

Planning Reference No:	10/3448M
Application Address:	Chelford Agricultural Centre, Dixon Drive, Chelford, SK11 9AX
Proposal:	Outline planning application for the erection of a mixed use development comprising residential, community and employment uses set in high quality landscaping and attractive new public realm
Applicant:	Trustees of Chelford Agricultural Centre
Application Type:	Outline
Grid Reference:	381 375
Ward:	Bucklow
Earliest Determination Date:	13 th October 2010
Expiry Date:	1 st December 2010
Date of Officer's Site Visit:	21 st October 2010
Date Report prepared:	29 th November 2010
Constraints:	Manchester Airport Safeguarding Woodford Safeguarding Tree Preservation Order Existing Car Park Existing Employment Area Development Brief Existing Employment Area Locally Listed Building Contaminated Land

SUMMARY RECOMMENDATION

Approve, subject to conditions and the completion of a S106 agreement

MAIN ISSUES

- Loss of a site allocated as a Public Car Park
- Housing policy and supply
- Provision of affordable housing
- Design, layout and density
- The scale of the proposal – impact of height, mass, bulk, character and appearance of the area
- Impact on residential amenity
- Noise issues from the railway line
- Sustainability of the site
- Environmental issues
- Impact on landscape, trees and ecology
- Impact on highway safety
- Redevelopment benefits
- Heads of Terms for a Legal Agreement

REASON FOR REPORT

This application is brought before Members in line with the Council's Constitution, any development in excess of 10 dwellings should be determined by Committee. The application seeks outline consent for 85 dwellings and is considered to be of strategic importance.

DESCRIPTION OF SITE AND CONTEXT

The site is located in the village of Chelford. The site is bounded by the A537 (Knutsford Road) to the south, the Manchester to Crewe main railway line to the east, and residential development (on Dixon Drive and Chapel Croft) to the west and north.

The site comprises Frank Marshall's livestock, horticultural and machinery auctioneering business. FRM lease the land, partly from the Trustees of the site and partly from Cheshire East Council. Frank Marshall is currently operating from the site. However, they are actively seeking an alternative site, which would be more accessible for its users.

The application site measures 3.3 hectares. It is flat, and is broadly rectangular in shape. The southern (Knutsford Road) part of the site consists of some large buildings. The Chelford Agricultural Centre administration building is located to the west of the site (off Dixon Drive). To the north and east of this building there are large sheds, constructed from concrete block and corrugated iron with sheet metal and fibre cement roofs. The northern portion of the site comprises a large area of hardstanding which is used for car parking for visitors to the markets and traders. This area is accessed from two points on Dixon Drive.

There are a number of trees around the perimeter of the site and a Tree Preservation Order bisects the site. The trees were removed (following consent from the Council) and will be replanted following the outcome of this application.

Within the Macclesfield Borough Local Plan (2004), just over half the site was originally allocated as 'Chelford Market' under policy E17. This policy was not saved in the review of the MBLP in 2007. The reason for the policy not being saved is that it is covered by Policy E1 as an Existing Employment Area. The northern most part of the site, falls within MBLP policy T13, which seeks to retain existing public car parks.

DETAILS OF PROPOSAL

Outline Planning permission is sought for the redevelopment of the site for residential development – a maximum of 85 dwellings comprising the following: -

- | | |
|-----------------------------|------|
| - 2 bed semi-terraced house | x 20 |
| - 3 bed semi | x 14 |
| - 4 bed 3 storey town house | x 20 |
| - 3 bed 2 storey | x 14 |
| - 4 bed detached | x 11 |

- 2 bed apartment x 6

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 discussions with officers and the issues raised by Network Rail, revised plans are expected to be submitted which will update the ownership boundary line, moving the railway boundary slightly into the site. The landscape bund at the north eastern corner will be moved westwards to allow the retention of existing trees adjacent to the railway. This will result in the apartment block being moved south and its parking area reconfigured. It is also expected that the Community Building will be removed from the scheme.

