

Strategic Planning Board

Agenda

Date: Wednesday, 22nd December, 2021
Time: 10.00 am
Venue: The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

PLEASE NOTE – This meeting is open to the public and anyone attending this meeting will need to wear a face covering upon entering and leaving the venue. This may only be removed when seated.

The importance of undertaking a lateral flow test in advance of attending any committee meeting. Anyone attending is asked to undertake a lateral flow test on the day of any meeting before embarking upon the journey to the venue. Please note that it can take up to 30 minutes for the true result to show on a lateral flow test. If your test shows a positive result, then you must not attend the meeting, and must follow the advice which can be found here:

https://www.cheshireeast.gov.uk/council_and_democracy/council_information/coronavirus/testing-for-covid-19.aspx

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

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

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

1. **Apologies for Absence**
2. **Declarations of Interest/Pre Determination**

For requests for further information

Contact: Sarah Baxter

Tel: 01270 686462

E-Mail: sarah.baxter@cheshireeast.gov.uk with any apologies

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

3. **Minutes of the Previous Meeting** (Pages 3 - 8)

To approve the minutes of the previous meeting held on 17 November 2021 as a correct record.

4. **Public Speaking**

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

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

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

- Members who are not members of the Strategic Planning Board and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **21/2240C Application seeking detailed consent via Reserved Matters approval following Outline application 17/1000C for 454 dwellings and the associated infrastructure and open space on Land off Giantswood Lane and Manchester Road, Congleton. Land Between Manchester Road And, Giantswood Lane, Hulme Walfield for Michael Blackhurst, Redrow Homes** (Pages 9 - 32)

To consider the above application.

6. **20/4020M Change of use from agriculture to mixed-use agriculture and equestrian. Construction of stables and associated storage buildings (retrospective) Meadowbrook Farm, Spode Green Lane, Little Bollington for The George Leech Trust** (Pages 33 - 42)

To consider the above application.

Membership: Councillors S Akers Smith, A Critchley, B Burkhill, S Edgar, S Gardiner (Vice-Chair), P Groves, S Hogben, M Hunter (Chair), B Murphy, B Puddicombe, P Redstone, L Smetham and J Weatherill

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 17th November, 2021 in the The Capesthorpe Room -
Town Hall, Macclesfield SK10 1EA

PRESENT

Councillor M Hunter (Chair)
Councillor S Gardiner (Vice-Chair)

Councillors S Akers Smith, A Critchley, B Burkhill, S Edgar, P Groves,
S Hogben, B Murphy, B Puddicombe, P Redstone and J Weatherill

OFFICERS IN ATTENDANCE

Adrian Crowther (Major Applications Team Leader), Mr T Evans
(Neighbourhood Planning Manager), Nicky Folan, (Planning Solicitor), Paul
Hurdus (Highways Development Manager), David Malcolm (Head of
Planning) and Andrew Poynton (Planning and Highways Lawyer)

46 APOLOGIES FOR ABSENCE

There were no apologies for absence.

47 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of agenda item 7-Crewe Hub Area
Action Plan Update, Councillor S Gardiner declared that he was a friend of
Sue Helliwell, however he had not discussed the item with her. In addition
he declared he was a Member of the Corporate Policy Committee whereby
an item on HS2 was considered. He voted against the recommendations
including proposals to approve the formal withdrawal of the CHAAP;
however he did not believe it prejudiced his position.

In the interest of openness in respect of agenda item 8-Final Draft Housing
Supplementary Planning Document, Councillor S Gardiner declared that
he knew several of the participants in the consultation including Emery
Planning and Barton Willmore both of whom were previous employers of
his. He was also part of their pension schemes, however he had not
discussed the item with either company. Further to this he was well known
to Knutsford Residents Association who had also made contributions but
again he had not discussed the matter with them. Barratts and David
Wilson Homes had made representations and whilst he was working with
both companies on a separate work project he had not discussed the
matter. Finally in the past he had been acquainted with CPRE who had
also made representations.

In the interest of openness in respect of application 20/5760C, Councillor S Edgar declared that he was the Vice Chair of the Public Rights of Way Committee, however he had not discussed the matter.

In the interest of openness in respect of application 20/5760C, Councillor S Hogben declared that he was a non-Executive Director of ANSA however he had not discussed the application or made any comments on it.

In the interest of openness in respect of agenda item 7-Crewe Hub Area Action Plan Update, Councillor S Hogben declared he had previously opposed the Southern link road bridge with the decision on this now being deferred for the time being.

In the interest of openness in respect of agenda item 7-Crewe Hub Area Action Plan Update, Councillor P Redstone declared that he was known to Sue Helliwell.

In the interest of openness in respect of agenda item 7-Crewe Hub Area Action Plan Update, Councillor P Groves declared that he was a Member of the Environment and Communities Committee whereby an item on the Withdrawal of the Crewe Hub Area Action Plan was considered. He declared he had voted against the recommendations contained within the report.

In the interest of openness in respect of application 20/5760C, Councillor M Hunter declared that he was a non-Executive Director of ANSA he was also a member of the ANSA Liaison Committee, however he had not discussed the application or made any comments on it.

In the interest of openness in respect of agenda item 7-Crewe Hub Area Action Plan Update, Councillor M Hunter declared that he was a friend of Sue Helliwell.

48 MINUTES OF THE PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 13 October 2021 be approved as a correct record and signed by the Chair.

49 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

50 20/5760C-RESERVED MATTERS APPLICATION FOR 178NO DWELLINGS INCLUDING ASSOCIATED ROADS, CAR PARKING AND

**LANDSCAPING WORKS, RADNOR GREEN, LAND OFF BACK LANE,
CONGLETON FOR MR BEN SUTTON, STEWART MILNE HOMES**

Consideration was given to the above application.

(David Major, representing the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report and in the written and verbal update to the Board, the application be delegated to the Head of Planning in consultation with the Chair of the Strategic Planning Board to approve subject to the resolution of minor amendments to address the tree proximity issues as highlighted by the Forestry Officer and subject to the following conditions:-

1. Approved plans
2. Tree retention
3. Tree Protection
4. Arboricultural method statement
5. Levels survey – Trees
6. Services drainage layout - Trees
7. Updated badger survey and mitigation strategy submitted prior to commencement.
8. Implementation of hedgehog mitigation measures.
9. Submission of proposals for the fencing off of the woodland buffer zones during the construction phase of the development.
10. Submission of bat friendly lighting scheme.
11. Safeguarding of nesting birds.
12. Ecological enhancement.
13. Submission and implementation of 30 year habitat management plan.
14. The hedgerow identified as TN 1 on the submitted 2020 Phase One Habitat Plan to be retained with the exception of any unavoidable losses associated with the access.
15. 10 year maintenance condition for frontage landscaping
16. Drainage management/maintenance
17. Details of play areas and incidental open space, including the areas around the apartment blocks, to be agreed
18. Details of external storage, cycle and bin storage including for apartments required.
19. Planting plans 10339 Dwg 0004, 5 and 6 are not approved, and shall be re-submitted and approved in writing with the Local Planning Authority.
20. Tree planting as approved under the Congleton Link Road scheme to be carried out.
21. Scheme of lighting to be approved for the footpath/cycleway link to the River Dane.
22. The design of the SUDS basin is not approved.
23. SUDS scheme to service this development only

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

(During consideration of the application, Councillor A Critchley left the meeting and returned. In accordance with the Code of Conduct he did not take part in the debate or vote on the application. Prior to consideration of the following item, the meeting was adjourned for a short break).

51 DRAFT JODRELL BANK OBSERVATORY SUPPLEMENTARY PLANNING DOCUMENT

Consideration was given to the above report.

Members made the following comments:-

- That the Environment and Communities Committee be recommended to extend the consultation period to the middle of January 2022;
- In respect of paragraph 6.1 it was commented that officers needed to be mindful a significant proportion of the new and existing houses would be moving to electric vehicles which would be charged from their properties and therefore likely to have a far greater impact than the items contained within the table;
- In respect of paragraph 6.30 of the document, reference was made to pre application advice. It was noted that as the Council had not been providing pre application advice for nearly two years the document should be amended to remove references to this service;
- Mitigating measures could be used by house builders to protect Jodrell Bank;

RESOLVED

1. That the comments as outlined above be noted.
2. That the draft JBO SPD (Appendix A) of the report be noted.
3. That the associated Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report ("SEA") (Appendix B) of the report be noted.
4. That the associated Equalities Impact Assessment Screening Report ("EQIA") (Appendix C) of the report be noted.

52 CREWE HUB AREA ACTION PLAN UPDATE

Consideration was given to the above report.

(A statement was read out on behalf of Sue Helliwell who was unable to attend the meeting and speak on the item).

