
- 6. Noise mitigation - implementation**
- 7. Electric Vehicle Charging Points**
- 8. Soil verification**
- 9. Works to stop if contamination identified**
- 10. Implementation of access**
- 11. Submission/approval of updated Landscaping Scheme**
- 12. Landscape - implementation**
- 13. Submission/approval of boundary treatment**
- 14. Submission/approval of levels**
- 15. Trees protection – Implementation**
- 16. Submission/approval of Method Statement for the demolition of the boundary wall and construction of plots 2 and 3 in relation to trees T9 and T10**
- 17. Nesting birds**
- 18. Submission/approval of breeding bird and roosting bat features**
- 19. Foul and surface water be drained on separate systems**
- 20. Submission/approval of a foul and surface water drainage scheme**
- 21. Submission/approval of a sustainable management and maintenance plan of drainage measures**
- 22. Removal of PD Rights A-E**

In order to give proper effect to the Northern Committee's intent and without changing the substance of its decision, authority is delegated to the Acting Head of Planning in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

