

<b>Planning Reference No:</b>	<b>10/3239M</b>
<b>Application Address:</b>	<b>COLD STORAGE, KNUTSFORD ROAD, CHELFORD, SK11 9AS</b>
<b>Proposal:</b>	<b>RE-DEVELOPMENT OF DEPOT FOR RESIDENTIAL DEVELOPMENT (MAXIMUM 50 DWELLINGS)</b>
<b>Applicant:</b>	<b>MR GREG WILLIAMS, EDDIE STOBART GROUP LTD</b>
<b>Application Type:</b>	<b>OUTLINE</b>
<b>Grid Reference:</b>	<b>8121 7471</b>
<b>Ward:</b>	<b>BUCKLOW</b>
<b>Earliest Determination Date:</b>	<b>24 November 2010</b>
<b>Expiry Date:</b>	<b>1 November 2010</b>
<b>Date of Officer's Site Visit:</b>	<b>12 October 2010</b>
<b>Date Report prepared:</b>	<b>26 November 2010</b>
<b>Constraints:</b>	<b>Manchester airport safeguarding 90m+ Existing Employment Area (MBLP) Green Belt (MBLP) Tree Preservation Order Wind Turbine Dev consultation area All apps for dev likely to attract birds</b>

## **SUMMARY RECOMMENDATION**

Approve, subject to conditions and the completion of a S.106 agreement

## **MAIN ISSUES**

- Loss of an Existing Employment Area
- Loss of a Preferred Site (WM23) for a Waste Bulking or Materials Recycling Facility
- Need for additional housing/affordable housing in the area
- Sustainability of the site and links between the site and Chelford Village
- Noise issues from the railway line and Knutsford Road
- Impact on landscape, trees and ecology
- Design, layout and density
- Redevelopment benefits

## **REASON FOR REPORT**

This application is brought before Members, in line with the Council's Constitution, since any development in excess of 10 dwellings should be determined by Committee. The application seeks consent for 50 dwellings.

## DESCRIPTION OF SITE AND CONTEXT

The application site comprises the former Irlams Depot. The site was purchased from James Irlams and Sons in 2008, by the Eddie Stobart Group Limited. They are operating a haulage business from the site on a temporary basis whilst the group establishes a network of depots in closer proximity to the motorway network. The company intends on relocating the Chelford employees to other Stobart sites at Warrington and Stoke-on-Trent, leaving the site redundant in the near future.

The site is bounded by Knutsford Road to the north, the railway line to the east, a woodland area and bridle path to the south, and the Cattle Market overflow car park, bowling green and Dixon Court apartments to the west.

The application site measures 2.5 hectares, and is predominantly hard surfaced. There are a number of storage and office buildings on site. Around the perimeter of the site there are a number of trees. The trees along Knutsford Road frontage are protected by a Tree Preservation Order.

Within the Macclesfield Borough Local Plan (2004), the majority of the site is allocated as an Existing Employment Area. The land to the rear of the site, falls within the Green Belt.

## DETAILS OF PROPOSAL

**Outline** Planning permission is sought for the redevelopment of the site for residential purposes – a maximum of 50 dwellings, including 13 affordable dwellings.

Access to the site is to be determined at this stage, whilst matters of appearance, landscaping layout and scale are reserved for subsequent approval.

Following advice from Officers, during the life of the application revised plans have been submitted to omit 10 dwellings from the rear of the site, which fell within the Green Belt, replace the bridleway with a footpath and omit the Local Area of Play (LAP) for safety reasons.