Members made the following comments:-

- Preparation for the next Local Plan and the commencement of work on this;
- Development of the Crewe station area needed to be embraced within the Council's planning policy;
- A document which was an alternative to the Crewe Hub Area Action Plan needed to be developed within the existing plan period and included within the next Local Plan;
- The view of local Councillors was Southern link road bridge was not necessary;
- Consideration should be given to traffic management measures which could form part of the consultation process when developing the next Local Plan;
- Requirement for the redevelopment within Crewe and any development should be linked to the network railway and railway heritage of the town;
- A copy of a supplementary planning document should be considered by the Board before it went out to public consultation;
- Decision to remove the Hub station from the Plan could be seen to show a lack of ambition;
- The bridge and junction improvements would have in their own right acted an independent project to deliver significant transport and environmental benefits to Crewe in terms of improvements to traffic flow, reduced congestion, improved air quality and so forth.

RESOLVED

1. That the decision of the Corporate Policy Committee on 4 November 2021 to withdraw the CHAAP and the Crewe SLRB preferred route be noted.

2. That the proposal to prepare a Supplementary Planning Document for Central Crewe be noted.

(During consideration of the item, Councillor S Gardiner left the meeting and returned).

53 FINAL DRAFT HOUSING SUPPLEMENTARY PLANNING DOCUMENT

Consideration was given to the above report.

Members made the following comments:-

- Clarification on the number of homes built since 2010;

- Assurances that those policies in the SADPD, which were retained by the examiner, be considered as part of any future review of the SPD;
- Disappointed by some of the comments from professionals in relation to supporting those sections of society with a disability;
- Like to see the document brought back to the Board before it is considered by the Environment and Communities Committee;
- Possibility of changing some of the descriptions used to describe bedrooms;
- Clarification on the purpose of the document and whether its purpose was to increase rural housing for people who needed it or was it to restate existing policy;
- Inequality Impact Assessment didn't appear to be complete.

RESOLVED

1. That the comment outlined above be noted.
- 2.. That the feedback received to the draft Housing SPD public consultation exercise held between the 26 April 2021 and Monday 07 June 2021 and how it had been addressed in the Report of Consultation (appendix 1) of the report be noted.
3. The final draft Housing SPD (appendix 2) of the report be noted.
4. That the Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report ("SEA") (appendix 3) of the report be noted.
5. That the publication of the final draft Housing SPD (appendix 2) of the report and report of consultation (appendix 1) of the report for public representations for a period of a minimum of four weeks be agreed.

The meeting commenced at 10.00 am and concluded at 1.25 pm

Councillor M Hunter (Chair)

Application No: 21/2240C

Location: Land Between Manchester Road And, GIANTSWOOD LANE, HULME WALFIELD

Proposal: Application seeking detailed consent via Reserved Matters approval following Outline application 17/1000C for 454 dwellings and the associated infrastructure and open space on Land off Giantswood Lane and Manchester Road, Congleton.

Applicant: Michael Blackhurst, Redrow Homes

Expiry Date: 21-Jul-2021

SUMMARY

This is a reserved matters application, submitted following outline permission 17/1000C seeking approval of reserved matters (except the previously approved access). The principle of residential development, in line with Local Plan allocation Site LPS 29, has therefore been accepted.

Highways have no objections and clarification on the bridge crossing over the Public Right of Way has now been addressed.

The Council's Ecologist is now satisfied with the submitted information subject to conditions. The proposal is considered to be acceptable in terms of its landscape impact, subject to receipt of satisfactory revised landscaping plans. The Council's tree Officer is broadly satisfied with the proposals but has raised some issues with regards to works within the tree protection areas within the site where some amendments are needed. Members will be updated on this matter.

Extensive discussions have taken place in relation to urban design and revised plans have been received through the application process such that the Council's urban design officer is now fully supportive of the scheme.

ANSA had some concern that the layout and treatment of the areas of Public Open Space (POS) left insufficient space for general play and that more detail was needed in relation to the play areas. Amendments have largely addressed these issues and the details of play areas can be conditioned.

Housing have no objections to the affordable housing provision.

Finally matters relating to drainage, contaminated land, air quality and amenity can be addressed by condition with many already considered at the outline stage.

RECOMMENDATION

Approve with conditions

SITE DESCRIPTION

This application relates to a 25.7hectare site on the northern side of Congleton. The site currently consists of 2 agricultural fields, last used for crop growing. The larger of the two fields lies to the south of the unnamed narrow watercourse, and whilst not flat, consists of an area which sits above the adjacent water course and associated tree line. Within the centre of this area is an area of woodland, and the boundaries are largely marked by hedgerows, in particular on Giantswood Lane. The boundary to the link road is marked by an acoustic fence. The smaller parcel of land lies north of the water course and is generally lower lying, but rises towards the northern site boundary.

The site has boundaries to the north formed by the Congleton Link Road, to the east by the A34 Manchester Road (which the site fronts), to the west by Giantswood Lane, and the south by a new housing development by Bloor Homes. The site is divided from this housing development by a public footpath. There are several houses on Giantswood Lane adjoining the site in the south west corner, sitting on a higher level above the site.

As mentioned above, a footpath (Hulme Walfield FP2) forms the eastern boundary of the site, running from Giantswood Lane in the south to the A34 in the north, then turning north west (Hulme Walfield FP3) along the water course that divides the site, continuing to the Link Road and beyond.

PROPOSAL

This reserved matters application seeks approval of Appearance, Landscaping, Layout and Scale for a development of 454 dwellings.

As approved at the outline stage, the main access to the site is from the A34, with a separate secondary access also from the A34 but shared with the Bloor Homes development off Lomas Way. Footpath/cycleway access is proposed off Giantwoods Lane, which would also serve as emergency access points should they be needed. There is no proposed vehicular access off Giantswood Lane as part of this application.

In addition the following are proposed:

- Areas of public open space including a NEAP in the centre of the site, LEAP and 4 LAP's
- Footpath/cycleway links across the site running from Giantswood Lane to the A34
- SUDS features incorporated into the areas of POS/Landscaping
- Retention of the area of central woodland and additional areas of landscaping especially to site boundaries, including the Congleton Link Road.

Whilst an indicative layout is given, and the road shown in detail, there are no proposals as part of this application for the school or retail facilities. These would need to form separate reserved matters submissions.

The proposed housing mix is as follows:

Housetype	Bed No's	No. on site	SqFt.
Astbury	2	18	980
Timbersbrook	3	20	984
Rodeheath	3	19	1081
Somerford	3	17	1081
Marton	3	29	1137
Brownlow	4	21	1218
Marsh	4	17	1240
Swettenham	3	6	1275
Moreton	3	33	1289
Walfield	3	44	1318
Medhurst	4	8	1318
Hulme	4	11	1467
Brereton	3	13	1417
Brookhouse	4	24	1427
Smethwick	4	3	1482
Mossley	4	17	1555
Buglawton	4	11	1653
Dane	3	3	1842
Warren	5	27	1855
Smallwood	4	6	1952
Lawton	4	28	2030
Private Total		375	
Affordable			
Jodrell	2	5	680
Rushton	2	30	832
Westlow	3	26	905
Smithy 1	1	6	536
Smithy 2	1	6	639
Congleton Apartment	1	6	540
Affordable Total		79	
Site Wide Total		454	

A number of revisions have been made from the original submission.

RELEVANT PLANNING HISTORY

Congleton Link Road:

15/4480C - The proposed Congleton Link Road - a 5.7 km single carriageway link road between the A534 Sandbach Road and the A536 Macclesfield Road. APPROVED July 2016

Forming the southern boundary of the site:

16/3107C - Reserved matters application (appearance, landscaping, layout and scale) for residential development comprising of 96 dwellings Land Between Manchester Road And, Giantswood Lane, Hulme Walfield APPROVED May 2017

Relating specifically to this site:

17/1000C - Outline application with all matters reserved except for means of access for a development comprising up to 500 dwellings (use class C3), site for new primary school (use class D1) and local shopping facility (use class A1) together with associated open space, green infrastructure, pedestrian and cycle links - Land Between Manchester Road And Giantswood Lane, Hulme Walfield APPROVED July 2019

POLICIES

Cheshire East Local Plan Strategy – 2010-2030

PG1 – Development Strategy
PG6 – Open Countryside
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
IN1 – Infrastructure
IN2 – Developer Contributions
SC1 – Leisure and recreation
Sc2 – Indoor and outdoor recreation
SE 1 - Design
SE 2 - Efficient Use of Land
SE3 – Biodiversity and Geodiversity
SE 4 - The Landscape
SE 5 - Trees, Hedgerows and Woodland
SE 6 - Green Infrastructure
SE 13 - Flood Risk and Water Management
CO1 – Sustainable Travel and Transportation

Site LPS 29 - Giantswood Lane to Manchester Road, Congleton

Saved policies in the Congleton Local Plan

PS8	Open Countryside
PS10	Jodrell Bank Radio Telescope Consultation Zone
GR6&7	Amenity & Health
GR9	Accessibility, servicing and parking provision
GR10	Managing Travel Needs
GR14	Cycling measures
GR15	Pedestrian measures
GR18	Traffic Generation
GR20	Public Utilities
GR22	Open Space Provision
GR23	Provision of Services and Facilities
NR4	Nature Conservation (Non Statutory Sites)

NR5 Maximising opportunities to enhance nature conservation

Neighbourhood Plans:

The larger part of the site falls within the Hulme Walfield And Somerford Booths Neighbourhood Plan area, but the area to the east of the water course falls within Eaton Ward, but falls outside their Neighbourhood Plan Area, and as such none of the policies are applicable in this area.

The Hulme Walfield And Somerford Booths Neighbourhood Plan was made on the 19 March 2018. Relevant policies include:

HOU2 Housing for Older People and People with Disabilities
HOU3 Rural Character
HOU4 Housing Design

ENV1 Wildlife Corridor and Areas of Habitat Distinctiveness
ENV2 Trees and Hedgerows
ENV3 Multi Use Routes

Other Material Considerations

The National Planning Policy Framework
National Planning Practice Guidance

CONSULTATIONS

United Utilities: No objections subject to a conditions relating to maintenance/management of the sustainable urban drainage plans, and informatives relating to informing UU of start dates so account of requirements can be met, and protection of their assets.

Head of Strategic Infrastructure: No objections.

Housing: Whilst originally objecting as there was a slight shortfall in provision, they have confirmed there are now no objections to the proposed (amended) provision, mix and distribution on site.

Public Rights of Way (PROW): Note the development will have a direct impact on a PROW, and wanted some clarification on a crossing over the access road, but have no objections.

Environmental Health: No objections, most matters are covered by conditions on the outline permission.

Flood Risk Manager: No objections in principle, but requested confirmation of proposed discharge rates which appear higher than those set out at the outline stage.

ANSA: Comments awaited

VIEWS OF THE TOWN/PARISH COUNCILS

Somerford Parish Council:

Hulme Walfield and Somerford Booths Parish Council recognises that this application is reserved matters, and therefore does not seek to oppose it. This is consistent with the policies expressed in its Approved Neighbourhood Plan.

The overall plan contains some strong, positive elements which will greatly help offset the loss of habitat, amenity, and open countryside. In particular it welcomes the provision which is being made for significant improvements to the rights of way network. These will greatly contribute to the plans of this Parish for enhanced rights of way linked into the proposed West/East Greenway. It does however seek specific s106 contributions towards these improvements and will raise these for any future strategic outline applications affecting the proposed LPS27 developments.

It is also appreciative of the proposals that have been made for substantial landscaping / tree planting. This is a welcomed element which again helps offset the loss of habitat which will result. These should, upon completion of the scheme, produce a development which, despite its size, will be integrated with its rural setting.

The Parish Council does however ask that the Cheshire East engage in additional conversations with the applicants and this Parish Council to clarify and resolve specific issues which has been raised by local residents. These need to be carried out in the interim period before the application is considered at Committee. These are as follows :

Highways Connectivity

Alderley Gate/Manchester Road (A34) - There are concerns this access could lead to issues of congestion/pollution not fully considered.

Giantswood Lane - The Parish Council re-iterates its total and long-standing opposition to any additional direct access off Giantswood Lane into the proposed development. It also questions the need for emergency access points.

Proposals for Retail Outlets and Primary School

The principal of these developments is supported as part of much needed community infrastructure to support these developments. It looks forward to seeing detailed proposals for these in due course, and notes the timescale contained in the s106 provisions.

It is however concerned at the additional impact that these proposals will make upon traffic generation on Manchester Road and seeks clarification of the traffic management measures that will be put in place to handle these.

It also expects that these plans will show how the excellent cycle, bridleway and footpath links to the Congleton link road will be joined up to the bridleway which runs between Alderley Gate and the proposed Redrow development. At present there is a short section which is totally inadequate in width or surface to allow this to happen. It is an important integral part of the Parish Councils vision for an enhanced, active-recreation network for its area.

It also expects to see how safe links will be developed across Manchester Road onwards through the adjacent developments so that children wishing to travel from the proposed site and Alderley Gate to the nearest secondary school (on foot or by cycle) can do so safely and, ideally, via non-vehicular links.

Utilities - connections

It is understood that there will be a need to serve the proposed development from services on Giantswood Lane (water/drainage/telecom/electricity). The Parish Council requests detailed plans of the work proposed and the likely duration of these to ensure minimal disruption to residents and other road users.

Construction Issues

The Parish Council welcomes verbal assurances from the applicants that robust measures will be put in place to ensure the impacts from construction are minimised.

Environmental Conservation and Enhancement

The Parish Council notes and welcomes the extensive and substantial measures being proposed to protect, enhance and augment existing tree cover, and wildlife habitats. It looks to the applicant to make novel use of such measures as reed beds as part of its SUDS proposals to control site storm water run-off. Such measures can further enhance the wildlife enhancements.

Provision for Active Recreation

The Parish Council welcomes the indicated provision not only of new cycle and footpath linkages through the site, but also of locations for active recreation/exercise. It has indicated a willingness to contribute further to these through its own funds.

It would however welcome a specific condition to ensure that a usable accessible surface is provided along the boundary of the site during the first phase of infrastructure construction. This will offset the disruption to recreational users which might occur from any temporary footpath diversions proposed to allow for the new access road and measures required to secure the remainder of the site for safe working.

Primary Care and Community Provision

It is an important function of good planning to ensure that community needs are adequately met. They feel the required contribution through the Section 106 to be inadequate and that alternate provision should be made for community facilities, for example as part of the primary school.

Attention has already been drawn to the lack of connectivity between the new link road cycleway which terminates abruptly halfway down the slope of Manchester Road, and the footpath/bridleway which forms the boundary between Alderley Gate and the proposed Redrow site.

At present, cyclists or horse riders need to join the main carriageway before turning right into Lomas Way. The existing footpath link between the two points is a very poor surface and dangerously narrow, with the obstruction of a retained mature tree.

Congleton Town Council

Objected on the following grounds:

- Insufficient affordable housing
- No reference to Electric Vehicle Charging
- Inadequate travel plan
- Footpath & cycleways not linked to CLR
- Needs to be funding for a circular bus service through the site
- The primary school should be completed on 50% occupancy

OTHER REPRESENTATIONS

Eleven representations have been received from local residents. Their comments can be summarised as follows:

- Concern about access onto Giantswood Lane
- Concern about disturbance/inconvenience during the construction process
- Loss of area of low lying peat bog
- Desire that a dialogue be established between the developer and residents during what will be a long build out period.
- Objection to the principle of building on this site, lack of infrastructure/facilities, and over development of the site
- Question what eco-credentials the properties will incorporate i.e. insulation, EVC's and boilers
- Concerns for impacts on wildlife

OFFICER APPRAISAL

Principal of Development

The site is allocated Site LPS 29 Giantswood Lane to Manchester Road, Congleton:

The site at Giantswood Lane to Manchester Road over the Local Plan Strategy period will be achieved through:

1. The delivery of, or a contribution towards, the Congleton Link Road / complementary highway measures on the existing highway network;
2. The delivery of around 500 new homes (at approximately 30 dwellings per hectare) as set out in Figure 15.34;
3. The provision of appropriate retail space to meet local needs;
4. The provision of a new primary school as set out in Figure 15.34;
5. Vehicular, pedestrian and cycle links set in green infrastructure to new and existing employment, residential areas, shops, schools, health facilities the town centre;
6. The provision of children's play facilities;
7. The provision of land required in connection with the Congleton Link Road as set out in Figure 15.34.

The site already has the benefit of outline planning approval and, in principle, is considered to be in accordance with the Local Plan allocation. Some of the requirements, for example the contribution to the Congleton Link road, are set out in the Section 106 agreement.

Highway Implications

Background

The outline planning approval for this development determined the access to the site and also the traffic impact of the scheme and as such only the internal layout of the site is being assessed in this reserved matters application.

Development layout

The submitted road layout is similar to the indicative masterplan that was submitted with the outline application. The main access road forms an internal loop road that is 6.5m wide and capable of

accommodating bus services, the secondary roads are a mix of 5.5m wide and 4.8m carriageways with some roads being shared surface. In regard to the layout plan submitted the internal road design and alignments are acceptable.

Accessibility

A number of links have been provided to existing or proposed routes external to the site both on the Giantswood Lane side of the development and also to Manchester Road on the eastern side. A pedestrian and cycle route plan has been provided that indicates that a 3m cycle route is provided on both sides of the main access road that passes the school site and also a 3m shared facility on one side of the main loop carriageway within the site.

There are also leisure pedestrian/cycle routes provided within the site that pass through public open space, these routes also provide links to other external similar facilities. Whilst, the leisure routes normally remain unadopted it is the intention that the highway authority adopt the majority of these routes and they will be required to be constructed to an adoptable standard that also includes lighting. Overall, the accessibility of the site is good and is considered acceptable.

The car parking provision for the dwellings proposed accords with current CEC standards.

Summary

The general arrangement of the internal road network and design is an acceptable standard and raises no highway concerns. A number of pedestrian/cycle routes have been provided within the site and these routes are expected to connect with similar with external similar ped/cycle facilities and as such provide good connectivity.

It is important that these ped/cycle routes are maintained and therefore be offered for adoption as part of the S38 Agreement.

There are no objections raised to this reserved matters application.

Public Rights of Way/Cycle routes

The development, if granted consent, would affect Public Footpath No. 3, Hulme Walfield, as recorded on the Definitive Map and Statement, the legal record of Public Rights of Way.