## RELEVANT HISTORY

10/3267M     B1 Employment development (maximum 603 Square metres)  
Current application – to be tied through a legal agreement to this application

## POLICIES

### ***Regional Spatial Strategy for the North West to 2021***

DP1- Spatial Principles, promoting sustainable development

DP2- Promote Sustainable Communities  
DP5- Manage Travel Demand  
EM2- Remediating Contaminated Land  
EM18 – Decentralised Energy Supply  
W3- Supply of Employment land  
W4- Release of Allocated Employment Land

### ***Macclesfield Borough Local Plan (2004)***

#### **Development Control**

DC1 – New Build  
DC3 –Amenity  
DC5- Natural Surveillance  
DC6- Circulation and Access  
DC36- Road Layouts and Circulation  
DC37- Landscaping  
DC38- Space Light and Privacy  
DC40 – Children’s Play Provision and Amenity Space  
DC41 – Infill Housing Development

#### **Employment**

E1- Retention of Employment Land  
E4- General Industrial Development  
E14- Relocation of unneighbourly businesses

#### **Environment**

NE17- Nature Conservation in Major Developments

#### **Housing**

H1- Phasing policy  
H2- Environmental Quality in Housing Developments  
H5- Windfall Housing  
H8 – Provision of Affordable Housing  
H9- Occupation of Affordable Housing  
H13- Protecting Residential Areas

#### **Recreation and Tourism**

RT5- Open Space

#### **Implementation**

IMP1- Development Sites  
IMP2- Transport Measures  
IMP4- Environmental Improvements in Town Centres

## ***Cheshire Waste Local Plan (2007)***

Policy 4 – Preferred Sites for Waste Management Facilities

Policy 5 – Other sites for Waste Management Facilities

Appendix 4 - Site Profiles - Preferred site WM23 -Chelford Depot

### **CONSULTATIONS**

#### **Environment Agency:**

No objection, subject to conditions and informatives.

#### **Environmental Health:**

No objections, subject to conditions.

#### **Cheshire Fire Authority:**

Recommendations only.

#### **Design Officer:**

No objections raised. The following comments were made in respect of the layout, which have influenced the revised plans.

Further recommendations:

- Financial contributions should go towards existing community facilities, such as Mere Court, and the Village Hall rather than building a new Community Centre
- Dispersal of affordable housing throughout the site
- Energy efficiency measures
- Character assessment to be submitted at Reserved Matters Stage to determine whether 3 storey units are appropriate in area 1, and to establish appropriate materials

#### **Forestry:**

The development proposals can be implemented with the removal of a limited number of low and moderate value trees, the loss of which will have a minor impact on the amenity of the area when viewed from public vantage points. Therefore, no objections raised, subject to a condition ensuring this.

#### **Greenspaces:**

Recommend the footpath be upgraded to a bridleway

*(Please note that Highways objected to such a bridleway due to safety issues arising from horses joining Knutsford Road from the bridleway)*

**Highways:**

No objections, subject to conditions and a legal agreement to undertake off-site highway improvements.

**Housing:**

Recommend 30% affordable housing with the tenure to be split 50% social rented, 50% intermediate tenure.

**Landscaping:**

No objection, subject to conditions.

**Leisure:**

A financial contribution is required in lieu of Public Open Space (POS) / off site play & amenity facilities / recreation and outdoor sport.

The POS commuted sum based on 50 units is £150,000

The Recreation / Sport commuted sum on 50 units is £50,000

The reduction to the Recreation / Sport commuted sum for the affordable units presuming there are 13 units is £13,000.

The total commuted sum is therefore £187,000, (in accordance with the SPG on S.106 agreements) to be spent on;

**The sites where POS improvements will be made are:**

- Mere Court open space and play area
- Amenity Open Space Dixon Drive
- Chelford Village hall open space and children's play area
- Footpath link from Chelford Village Hall to Chelford Village

**The sites where the Community Centres and Facilities improvements, additional services and opportunities will be made include (Subject of consultations with the public)**

- the Chelford Village hall
- possibly the Astle Court Community Room [a CPP facility] a village centre location
- possibly the Scout Hut, located adjacent to the Village Hall
- possibly the Chelford School [community uses only], within major housing areas

**Local Plans:**

The following objections are raised:

1. The site is identified within the Cheshire Waste Local Plan (2007) as one of five preferred site for waste, either as a bulking facility or as a materials recycling facility.
2. Loss of employment land in a rural location, which would prevent sustainable employment development in the future.
3. In accordance with the Council's Interim Planning Policy Statement on the Release of Housing Land, the development should be Employment rather than Residential led.