The footpath is depicted as being accommodated along its existing alignment in the planning layout, however they note the route of Hulme Walfield FP 3 has been slightly altered to accommodate a bridge crossing for the access road.

This would require a minor diversion of the footpath under s.257 of the TCPA 1990. As long as there is a commitment on the part of the developer to undertake this process there would have no objection to the reserved matters application.

It is proposed that the footpath will become a 3 metre wide, bitmac surfaced dual use cycle path for the length running from its junction with FP 2 to the 90 degree bend south west of the footbridge, to be maintained as part of the POS management of the site. The connecting section of footpath leading to Eaton FP2 will be 2 metres wide with a self-binding gravel surface. Each section of path should incorporate a 2 metre grassed area to either side.

The route is dissected by the access road into the site and suitable dropped crossing points should be accommodated for dual use purposes with consideration given to a raised surface section of road to delineate the crossing point and alert vehicles.

Should the footpath need to be closed during development, the PROW team would need at least 6 weeks' notice of the start of the closure and details offered of a suitable alternative route whilst the closure is in place.

With regards to linkages, this is discussed above in the Highways section, but it is considered that the green infrastructure proposed, linking Manchester Road to Giantswood Lane, and with good accessibility to the Link Road and beyond is good.

Landscape

The application site lies close to the southern boundary of the Dane Valley Local Landscape Designation Area (LLD) where CEC seeks to conserve and enhance the quality of the landscape and to protect it from development which is likely to have an adverse effect on its character, appearance and setting.

CEC Landscape comments at Outline stage highlighted that a Landscape & Visual Impact Assessment (LVIA) under-estimated the landscape and visual impacts of the development and over-valued the effectiveness of the proposed mitigation. However, as part of the approval granted it did set out a series of requirements the development needed to be in general accordance with, in the form of a parameters plan. As part of this a series of some 14 green corridor measures were established. These included buffers to site boundaries, green links across the site, and the central area of POS around the central woodland.

A comparison between the latest layout drawing and the parameters plan shows these areas are in general accordance with the required distances, and provides the separation required.

Topography

Topography is a fundamental and defining element of landscape character. The plans show that this site has varied levels, undulations, intricate contours and some steep slopes, in particular on the school site (which is not part of this application) and in the south west corner near Giantswood Lane. The Council's landscape officer has expressed some concerns about the proposed changes in level on the site, and the possible effects on landscape character, however the comments are not specific, and don't identify any particular harm.

A plan has been submitted showing areas of cut and fill on the site, essentially aimed at creating a more even development platform, and to make more natural drainage flows easier to manage. Although there are extensive areas of change, the extent of change is very small in most areas, and significantly there is little change in relation to boundary trees/hedges and the central area of woodland. A central area of depression would be brought up to the surrounding levels. Level changes are graded to avoid abrupt changes requiring retention features.

Sustainable Drainage (SuDS)

The site benefits from existing waterbodies and open watercourses, and these characteristics should be reflected in the design of its SuDS Scheme. The revised proposals show a more naturalistic approach reflecting that character.

Historic Landscape and Distinctiveness

Commenting on the original layout, the Landscape officer considers that the current proposed built-structures layout has a rather monocultural and repetitive character, and an opportunity to create distinctiveness and greater sense of place had been missed. Recent revisions however have addressed this concern.

Planting Scheme

A range of detailed comments have been made in relation to the planting proposals. Revised plans are anticipated shortly which hopefully will go some way to address these comments. Members will be updated on this matter.

Landscape Management

A 25-year Landscape Management Plan should be submitted for this scale of development and should be conditioned.

Management plan for woodland

A plan has been submitted to satisfy condition 13 of the outline approval, and this matter is being considered separately.

Trees

The Council's tree officer is broadly satisfied with the Arboricultural Impact Assessment and the Arboriculture Method Statement but has raised some concern about the impact of the attenuation basins along the stream that are affecting 2 tree groups, a veteran tree T2 and the footpath around the woodland. He has also expressed some concern about the lack of active management within the woodland management plan and lack of fencing.

The footpath around W1 and the adjacent play area make incursions into the assessed Root Protection Area (RPA). This appears to be unnecessary and could be resolved by minor changes to the line of both, taking them outside the RPA.

The attenuation basins parallel to the stream on the north eastern boundary of the site make incursions into the RPAs for groups G1 and G2 and have an impact on the assessed buffer area for the Veteran Tree T2. It is noted that T2 is said to be on the north side of the stream, so actual impact on this tree may be less than it appears. However the attenuation basins are squeezed into a narrow space (a point raised at outline application stage) and the tree officer would want to explore if a minor redesign of this area could reduce impact on the RPAs of these two groups of trees, before accepting the existing proposal.

There is no clear reference to fencing for the Woodland W1 or the streamside woodland G1, 2, 3. These areas could be subject to substantial public use which will cause localised compaction of the ground and could lead to other damaging activities. This kind of pressure has not been identified within the woodland management plan and there is no indication that these areas will be adequately fenced or access controlled. There is an expectation of details of fencing such as post and rail boundary fence, and management of public access within the management plan.

Some of these matters may well be addressed in amended landscaping proposals and the expected amended arboricultural report that sits alongside it, however the matters have been raised with the applicant and Members will be updated accordingly in any update report. With regards to the woodland management, again these matters have been raised with the applicant, but as this is covered by a

condition on the outline (Condition 13), this matter needs to be addressed separately prior to any commencement of development on site.

Ecology

A number of conditions were attached to the outline consent at this site relating to nature conservation matters. These are as below:

Condition 13 - 10 year woodland management plan:

A woodland management plan has been submitted as required by this condition.

It is advised that the proposed removal of deadwood from the woodland would be detrimental to its nature conservation value. It is also further advised that management proposals should include measures to improve the condition of the retained woodland. It is suggested that the condition assessment criteria from the Natural England/Defra Biodiversity metric be used to identify suitable enhancement measures.

Condition 14 Updated survey for Badgers:

An acceptable updated badger survey and mitigation method statement has been submitted as required by this condition.

Condition 15 - The bridge crossing:

The provision of a wide span bridge to minimise impacts on the stream side habitats is of an acceptable design.

Hedgerows

Hedgerow 2b was found to be 'Important' under the Hedgerow Regulations at the time of the outline consent being considered. A section of this hedgerow was anticipated as being lost to facilitate the site entrance during the determination of the outline consent. A section of this hedgerow has been removed prior to the reserved matters application being submitted albeit this removal is not believed to have been undertaken by the applicant. The submitted Arboricultural method statement does not however anticipate any further loss of hedgerow from the site resulting from the reserved matters application.

Native hedgerow planting is shown on the submitted landscape plans. It is advised that this would go some way towards compensating for the previous loss of hedgerow from the site. Hedgerow planting is proposed around the boundary of the attenuation basins. It is recommended that the landscape plans be amended to specify native hedgerow planting in that part of the site.

Woodland

As anticipated at the time the outline consent was granted the proposed access over the stream will result in the loss of a section of existing woodland.

Veteran Trees

Veteran trees receive protection through the NPPF. There are two veteran trees on site. (T2 & T3). These trees would be retained as part of the proposed development, but the drainage basins would result in ground levels changes in the vicinity of veteran tree T2. It is recommended that advice be sought from the Council's tree officers on this matter (as detailed above).

Great Crested Newts

Historic records indicate the presence of this protected species at ponds within 250m of the application site. Updated surveys have confirmed the continued presence of great crested newts at a number of off-site ponds.

In the absence of mitigation the proposed development would result in an adverse impact on great crested newts as a result of the loss of terrestrial habitat and the risk of animals being disturbed or killed during the construction phase.

As a requirement of the Habitat Regulations the three tests are outlined below:

EC Habitats Directive

Conservation of Habitats and Species Regulations 2010

ODPM Circular 06/2005

The UK implemented the EC Directive in the Conservation (natural habitats etc.) regulations which contain two layers of protection:• A licensing system administered by Natural England which repeats the above tests

- A requirement on local planning authorities (“lpas”) to have regard to the directive’s requirements.

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

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

Current case law instructs that if it is considered clear or very likely that the requirements of the directive cannot be met because there is a satisfactory alternative, or because there are no conceivable “other imperative reasons of overriding public interest”, then planning permission should be refused. Conversely, if it seems that the requirements are likely to be met, then there would be no impediment to planning permission be granted. If it is unclear whether the requirements would be met or not, a balanced view taking into account the particular circumstances of the application should be taken.

Overriding Public Interest

The provision of mitigation would assist with the continued presence of Great Crested Newts.

Alternatives

There is an alternative scenario that needs to be assessed, this is:

- No Development on the Site

Without any development, specialist mitigation for Great Crested Newts would not be provided which would be of benefit to the species. Other wider benefits of the scheme need to be considered.

Detriment to the maintenance of the species

The applicant has expressed an intention to enter the proposed development into Natural England's Great Crested Newt District Level Licencing scheme as a means of addressing the impacts of the proposed development upon this species. It is advised that entry into the scheme would be sufficient to maintain the favourable conservation status of great crested newts.