#### **Nature Conservation Officer:**

No objection raised to the updated ecological survey, subject to conditions.

#### **School Organisation and Capital Strategy:**

The local area catchment school for this development is Chelford CE Primary School which has a net capacity of 60 places and 39 pupils on roll (expected to be 42 by January 2011).

The proposed development of 50 dwellings on the Stobarts site would generate approximately 9 pupils of primary school age. Providing all those pupils are not in Key Stage 1 they should be able to be accommodated within the existing school. However, if the proposed development of the Agricultural Centre is also approved (79 dwellings excluding 2 bed apartments) then this would generate a further 15 pupils of primary school age which could not be accommodated without extending the existing school.

It has to be assumed that both schemes will come forward, resulting in inadequate space at the school, by at least 6 spaces. To accommodate the additional children, a new classroom will be required.

The comments of the Capital Development Manager in relation to the School Organisation and Capital Strategy are noted. The figures supplied by the Capital Development Manager are based on methodology adopted by the former Cheshire County Council, and now utilised (since LGR) by Children and Families within Cheshire East. However, it is considered that when a contribution is required, it should be calculated in relation to the policies specific to the area, namely in this case the Macclesfield Borough Council Supplementary Planning Guidance on S106 Agreements and be relevant to the development in question. In this instance, the SPG requires a contribution of £9000 per place at a primary school. This is based on January 2003 price levels and this should be updated in line with BCIS (Building Cost Information Service) all in tender price index to £10, 000. Therefore, in accordance with the SPG, the contribution towards new facilities at the school should be £60, 000, based on 6 spaces.

It is considered that £60,000 will not cover the cost of a new classroom, which will be required to accommodate the additional children. We are still discussions with the Capital Development Manager is respect of this, and an update report will provided to Members on this point.

It should be noted, that the applicant had agreed to the original figure of £91,745.

**Public Rights of Way:**

No objection.

**United Utilities:**

No objection, subject to a condition.

**VIEWS OF THE PARISH COUNCILS**

Chelford Parish Council fully supports the proposal for residential development and the provision of an element of affordable housing sensitively spread through the site as a whole.

The Chelford Parish Plan clearly demonstrates a strong local need for a pedestrian crossing at some point along the main road.

In respect of the provision of Community Facilities, the Parish Council wish to be fully involved in the decision making process.

There is a requirement for 36 affordable dwellings in the village; this figure should not be exceeded.

*(Please note that 13 affordable houses are proposed at this site, and 22 are proposed at the Agricultural Centre site, giving a total of 35)*

Snelson Parish Council raise no objection to the proposal.

**OTHER REPRESENTATIONS**

One letter of objection has been received from the occupier of 13 Station Road, which is located opposite the application site. The following objections are raised:

- The site should be retained as an Employment site to provide jobs in the area
- To the rear of the site is a wooded area with mature trees, and a badger sett, which would be affected by the development
- The proposal may damage protected trees at the front of the site
- A housing project on this site would increase traffic entering and leaving Knutsford Road at peak times causing an increased risk of serious road accidents on an already busy road.

- A development such as this would bring little benefit to the village and there has been no proof of need for more housing.
- There would be an adverse effect on existing residents who are adjacent to the site.
- Some of the units are said to provide "low cost housing" the term low cost is very subjective as no development within Chelford could be classed as low cost and in truth there would be very little if any property available to Chelford residents who really need it, at a price that they could afford.
- There would be an unacceptable strain put on local services such as the doctors, through an increased patient list.
- Little benefit would be felt by local businesses as generally people buying on new estates such as the proposed development, shop away from the area.