The applicant has now submitted a copy the counter signed Impact Assessment and Conservation Payment Certificate as evidence that the development has been accepted on the Natural England Scheme.

Common Toad

This priority species has been recorded at a number of ponds outside the boundary of the application. The proposed development would result in a low level adverse impact on this species as a result of the loss of low quality terrestrial habitat. It is advised that the provision of the proposed additional pond on site provides some compensation for this loss.

Ecological Enhancement

Local Plan Policy SE3 requires all developments to contribute positively to the conservation of biodiversity. The impact of the development upon habitats was considered at the outline stage and commuted sum secured to deliver offsite habitat creation as a means of compensating for the loss of habitat from the application site.

There however remains an opportunity to incorporate features to enhance the biodiversity value of the proposed development. The application is supported by an Ecological Enhancement Strategy which recommends the incorporation of a number of ecological enhancement features.

If reserved matters consent is granted a condition would be required to ensure that the measures detailed in the submitted Ecological Enhancement Strategy are implemented in full. Suggested wording below:

SuDS

In accordance with the biodiversity metric undertaken to inform the outline permission and the Ecological Enhancement Strategy submitted with this reserved matters application, it must be ensured that the attenuation basins on site are designed to maximise their nature conservation value. It is recommended that this is achieved in part by ensuring that the basins are designed to hold water permanently.

Nesting Birds

If planning consent is granted a condition is required to safeguard nesting birds.

Urban Design

The performance of the scheme based upon these latest changes is summarised here:

1. Connections – Green
2. Facilities – Amber
3. Public Transport – Amber
4. Local housing requirements – Green
5. Character – Green
6. Working site site/context – Green
7. Well defined streets/spaces - Green
8. Easy to find way round - Green

- 9. Streets for all – Green
- 10. Car parking – Green
- 11. Public/private spaces – Green
- 12. External storage/safety - Green

Summary of assessment

The revised scheme now performs well when reviewed against the Building for Life (BfL)12 criteria that underpin the Cheshire East Design Guide. There are no reds and certain ambers are beyond the control of the applicant and dependent on the wider community and social infrastructure coming forward. This means that at this point only amber can be awarded for criteria 2 and 3. Criterion 1 is awarded green dependant on endeavouring to achieve agreement re: pedestrian connection to areas off site, whilst criterion 4 is green dependant on affordable housing issues being resolved and the associated frontage parking being treated sympathetically (see below). Criterion 11 is awarded green, but the comments of the Landscape and Open space officers will be important here.

During the course of the application the scheme has been amended and improved significantly. It now has the potential to create a very strong and enduring design. The latest iterations have taken the design to the next level in terms of creating a sense of place and reinforcing local distinctiveness, whilst taking advantage of the existing characteristics and features of the site.

Complete revised landscape information has not yet been seen but based on the comments made by the applicant in response to the last design assessment, and subject to the detail of that coming forward/being conditioned as necessary, including the potential for public art/wayfinding/information, then the Council's Urban Design Officer is now pleased to support this application from a design perspective.

During the course of the application the scheme has been amended and improved in a number of ways:

- creating stronger building designs, identifying areas of distinct character and developing building and landscape design to respond to that,
- additional greening/SuDS, improving connectivity (subject to land ownership/agreement of third parties),
- creating more balanced and less dominant parking, improved street design and reinforcing the hierarchy within the scheme.

Certain already positive attributes of the initial design have also been further strengthened as part of this iterative process.

5 Character

There have been some improvements to the layout and the house types that have given a lift and some sense of identity and better overall quality for the scheme. There are now 3 sets of house type designs based upon character areas, although the variation between each is somewhat subtle, meaning the distinction may not be easily recognisable on the ground and lead to a sense of homogeneity. A character area plan defining their use should also be provided. Corner turning designs have also been incorporated, albeit these are still tweaked standard house types. Certain details such as half rendered projecting gables, half hips and apexes in raw timber are not a strong detail and should be omitted.

Stone is intended for use within the scheme centred on defining the arrival space and primarily within front boundaries, although it is considered that this is best focused on the main avenue and the country fencing is not best suited to the formal townscape of the Avenue. This type of fencing should be limited to the edges of the main open space, areas for which it was originally conceived. Front boundaries of the main loop are likely to be designed with plinth and rail and secondary routes are defined by hedgerows.

Additional SuDS have been included in the open space areas of the site but these are still relatively unimaginative and potentially land hungry. There may also be practical/technical issues with the basins to the west of the woodland (proximity to highway and trees). The arrival space, linking street between main open spaces and the south eastern edge of the POS could all work in harmony to create a more imaginative SuDS train, employing sponge or other principles. The arrival space could be designed along sponge principles, whilst rain gardens could be used in front gardens and on the edge of the main POS. Alternatively a swale/ditch with Ha-ha could be used, requiring less land take from the POS. This aspect could be dealt with by specific condition if the general principles and extent of the site are agreed ahead of determination.

In essence, whilst there has been some significant improvement in part, to further enhance sense of place, more could be done to reinforce character and create an enhanced sense of legibility in parts of the layout and to the exploit the opportunity presented by the green axis between the main POS and the arrival space.

A range of changes have been made following recommendations by the Urban Design Officer which can be summarised below:

- 3 Character areas with different elevational treatment have been developed
- Revised central area feature showing SUDS and landscaping features
- SUDS features re-designed to avoid fenced basins, making use of swales/rain gardens
- More avenue trees added with a 10yr maintenance/retention condition
- Front boundaries in the avenue changed to stone pillars, 3 brick wall with stone coping and black railings with hedge behind
- More landscaping introduced in parking areas, with further areas of block paving used

8 Easy to find your way around

Enhancement has been secured in the latest amendments through the introduction of character areas and reinforcing the character of the arrival space and through a proposed definition and reinforcement of the main avenue (see comments above at 5 about boundary detail for residential frontages) The SuDS issues discussed at 5 would also reinforce the character of key spaces and the connecting street at the heart of the scheme. A further issue relates to how legibility might reduce in the housing areas away from the main spaces and how key points in the townscape are defined as focal buildings or groupings. More work is needed here to help create distinct elements to orientate upon.

A range of changes have been made following recommendations by the Urban Design Officer which can be summarised below:

- Use of different coloured renders to create focal buildings
- Change in front boundaries as detailed above

- Rain gardens introduced through woodland axis, conservation brick introduced and less use of render.

10 Car parking

Generally the strategy works well and has been improved by the latest amendments, however, there are still a few problem areas, where frontage parking areas should all be surfaced in block to enhance their hard landscape quality and have sufficient landscaping to break them up. Driveways along the east-west axis street between the main open spaces should be in block whilst driveways around the western perimeter of the arrival space should also be in block, as part of the further enhancements to this area.

A range of changes have been made following recommendations by the Urban Design Officer which can be summarised below:

- Car parking further segregated by landscaping, and greater use of block paving

11 Public and private spaces

Efforts have been made to better reinforce and articulate the arrival space with stone walling, planting and indicative SuDS. However, this doesn't go sufficiently far and could be developed along 'sponge' principles where landscape focused SuDS, play and visual amenity are complementary within a single, coherent design. The SuDS concept should also be extended along the street linking the arrival space with the main area of POS and along the eastern edge of the POS to reinforce this as a key character area and to help create a more unique sense of place for the scheme (see comments above in relation to character).

Properties generally have reasonable sized gardens. The apartments now have defined amenity space. Balconies/feature glazing could be used to help define edges against open space, exploit the visual relationship and create help provide private outdoor space and an interaction between housing and open space. This could also help to reinforce character areas abutting space (particularly those properties on the eastern, northern and southern fringes of the main POS and those overlooking the arrival space)

In discussion with ANSA, an arts/interpretation trail could also be provided to help characterise spaces and routes through the site and enhance legibility, The principle of this was recently secured as part of the design coding for the site off Viking Way, particularly for the east-west greenway, part of which runs through this site (but could also be extended to the east west axis between the main public spaces).

It is understood that management will be via management company for a guaranteed 25 year period. Ideally this would be in perpetuity and also needs to be clearly secured by condition or legal agreement. This is secured by the Section 106 on the outline.

ANSA have expressed concern about the impact of SuDS and footpaths/cycleways upon the availability of informal 'kickabout' space. This will need to be addressed in finalising the design of the eastern portion of the main POS to address issues highlighted above.

Note: securing green for this criterion is dependant on the landscape, ecology and open space officers being supportive of the scheme.

A range of changes have been made following recommendations by the Urban Design Officer which can be summarised below:

- A SuDS based approach to the axis between main POS and entrance space with swales and rain gardens added
- Management strategy for 25 years
- Character areas now defined by different window styles especially those addressing the main POS and the arrival space
- Footpaths moved closer to the edge of areas of POS to open up more usable areas for play

Layout/Amenity

The site is essentially very largely self-contained, with neighbouring properties on Giantswood Lane and the new Bloor Homes development being well separated from the nearest properties, by distance, footpaths/roadways and intervening landscaping. As such there are no concerns regarding amenity impacts.

Within the site itself, there are a few examples where the recommended distances between properties is not fully met, however in these examples the shortfall in the recommended distances is not considered to be significant, and as such to achieve the successful layout, as described in the urban design section above, the layout is considered acceptable.

Noise / residential amenity

In support of the application, the applicant has submitted an acoustic report ref – 50-277-R1-3 dated April 2021..

The Noise Impact Assessment (NIA) relates to the proposed site layout is detailed at Appendix 2 of the NIA and corresponds to the applicants Planning Layout. Any amendments to the planning layout must comply with the NIA or the NIA maybe required to be reviewed accordingly.

The impact of the noise from road traffic on the proposed development has been assessed in accordance with:

- BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings.

An agreed methodology for the assessment of the noise source.

The report recommends noise mitigation measures (at section 5) designed to achieve BS8233: 2014 and WHO guidelines; to ensure that future occupants of the properties are not adversely affected by noise from road traffic.

The reports methodology, conclusion and recommendations are accepted.

The conditions recommended – and applied, by Environmental Protection on the outline application relating to noise mitigation, lighting and construction management need to be discharged separately.

Air Quality

The conditions raised by Environmental Protection on the outline application relating to electric vehicle charging points, travel information packs and dust management remain in place through this reserved matters application and need to be discharged separately.

The Air Quality officer notes that the developer has submitted a site plan demonstrating the location of all the electric vehicle charging points. This plan is considered acceptable to satisfy the requirements of this condition.

Contaminated Land

This matter was dealt with at the outline stage, and the applicant has submitted information in relation to a separate discharge of condition application. The contaminated land officer comments that all pre-commencement aspects have been addressed in the submission, and the recommended conditions need to be amended accordingly. This can be done as part of the discharge of conditions application.

Flood Risk/Drainage

The flood risk team have no objection in principle to the proposed development layout and the use of above ground swale storage structures. However, they do have some concerns regarding proposed discharge volumes included within the recent drainage strategy submission - the previous approved Flood Risk Assessment identified significantly lower discharge volumes per parcel of land (see discharge rates below). Flood Risk would expect the developer to utilise the previous approved volumes and we would expect the surface water drainage layout to be updated adhering to the volumes below.

Furthermore, within the original application an overland flow route along the eastern boundary was identified. There also appears to be some significant changes in land levels which will also potentially require appropriate boundary treatment. The overall strategy must ensure all surface water is appropriately managed within the site boundary, causing no adverse flooding.

Thirdly, in order to discharge condition 26 under application no. 17/1000C further detailed engineering detail will need to be submitted. Once the proposed discharge volumes and storage requirements have been updated the developer will need to submit all the information included within condition 26 (A – E) for review.

Finally, it is also worth noting any alterations to an existing ordinary watercourse will be subject to a formal Land Drainage Consent application (see informative below). Consequently, as a proposed bridge structure is proposed the developer will need to ensure the soffit level is appropriately positioned above any 1 in 100 year + CC% flows, avoiding any potential obstructions during extreme storm conditions. We would encourage all consent applications to be submitted as soon as possible to review.

These matters will need to be addressed under the discharge of condition application.

Public Open space

The design submitted is largely in line with the parameters plan submitted at outline stage, although there were some concerns there was little dedicated amenity open space to be in line with Policy SE6 for 17/1000C.

There is some concern, that whilst there is a substantial amount of POS on site, the addition of SUDS features and the numerous paths that dissect and divide the various spaces along with wildflower planting, has reduced the usable area for informal play.

All play areas including NEAP's should be well drained, flat surface and have adequate space within the area to allow for children to be generally active and play 'chase' type games. They can be accompanied by a hard surfaced area of at least 465sq m (the minimum needed to play 5-a-side football) however it is not felt this is appropriate in this natural setting. In the absence of this, a level flat grassed area must be provided. The wildflower planting surrounding the NEAP should be replaced with short mown grass. Where possible paths should be pushing back to create a large swathe of amenity open space immediately adjacent to the NEAP taking care as to not cause nuisance for dwellings close by.

The LEAP and its surrounding open space located in the southern area again should be a flat level surface enabling excellent accessibility and inclusivity. The current gradients here are cause for concern which may lead to the LEAP relocating.

All play facilities should be conditioned for further detail and specification is needed.

More could be made of the arrival space where LAP 1 is located linked through to the main central open space giving it a sense of place.

Following discussions with the urban design officer, an arts/interpretation trail could provide unique interest linked through the site. This principle was applied for the site off Viking Way.

The scheme must come with a robust management/maintenance regime as this is key. ANSA would favour a commitment to engage with the local community as this could make the investment in maintenance a significant difference. With community involvement there is a potential to set up a 'Friends' group engaging with all ages, promoting not only community cohesion but the 'buying in' through to the success of these open spaces. Information and interpretation boards can also be key to the continued growth and development of the amenity space assisting with the education showing the importance of the communities local space. It is requested that these are thought through favourably incorporating the flora and fauna the space already attracts and the potential in the future. Engagement with ANSA and the Council's conservation officer is required.

A revised landscaping scheme, to allow for informal recreation is requested, together with a cross section with spot levels plan through all the play facilities, demonstrating the open space is predominately level and recognising the required buffers along with the design and layout, should be submitted in detail.

Revised layout plans, as discussed in the urban design section of the report, have gone some way to address these issues raised, and revised landscaping plans were awaited at the time of writing this report, as discussed elsewhere, and details of the play areas can be conditioned.

Affordable Housing

The requirement for affordable housing was established at the outline stage in the Section 106 Agreement.

A plan has been submitted showing the affordable housing mix, accompanied by an affordable housing statement setting out a clear break down of bedroom types and also delivery timings.

The affordable houses, whilst in particular blocks, for ease of management, are well scattered or pepper potted across most of the site.

Housing mix

LPS Policy SC4 'residential mix' seeks to ensure that new residential development maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. According to the planning layout (REV J) a large proportion of the units are intended to be 3 and 4 bedroom units. Only 18 of the 375 market units are currently proposed to be less than 3 bed in size. The applicant was asked to consider the possibility of introducing 1 and including more 2 bed properties into the overall housing mix. Also, in line with criteria 2 of policy SC4, the applicant was asked how the proposed market mix, tenure and size of properties are capable of meeting and adapting to the long term needs of the borough's older residents.

The applicant has commented that Redrow follow the market requirements very closely and over the past 18 Months they have seen a large increase and shift for the demand of office spaces within the home and a spare bedrooms for visiting friends/family members. As a result they are now seeing a much greater demand for 3 & 4 bedroom dwellings with the smaller bedroom acting as an office or visitors bedroom. Over the past 12 months the demand for office space has been that customers have asked Redrow to provide office fit outs choices, wholly turning the smallest bedroom into a fully functional office. This is understood, and on balance, taking into account the affordable properties, which are small 1-3 bed units, on balance it is accepted a broad mix of house types is provided.

With regard to older residents Redrow comment: "There is a broad mix of housing proposed suited to a wide demographic of end users. The mix comprises of 2-5 bed dwellings ranging from 2-2 ½ Storey. Built in a solid traditional brick and block external construction method with timber partitions internally and timber joists, Redrow dwellings can easily be adapted by a resident to suit their changing needs." Again it is accepted that the properties are suited to a wide range of occupiers.

School and retail premises

Whilst in the same land ownership, and formed part of the outline approval, there are no detailed proposals for the school or retail facility as part of this application. The line of the proposed access through this site should not however prejudice these uses when proposals come forward in the future.

CONCLUSIONS

This is a reserved matters application, submitted following outline permission 17/1000C seeking approval of reserved matters (save access). The principle of residential development, in line with Local Plan allocation Site LPS 29, has therefore been accepted.

Highways have no objections, and whilst the Public Rights of Way team sought clarification on the bridge crossing over the PROW this matter is now considered to have been addressed.

The Council's Ecologist is now satisfied with the submitted information subject to conditions. The proposal is considered to be acceptable in terms of its landscape impact, subject to receipt of satisfactory revised landscaping plans. The Council's tree Officer is broadly satisfied with the proposals but has raised some

issues with regards to works within the tree protection areas within the site, where amendments are needed. Members will be updated on this matter.

Extensive discussions have taken place in relation to urban design and revised plans have now been received and the Council's urban design officer is now fully supportive of the scheme.

ANSA had some concern that the layout and treatment of the areas of POS left insufficient space for general play, and that more detail was needed in relation to the play areas. Amendments have largely addressed these issues, and the details of play areas can be conditioned.

Housing have no objections to the affordable housing provision.