## **APPLICANT'S SUPPORTING INFORMATION**

The following information has been submitted in support of the application, which is available to view online, or on the planning file:

- Design and Access Statement
- Planning Statement with Addendum
- Affordable Housing Statement
- PPS3 Housing Checklist
- Schedule of Units (Maximum ridge height 8 metres)
- Draft Heads of Terms
- Transport Assessment
- Noise Impact Assessment & Addendum
- Air Quality Assessment
- Site Waste Management Plan
- Ecological Assessment and Update report
- Environmental Investigation Report Phase I & II
- Flood Risk Assessment
- Arboricultural Statement
- GVA Grimley responses to Local Plans & Waste objections
- Counsel advice in respect of development in the Green Belt (now omitted)

## **OFFICER APPRAISAL**

### **Loss of Employment land**

The application site is designated for employment uses within the Local Plan. Policy E1 seeks to retain employment land for employment purposes, however, the site is not considered to be well located for employment uses.



The site is positioned at the entrance to Chelford Village, with a number of residential properties located immediately west of the site within Dixon Court, and other residential properties directly opposite the site entrance on Station Road and Knutsford Road. The use of the site by a haulage business is considered to be unneighbourly, as the only access to the site by Heavy Goods Vehicles is off Knutsford Road, where a number of residential properties are located.

Policy E14 of the Local Plan advises that the Borough Council will encourage the relocation of businesses which create an unacceptable level of nuisance to neighbouring dwellings arising from noise, smell, safety or traffic generation. Infill housing will be encouraged on such sites. It is considered that the haulage business creates significant nuisance to neighbouring dwellings due to the volume and type of traffic generated, and therefore the relocation of the haulage business is encouraged.

An Employment Land and Market Overview report from GVA Grimley was submitted with the application.

In conclusion, the report advises:

- The existing industrial and warehouse buildings are outdated and are uneconomic to refurbish.
- The offices are not built to current standards. They are bespoke headquarters and are not economic to refurbish.
- The location of the buildings within an industrial/distribution site means they would be difficult to let.
- The redevelopment of the site for employment purposes is not feasible in today's market due to depressed rentals/capital values and the banks reluctance to lend.
- The site is remote from motorways and therefore unattractive for industrial uses or distribution businesses.
- The site is not suitable for waste transfer/waste recycling given the close proximity to Chelford Village.
- The proposed B1 office development will generate 50 jobs on a size and scale appropriate to the locality.
- There is a 30 year employment land supply in Cheshire East, and a 33 year supply in the Macclesfield District.
- The site does not provide an important contribution to the local area in terms of employment land and that there is already an adequate supply of Employment land in Cheshire East.

A number of the points made in the Employment Land and Market Overview report are considered to be valid. The site's location is poor at the entrance to the Village, some distance from the Motorway network in either Knutsford or Holmes Chapel, which would make the site very difficult to market. The site and buildings have design specifically for haulage purposes, limiting the market for future users, and the buildings are fairly old, making conversion/refurbishment works unviable.

As compensation for the loss of the employment use on site, a B1 office building with a floorspace of 604m<sup>2</sup> is proposed on land to the rear of Chelford Farm Supplies, adjacent to the application site, (current application No 10/3294M). The applicant considers that the proposed offices will generate 50 jobs, which is similar to the number of jobs currently at the application site. Furthermore, it is argued that the proposed office units will meet the needs of the local businesses and will be more compatible use within this residential area. No objection is raised to these proposals, and if this application is approved, it is recommended that the applications be tied through a legal agreement, to ensure the Employment Development is implemented.

### *Cheshire East's Annual Monitoring Report 2009*

Section 5.3 of the 2008-2009 Annual Monitoring Report indicates there is 308.64 hectares of Employment land in Cheshire East, of this 24 ha is committed for non-employment uses, leaving 284.64 ha. Approximately 71ha is located within the former Macclesfield Borough. During this period, the annual take up rate was 2.7 ha per year. Using the same take-up rate it is assumed that there is a 26.35 year supply across the former Macclesfield Borough.

The key consideration for this application is whether there is sufficient Employment land with the local area, to meet current needs. The Employment overview carried out by GVA Grimley provides a summary of large employment sites in the former Macclesfield Borough and identifies Employment land available in the following areas:

- Tytherington Business Park
- Lyme Green Retail and Business Park
- Hurdsfield Industrial Estate
- **Adlington Park**
- **Poynton Industrial Estate**
- **Stanley Green Industrial Estate, Handforth**
- **Parkgate Industrial Estate, Knutsford**
- South Macclesfield Development Area

The sites highlighted, are those closest to the application site, with Parkgate Industrial Estate being less than 5 miles away.

The Council is in the process of preparing an Employment Land Review, which upon completion will identify the nature and scale of employment land needed in Cheshire East to meet its sub-regional policy requirement and local business needs.

At this juncture, it is considered that there is adequate Employment Land available across the District, and the loss of this site will not lead to an inadequate supply in this area. Moreover, Members should be mindful of the proposal for two employment buildings on the adjacent site, which would provide a similar number of jobs.

## **Loss of a Preferred Site (WM23) for a Waste Bulking or Materials Recycling Facility**

Within the Cheshire Waste Local Plan (2007), the application site has been identified as one of five preferred sites within the North of the District for either a Waste Bulking Facility or a Materials Recycling Facility. The other sites identified are:

1. Adlington Industrial Estate, Adlington (WM1)
2. *Hurdsfield Industrial Estate, Hulley Road, Macclesfield (WM10)*
3. Lyme Green, Macclesfield (WM13)
4. Parkgate Industrial Estate, Knutsford (WM15)

The site at Hurdsfield Industrial Estate has now been discounted, due to an unsuccessful application made by the Council last year. Therefore, 3 alternative sites are available.

A waste bulking or materials recycling facility is required within the North of the District, to reduce both vehicle miles and the carbon impact. There is a landfill site at Danes Moss, near Lyme Green in Macclesfield.

Whilst the application site is the appropriate size for waste bulking or materials recycling, it has to be questioned whether this is in an appropriate location. As described above, the site is within Chelford Village, and there are a number of residential properties within close proximity to the site. The use of the site for waste purposes would result in frequent trips by bin wagons to deposit waste. The wagons would access the site through the village, which may give rise to highway safety issues.

The existing haulage use may be considered unneighbourly, due to the daily coming and going of Heavy Goods Vehicles; however, it is considered that a Waste facility would have a more serious impact on residential amenity.

The three alternative sites are considered to be in more appropriate locations; on industrial estates, with commercial and industrial uses as neighbours, with better access to highway networks. The site at Lyme Green (WM13) is immediately adjacent to Danes Moss landfill site, and may be considered a more appropriate location to the application site.

Overall, whilst Members need to carefully consider whether the loss of the site for waste purposes would jeopardise the Council's ability to process waste appropriately, Officers are of the opinion, that this is not the site suitable for such a facility.

## **Need for additional housing/affordable housing in the area**

Planning Policy Statement 3 'Housing' requires local planning authorities to monitor and manage the release of housing land to ensure that there is a five years supply of deliverable sites.

The Annual Monitoring Report 2009 calculated the Council's five year supply of housing land at 1 April 2009 as 5.14 years, based on the RSS figure. Since then, a full review of potential sites has been carried out in parallel with the preparation of a Strategic Housing Land Availability Assessment for the whole of Cheshire East. The latest assessment indicates a supply of **4.58 years** at 1 April 2010.

The failure to be able to demonstrate a five year supply of available housing land has implications for the Council. PPS3 states that

*“where local planning authorities cannot demonstrate an up to date five year supply of deliverable sites ...they should consider favourably planning applications for housing, having regard to the policies in this PPS”.*

The inability of the Council to demonstrate a five year supply of housing land carries a high risk that land owners/developers will submit speculative planning applications for their development outside settlement boundaries. In the case of a refusal of planning permission, appeals may be upheld on the grounds that there is not a 5 years housing land supply. Nevertheless, whilst there is less than a 5 year supply of deliverable housing sites, there is a high degree of risk that planning permission may be granted on appeal for housing on greenfield sites outside settlement boundaries, in conflict with the policies of the three Local Plans. Such decisions would also prejudice the preparation of the Local Development Framework and affect the Council's ability to objectively determine the most appropriate strategy and sites for future housing development.