Finally matters relating to drainage and contaminated land/air quality/amenity can be addressed by condition, many already applied at the outline stage

RECOMMENDATION

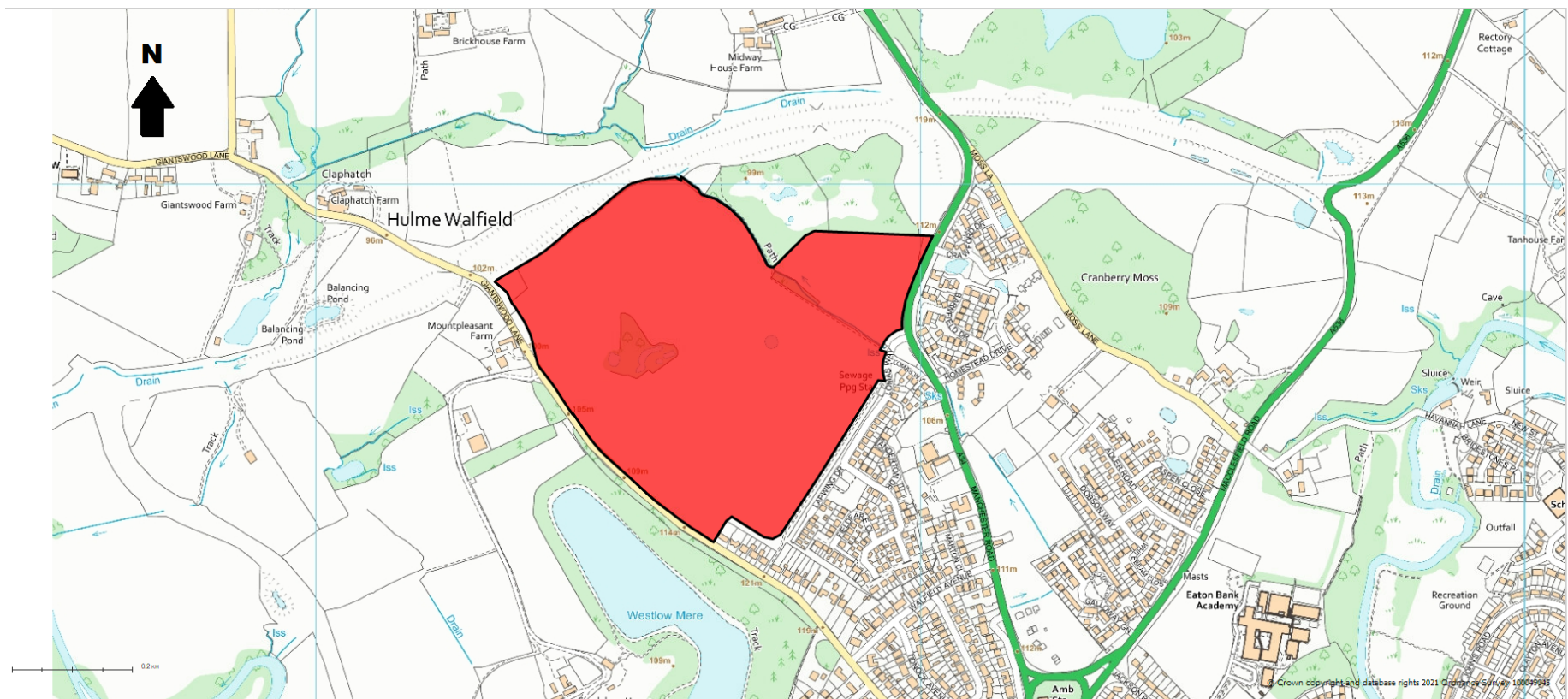
Approve subject to the following conditions;

- 1. Approved plans**
- 2. Tree retention**
- 3. Tree Protection**
- 4. Arboricultural method statement**
- 5. Levels survey – Trees**
- 6. Services drainage layout – Trees**
- 7. 10 year maintenance/retention of avenue trees**
- 8. 25 year landscape management plan**
- 9. The proposed development to proceed in accordance with the recommendations of the submitted Ecological Enhancement Strategy**
- 10. Bird nesting season**
- 11. Implementation of the recommendations in the acoustic report**
- 12. Details of play areas including levels to be agreed**

Informatives;

- Water Course & Bylaw 10**
- EP Standard informs**

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



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Application No: 20/4020M

Location: Meadowbrook Farm, SPODE GREEN LANE, LITTLE BOLLINGTON, WA14 3QX

Proposal: Change of use from agriculture to mixed-use agriculture and equestrian. Construction of stables and associated storage buildings (retrospective)

Applicant: The George Leech Trust

Expiry Date: 24-Dec-2021

SUMMARY

The proposal is for the retrospective change of use of the 11.4ha site from agriculture to equestrian. The application also seeks retrospective planning permission for various buildings on the site including stables, associated storage and an electricity meter building.

The proposed change of use is found to be an acceptable form of development in the Green Belt; and subject to revisions to the scheme during the course of the application, the associated buildings are found to be appropriate facilities for outdoor sport and recreation, therefore appropriate in the Green Belt.

The impact on character, appearance, residential amenity, highways, heritage and public rights of way and flood risk are considered to be acceptable and all concerns raised by consultees have been addressed to their satisfaction.

Accordingly, the proposed development is found to be in accordance with the development plan and is recommended for approval.

SUMMARY RECOMMENDATION

Approve subject to conditions

DESCRIPTION OF SITE AND CONTEXT:

The application relates to an 11.4ha parcel of land located in the designated Green Belt. The site is currently subdivided into various sections as laid out with hedgerows, timber post and rail fencing and temporary electric tape fencing with several horses housed throughout. Various buildings and structures are found within the site including timber horse shelters, GRP trailers and shipping containers. The surrounding land use is predominantly agricultural, with some sporadic residential development.

The application site also contains an enclosed dog exercise area which is subject to a separate retrospective planning application (20/0596M); however, at the time of writing this use remains unlawful.

DESCRIPTION OF PROPOSAL:

The application seeks retrospective planning permission for the change of use of the site from agricultural to mixed-use agriculture and equestrian and for the associated buildings and structures. The site contains various buildings, some of which are established as being lawful and these are excluded from the application. For clarity, the buildings and structures this application seeks retrospective approval for are those shown on the *Proposed Site Plan (revised)* received by the Local Planning Authority on 8-December-2021. This include a timber horse shelter (Building G), stables (Building H), a feed store (Building L) and an electricity meter room (Building K).

The proposal has been revised during the course of the application. Various other buildings and structures, including GRP trailers and other inappropriate storage buildings, have been omitted from the scheme.

It must also be noted that there are various other buildings, structures and containers on the site which are deemed to be lawful due to the period of time in which they have been present on the site (more than four years). These do not form part of this application.

RELEVANT POLICIES:

National Planning Policy

Cheshire East Local Plan Strategy (CELPS)

PG 2 Settlement Hierarchy
MP 1 Presumption in Favour of Sustainable Development
SD 1 Sustainable Development in Cheshire East
SD 2 Sustainable Development Principles
PG 3 Green Belt
SE 1 Design
SE 3 Biodiversity and Geodiversity
SE 4 The Landscape
SE 5 Trees, Hedgerows and Woodland
SE 7 The Historic Environment
SE 12 Pollution, Land Contamination and Land Instability
SE 13 Flood Risk and Water Management
Appendix C Parking Standards

Saved Macclesfield Borough Local Plan Policies (MBLP)

GC1 Green Belt – New Buildings
DC3 Amenity
DC6 Circulation & Access
DC32 Equestrian Facilities

Other Material Policy Considerations

National Planning Policy Framework (2021)

Equestrian Facilities – Supplementary Planning Guidance (2005)

Little Bollington Neighbourhood Development Plan

Regulation 16 Stage – however, due to a procedural error, the Little Bollington neighbourhood plan has been withdrawn. Once the procedural error is corrected, the plan will be resubmitted for further consultation.

RELEVANT PLANNING HISTORY:

20/0596M – pending decision

Change of use of land and associated barn/field shelter from horse grazing to dog adventure field/dog exercise area

20/4660M – pending decision

Certificate of lawful existing use for rolled stone hardstanding

CONSULTATIONS

Environmental Protection (CEC):

- No objection, subject to various informatives for the applicant's information

Flood Risk (CEC):

- Given the scale of retrospective development, I would have no objections on flood risk grounds.
- Due regard should be given to those areas which are susceptible to surface water flooding identified in the FRA referenced in a similar application in the interest of avoiding any risk of flood damage to the timber buildings.

Highways (CEC):

- No material highway implications
- The site uses an existing access and farm track
- No issues regarding car parking
- Accordingly, the Head of Strategic Transport has no objection to the planning application.