To ensure a five year supply is available, an interim policy has been drafted which will facilitate the release of a limited number of housing sites on the edge of Crewe outside the green gap. The policy was approved by Cabinet on 18 October, and is out for consultation until 17 December 2010.

It should be noted that the application site is Previously Developed Land, within a settlement boundary, and therefore should be prioritised over Green Gap/Green Belt land.

The Strategic Housing Market Assessment (SHMA September 2010) indicates that there is a need for 1417 new dwellings per year in the former Macclesfield Borough, of this approximately 500 affordable houses per year.

This is further split into sub-areas and shows that there is a need for 31 affordable dwellings per annum in the Knutsford Rural Area, and 22 in the Macclesfield Rural Area. The priority is therefore for the provision of affordable housing.

The Plumley and Nearby Parishes Rural Housing Needs Survey Assessment (2008) indicates that there are 35 hidden households in Chelford. In addition there are a total of 21 people who have moved out of Chelford within the

previous 5 years because they could not afford to buy or rent a home in the area and who would wish to return. Some caution has to be taken in respect of this survey as it is now 2 years out of date.

Chelford Parish Council have carried out their own Affordable Housing Needs Survey, and they conclude that there is a need for 36 additional affordable houses in Chelford at present.

13 affordable dwellings are proposed in this application, and 22 are proposed at the Agricultural Centre. Therefore if both applications were approved, 35 affordable dwellings would be provided which would roughly meet Chelford's Affordable Housing need.

PPS3 indicates on sites of 15 or more, a proportion of affordable housing is required. The SHMA sets a new target of 30-35% affordable housing on qualifying sites. The SHMA was published in September 2010, one month after the application was registered. It is considered unreasonable to apply a higher level of affordable housing to this scheme, as it was prepared well in advance of the SHMA, and the applicant could not reasonably have guessed its outcome. Moreover, if 30 or 35% affordable housing was requested on this site and the Agricultural Centre site, there would be an oversupply of Affordable Housing in Chelford.

The application site is identified in the Cheshire East's Strategic Housing Land Availability Assessment (SHLAA 2010) as a suitable, achievable, available, deliverable brownfield site with a capacity for 51 dwellings, which could come forward within 1-5 years.

The identification of this site within the SHLAA indicates that the Council considers that the site may be suitable for housing. On the indicative layout plan, 50 dwellings are proposed, which is similar to the level anticipated in the SHLAA.

### **Sustainability of the site and links between the site and Chelford Village**

The application site is considered to be in a sustainable location, with good access to a variety of public transport links. The train station is opposite the application site, whilst there are bus stops in both directions on Knutsford Road. The site is within easy walking distance of Chelford Village, which hosts local services such as a local shop, Chelford Farm Supplies and Equestrian Centre and other businesses. Just outside the Village is The Egerton Arms Public House, the Shell Petrol Station, the Post Office and a Picture Framing Shop.

### **Noise issues from the railway line and Knutsford Road**

The Environmental Health Officer initially raised concerns in respect of the combined noise generated from the railway line and Knutsford Road at the South East corner of the site. The applicant's acoustic engineer has re-examined this issue and produced supplementary acoustic reports with

mitigation measures such as an acoustic fence along the affected boundaries to overcome this issue. The Council's Environmental Health Officer considers that the mitigation measures are feasible. However, the detail of the mitigation required would depend on the final site layout and design of the properties, and the mitigation measures proposed.

### **Impact on landscape, trees and ecology**

The Forestry Office considers that the development proposals can be implemented with the removal of a limited number of low and moderate value trees, the loss of which will have a minor impact on the amenity of the area when viewed from public vantage points. All the important high value trees and retained boundary planting can be retained and protected in accordance with current best practice BS5837:2005.

The Landscape Officer advises that no objection is raised to the proposed development as shown on Site Layout plan M1824.07F. If the industrial buildings and haulage yard were replaced with houses within a landscape setting, the site would be enhanced and its visual impact on the Green Belt would be reduced.

The proposed footpath at the southern end of the site would form a link with the footpath/bridleway network which would improve countryside access for the new residents and the village as a whole

There is currently a tall, well maintained leylandii hedge along most of the eastern boundary that effectively screens the trains. This should ideally be retained until the proposed new broadleaved planting matures. The ongoing maintenance of this hedge would need to be considered.

The Nature Conservation Officer raises no objection to the updated Ecological Assessment. Conditions are recommended in respect of breeding birds. In respect of potential badgers he advises:

*A potential outlying badger sett was recorded in close proximity to the proposed footpath link. I have visited the site this morning and the 'sett' currently appears to be occupied by rabbits. At present there is no significant evidence that the identified 'sett' has recently been occupied by badgers. The 'sett' is located a number of meters from the proposed footpath and is unlikely to be directly affected by the construction of the footpath.*

*The submitted survey report recommends a number of precautionary measures and recommends an additional badger survey prior to the commencement of the works.*

*Considering the presence of badgers in the general locality of the site the possibility that badgers could construct a new sett or take over one of the many rabbit burrows prior to works commencing these seem a wise precaution.*

## **Design, layout and density**

The site is to be developed at a density of 43 dwellings per hectare, which is considered to be appropriate in this location.

A good mix of house types is proposed comprising:

- No.10 two bed terraced houses
- No.13 three bed terraced houses
- No. 7 three bed three storey houses
- No. 17 Detached/Corner Turner 3 bed houses
- No. 3 Detached 4 bed houses

43 of the dwellings will be two storey with a maximum ridge height of 8 metres. 7 three storey properties are proposed, with a maximum ridge height of 9 metres.

The mix of housing proposed is considered to be acceptable on this site. However, as this application is only seeking Outline approval, matters such as the layout, scale and external appearance of the buildings cannot be considered at this stage.

## **Redevelopment benefits**

The scheme would provide a number of benefits to Chelford.

- A new stock of houses would come forward, including the provision of 13 affordable dwellings.
- The scheme would replace an unneighbourly employment use, (removing haulage vehicles from the village) with a more appropriate residential scheme, with B1 Offices on the adjoining site.
- The redevelopment will result in the removal of a number of large warehouse and office buildings, which will improve the visual amenity of the site through the reduction in height, and the proposal will bring a number of environmental benefits through the decontamination of the land, and the landscaping of the site.
- A Public Footpath is proposed along the western boundary, which would provide a safe pedestrian link to the Village and to the existing Bridle way.
- A Puffin Crossing (Pedestrian User-friendly intelligent Crossing) is proposed across Knutsford Road, which will provide a safe crossing place for Villagers to access the train station, shops, businesses and the school.

- A significant financial contribution of £30,000 is also made towards the existing community facilities in Chelford. The Parish Council in conjunction with the Local Authority will decide how these funds will be spent.

## **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The application site comprises previously developed land in a sustainable location, with access to local services, including shops, a post office, a school and excellent public transport links.

The site is identified in the Cheshire East's Strategic Housing Land Availability Assessment (SHLAA 2010) as a suitable, achievable, available, deliverable brownfield site with a capacity for 51 dwellings, which could come forward within 1-5 years.

The proposed development comprises a maximum of 50 dwellings, including 13 affordable dwellings. A good mix of house types and sizes are proposed.

Two office buildings with a floorspace of 604 m<sup>2</sup> are proposed on the adjacent site, generating 50 jobs, which is similar to the number of employees that Stobarts employ in Chelford. The scale and type of replacement employment facilities is considered to be more appropriate to Chelford.

The relocation of the haulage business from the Village will be beneficial to local residents, and would bring environmental improvements by remediating contaminated land, and by introducing additional landscaping.

Significant improvements to Highway Safety are proposed, by introducing a Puffin Crossing across Knutsford Road, a busy road through the centre of the Village. This will link the housing development with the Village.