Public Rights of Way (CEC):

- Identified public footpaths adjacent the application site
- Unlikely the proposal would affect the PRow
- Advice provided for the applicant's information

Historic England:

- No comments to provide on this application

National Trust:

- Object to the proposed development
- Inappropriate development in the Green Belt
- Detract from the character and appearance of the local landscape
- Harm the setting of designated heritage assets at the Dunham Massey Estate

Natural England:

- Generic advice provided regarding impacts and opportunities of development

REPRESENTATIONS:

A total of 20 representations have been made by members of the public, 19 of which object to the proposed development. The objections are summarised as below:

- Green Belt land should be protected
- There has never been a farm called “Meadowbrook Farm” on Spode Green Lane
- Limited demand for equestrian facilities in the area
- Spode Green Lane is a single track country lane
- The lane has become much busier since the land being used as a DIY livery yard and dog exercise area
- Historic of vehicle accidents on Spode Green Lane
- Not all neighbours notified
- “Foot in the door” to further development of the site
- Visual landscape harm
- Harmful to character of the countryside
- Horses have been kept on the land for years
- Containers, horse boxes and caravans come and go all the time
- Adjacent dog exercise field will produce faeces which is a danger to equestrian and agricultural animals
- Neighbours went to considerable expense to gain planning approval for sympathetic stables so the same should apply
- Local area not suitable for equestrian activities / exercise
- Harm to the adjacent Dunham Massey estate
- Unclear as to why and which buildings are proposed and which are lawfully existing
- Proposed meter room on a concrete base is excessive
- Inconsistent with Little Bollington Neighbourhood Development Plan
- Buildings marked as moveable, however in reality they stay in situ
- Surrounding roads regularly flood
- Approval would set a precedent
- Horse waste disposal requires further consideration

- Hours of operation unclear
- Lack of flood risk and drainage detail

One representation was received from a member of the public, supporting the proposal. The comments made are summarised as below:

- Shelters are custom built to provide shelter for horses
- Young, elderly and horses with health issues on the site
- Shelters are on metal skids and are therefore not permanent
- In keeping with the environment
- Without the income from the horse occupation, there would be no way the trust could maintain the land which could potentially become unkempt and an eyesore and a target for development, occupation by travellers etc
- Tranches of Green Belt land are being sold to developers i.e. the M56 service station plan

OFFICER APPRAISAL

Principle of Development – Green Belt

The application site is located within the Green Belt. Paragraph 149 of the NPPF states that the construction of new buildings and development in the Green Belt shall be regarded as inappropriate. Paragraphs 149 and 150 of the NPPF list a number of exceptions to this, which are broadly reflected at a local level in Policy PG 3 of the CELPS.

One of the exceptions listed in paragraph 149 and PG 3 is for the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport and recreation as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

Another exception listed in paragraph 150 and PG 3 is for material changes in the use of land, such as changes of use for outdoor sport or recreation. This is subject to the condition that the proposal would preserve the openness of the Green Belt and would not conflict with the purposes of including land within it.

Saved policy GC1 also deals with new buildings in the Green Belt and allows for essential facilities for outdoor sport and recreation, subject to the same conditions set out above. However, it is acknowledged that this policy requires facilities to be 'essential', rather than 'appropriate' as stated within the NPPF and the more up to date local plan, therefore reducing the weight this policy carries.

The adopted Equestrian Facilities SPG supports saved policy DC32 and sets out a number of criteria, which must be met for equestrian facilities to be allowed in the Green Belt and countryside. Amongst other matters, it states that the facilities should be small scale.

The proposal involves two key elements for consideration, firstly the change of use from agriculture to mixed-use agriculture and equestrian and secondly the provision of various associated buildings and structures.

Exception e) under NPPF paragraph 150 allows for material changes in use of land, with a specific mention of outdoor sport and recreation. The proposed recreational use of the land for equestrian purposes is supported in the Green Belt by this exception, provided the new use would preserve openness and would not conflict with the purposes of including land within the Green Belt.

In terms of the operational development that the application seeks approval for, the timber shelter (Building 'G'), stable (Building 'H') and feed store extension (Building 'L') are be considered to be appropriate facilities in relation to the equestrian use of the land due to their suitable scale and appearance. In the context of the larger site, they would not appear excessive, nor would they result in visual harm to the wider area.

The application also seeks consent for an electricity meter room (Building 'K'). Whilst this is not strictly considered to an appropriate facility for the equestrian use of the site, therefore failing to comply with exception e), it would replace an existing electricity meter building which was constructed in 2016. Being of an almost identical scale to the existing structure, the proposed Building 'K' would therefore meet exception d) as a replacement building which would not be materially larger, under NPPF paragraph 149 and is also considered to be an appropriate form of development in the Green Belt.

The application as originally submitted did also seek consent for two GRP storage containers which are already positioned on the site (Building 'C' and Building 'P'). These buildings were not considered to be appropriate for outdoor sport and recreation given their excessive size. Following discussions with the agent acting on behalf of the applicant, the proposed GRP structures have been omitted from the scheme and are no longer proposed on the plans as revised.

Accordingly, the proposed change of use and the associated operational development on the application site is considered to be appropriate development in the Green Belt.

Character, Design & Landscape

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

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

Policy SE 4 of the CELPS expects all development to conserve landscape character and quality, and where possible enhance the features that contribute to local distinctiveness.

The proposed timber stable, shelter and storage buildings are all found to be of an appropriate appearance given the relatively small scale and use of materials typically expected for such small-scale equestrian buildings within the rural setting. They would not appear unduly prominent or harmful to the character of the surrounding countryside.

Considering the replacement electricity meter building, this would be of a similar scale and form to the existing structure, however, would be finished in a green render coat, therefore contributing to a reduced visual impact over and above the existing building. Whilst the utilitarian appearance of this building would not generally be considered to respect local character, it would still offer some minor visual improvement.

In addition to the timber stables and electricity meter building, various GRP storage structures were also proposed as part of the original submission. In addition to the Green Belt concerns those buildings presented, they were also found to have an adverse impact on the character and appearance of the local area and wider landscape. Following discussions with the agent, the GRP buildings have been omitted from the proposed plans to address those concerns.

Accordingly, the buildings proposed are found to be appropriate in terms of character, design and landscape impact. The proposal would comply with policies SD 2, SE 1, SE 4 and saved policy DC32 which require, amongst other things, that development contributes positively to an area's character and identity.

Amenity

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

The nearest neighbouring properties to the application site are located adjacent the site's eastern boundary. The nature of the equestrian use raises no amenity concerns due to the low intensity of activity it would generate. Further this, none of the buildings proposed pose any adverse harm to the occupiers of the nearest residential properties by reason of loss of light, overbearing impact or noise.

As such, no concerns are raised with respect of residential amenity and the proposed development is considered to accord with saved policy DC3.

Highways

CEC Highways were consulted on the application and confirm that there are no material highway implications associated with the proposal. The use of the existing access from Spode Green Lane would be acceptable and no concerns are raised with respect to car parking. Accordingly, the Strategic Infrastructure Manager has no objection to the planning application.

Flood Risk

The application site is within Flood Zone 1 and covers an area greater than 1ha. Accordingly, a flood risk assessment is usually required. The application was not supported by a flood risk assessment upon submission, however an assessment prepared for a separate application within a smaller parcel of land within the application site (20/0596M) has been provided for consideration. The detail of information required is generally expected to be proportionate to the scale and intensity of development proposed.

Upon further review by the Lead Local Flood Authority (LLFA), the proposed development is considered to be acceptable in principle due to the relatively small scale of the development proposed, being limited to a small number of timber structures.

For this reason, it is considered that the proposed use of the site for a mixed-use of agriculture and equestrian would not increase flood risk on the site, or elsewhere.

Heritage

The Dunham Massey estate lies to the north of the application site, part of which is a Grade II* listed park and garden. Concerns have been raised by the National Trust with respect to the potential adverse impact the development could have on the heritage asset.

The Council's Heritage Conservation Officers were consulted on the proposal and do not consider the change of use and associated stable and storage buildings would impact the significance of the identified heritage asset. No objection has been received from a heritage conservation perspective.

It is also noted that Historic England were consulted on the application, however confirmed they do not wish to provide comments for this type of application.

Public Rights of Way (PRoW)

The local public footpath network follows the south-eastern boundaries of the site (Little Bollington FP2 and FP3). The Council's PRoW Officers have reviewed the proposal and consider the proposed development is unlikely to impact the adjacent public footpaths, and therefore offer no objection.

Other Considerations

As established above, the proposal would represent an appropriate form of development in the Green Belt. Impacts on character, appearance, amenity, highways, heritage, flood risk and public rights of way are generally considered to be acceptable.

The agent has stated that the site has been subject to recent thefts, resulting in loss of valuable equipment and therefore the proposed secure storage is necessary to prevent this in the future. Some limited weight in support of the application can be afforded to this consideration.

CONCLUSIONS AND RECOMMENDATION

The proposed change of use of the site from agriculture to equestrian is acceptable in principle. However, it has not been demonstrated that the operational development associated with the equestrian use would be appropriate facilities for outdoor sport and recreation and therefore the proposal would represent an inappropriate form of development in the Green Belt. Additional harm is found by reason of harm to openness, poor quality design adverse visual impacts. Insufficient information has been provided to allow the flood risk and drainage impacts of the development to be assessed. For these reasons, the application is recommended for refusal.

Recommendation: Approve Subject to Conditions

Due to the retrospective nature of the proposed development, a limited number of conditions are required in this case:

1. The development hereby approved shall be carried out in total accordance with the approved plans numbered Location Plan (unnumbered) received by the Local Planning Authority on 26-October-2020, JL/10/02a received by the Local Planning Authority on 01-December-2020, JL/10/01A (Buildings G, H and L) received by the Local Planning Authority on 15-September-2021, and the revised site plan (un-numbered) received by the Local Planning Authority on 8th December 2021, except where varied by other conditions of this permission.

Reason: For the avoidance of doubt and to specify the plans to which the permission relates.

2. The materials to be used shall be in strict accordance with those specified on the approved plans unless different materials are first agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the building/structure is acceptable.

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