The proposed development is considered to be beneficial to Chelford, providing a range of housing and employment development within a sustainable setting.

On the basis of the information above, a recommendation of approval is made, subject to the completion of a legal agreement.

## **LEGAL AGREEMENT HEADS OF TERMS**

- The Employment element as proposed under application 10/3267M shall be substantially complete within 3 years of the commencement of the residential scheme unless another scheme is approved in writing with the Local Planning Authority
- 25% Affordable Housing = 13 units split as 50% social rent, 50% intermediate tenure
- Provision of a Puffin Crossing on Knutsford Road (A537)
- Provision of public footpath, linking the existing bridle path to Knutsford Road



- Education contribution of £91,745 towards extending Chelford CE Primary School, to accommodate additional school children generated by the development
- Commuted sum of £187,000 in lieu of Public Open Space /off site play & amenity facilities/recreation and outdoor sport
- Financial contribution towards community facilities £30,000

### **Community Infrastructure Levy (CIL) Regulations**

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010, it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the s106 satisfy the following:

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

In this case, it is considered necessary, fair and reasonable to require the employment development to be substantially completed within 3 years of the commencement of the residential development, to ensure the employment development comes forward. Without the Employment Development, Chelford would be left with little employment land/prospects for local jobs.

The provision of 25% affordable housing is necessary, fair and reasonable to provide sufficient affordable housing in the area, and to comply with National Planning Policy.

The Public Footpath and Pedestrian Crossing are necessary, fair and reasonable to link the development with Chelford Village, and provide inclusive design, in accordance with National Planning Policy.

The commuted sum for Education is necessary, fair and reasonable to build and fit out a new classroom at the local primary school, as the combination of this application and the Agricultural Centre will generate 24 additional pupils, which cannot be accommodated within the existing school.

The commuted sum in lieu of Public Open Space is necessary, fair and reasonable, as the proposed development will provide 50 dwellings, the occupiers of which will use local facilities as there is no open space on site. As such, there is a need to upgrade/enhance existing facilities. The contribution is in accordance with the Council's Supplementary Planning Guidance.

The financial contribution towards community facilities is necessary, fair and reasonable, as the additional number of residents to the Village would put pressure on the existing facilities, and as a result these facilities will need to be upgraded/replaced to meet growing demands.

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

#### Application for **Outline Planning**

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

1. A06OP - Commencement of development
2. A03OP - Time limit for submission of reserved matters (within 3 years)
3. A01OP - Submission of reserved matters
4. A02OP\_1 - Implementation of reserved matters
5. A09OP - Compliance with parameter plans
6. A10OP\_1 - Details to be submitted -layout
7. A12OP - Full details approved as part of outline consent - Access
8. A08OP - Ground levels to be submitted
9. A01LS - Landscape Masterplan - submission of details
10. A04LS - Landscaping (implementation)
11. A01GR - Removal of permitted development rights
12. A02HA - Construction of access
13. A04HA - Vehicular visibility at access to be approved
14. A32HA - Submission of construction method statement
15. A19MC - Refuse storage facilities to be approved
16. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources
17. Phasing of landscaping works - along railway line first
18. Submission of a landscape management scheme to be submitted with the Reserved Matters application
19. The landscaping scheme shall incorporate details of boundary treatment
20. Protection of breeding birds
21. Provision of bird boxes
22. All arboricultural works shall be carried out in accordance with Cheshire Woodlands Arboricultural Statement
23. Details of lighting to be approved
24. Development in strict accordance with the updated ecological survey

25. Submission of further acoustic assessment showing acoustic mitigation as part of Reserved Matters application
26. Submission of acoustic report including a revised assessment of noise levels at the North East corner
27. Submission of specifications of acoustic glazing ventilation systems
28. Hours of construction/noise generative works
29. Submission of revised air quality assessment
30. Submission of a drainage scheme including details in respect of surface water run-off
31. Submission of a scheme to manage the risk of flooding to be submitted
32. Submission of a Character Assessment justifying scale, layout and materials as part of the Reserved Matters application