RELEVANT HISTORY

Many applications have been received in relation to the site over the years. However, as they relate to the existing use as an auctioneers market, none are thought to be relevant 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

Macclesfield Borough Local Plan (2004)

Built Environment

BE1- Design Guidance

Development Control

DC1 – New Build

DC3 –Amenity

DC5- Natural Surveillance

DC6 – Circulation and Access

DC8 – Landscaping

DC9 – Tree Protection

DC36- Road Layouts and Circulation

DC37- Landscaping

DC38- Space Light and Privacy

DC40 – Children's Play Provision and Amenity Space

DC41 – Infill Housing Development

DC63 – Contaminated Land

Employment

E1- Retention of Employment Land

Transport

T13 – Existing Public Car Parks

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

Other Material Considerations

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 3: Housing

Planning Policy Statement 13: Transport

Planning Policy Statement 25: Development and Flood Risk

‘PPS3 Housing and Saved Policies Advice Note’ and the associated ‘PPS3 Housing Self Assessment Checklist’.

CONSULTATIONS

Highways:

No objection. However, a Section 106 will be required towards the investigation of the removal of traffic regulation orders, footpath improvements along Dixon Drive, the removal of the no through road for vehicles along Dixon Drive and junction improvements at Knutsford Road junction with Station Road and Dixon Drive. There are no capacity issues from the development since the existing traffic produced by access to the market will be replaced by residential traffic on the same site.

Environmental Health:

The Environmental Health Officer has assessed the application in relation to noise and vibration, air quality and contaminated land.

Noise and Vibration -

The site is in close proximity to the West Coast Main Line which carries intercity and local rail traffic together with freight trains. There is potential that noise and vibration from the railway would adversely impact the amenity of

future occupiers on the development. In addition, there is potential in such a mixed use development that noise from fixed plant and equipment associated with non-residential uses (air conditioning condensers etc) can cause a loss of amenity to residential receptors.

An assessment of the noise and vibration has been submitted in accordance with PPG24 (Planning Policy Guidance 24). The report is considered acceptable. In addition, suitable engineering mitigation is suggested to achieve acceptable internal noise levels in accordance with BS8233: 1999 (Sound Insulation and Noise Reduction for Buildings).

Air Quality -

Whilst the site does not lie within an Air Quality Management Area, there is concern that an increase in the number of vehicles as a result of this development, combined with other proposed developments in the area could give rise to levels of nitrogen dioxide above the Air Quality Objective at relevant receptors.

It is suggested that a detailed air quality impact assessment shall be submitted to and approved by the planning authority, prior to the development commencing.

Contaminated Land -

This site currently includes fuel tanks and made ground and therefore, there is the potential for contamination of the site and the wider environment to have occurred. The application is for new residential properties which are a sensitive end use and could be affected by any contamination present. The report submitted in support of the application recommends that further investigations are required. A Phase II investigation shall be submitted and approved in writing and any remediation works carried out as necessary.

Public Rights of Way:

Cheshire East's Public Rights of Way Team comments that there is no conflict with the existing public rights of way.

Environment Agency:

The Environment Agency raises no objections to the application.

United Utilities:

Raise no objection to the proposal provided that the Flood Risk Assessment details submitted are adhered to rigidly.

Greenspaces:

The Councils Country and Access Development Officer raises no objections to the development. However, concern is raised that walking and cycling opportunities in the area could be improved. A contribution should be sought toward the off-road path between the residential area of the village and the facilities on Knutsford Road. Neither the Design and Access Statement nor the Transport Document refer to cyclist access provision to, from or within the development. The route between Dixon Drive and Public Footpath no.1 is not

on the definitive Map and Statement (legal rights of way). This route should be considered in the design and construction of the development.

Housing:

The Housing Strategy and Needs Manager raises no objection but the developer should provide social housing throughout and a designated RSL should become a signatory to the S106 agreement.

Leisure Services:

A financial contribution is required in lieu of Public Open Space (POS) / off site play and amenity facilities / recreation and outdoor sport. The POS commuted sum based on 85 units is £255 000 and the Recreation / Sport commuted sum would be £82 000. The reduction to the Recreation / Sport commuted sum for the affordable units is £3 000 for the affordable apartments and £16 000 for the family dwellings (total reduction of £19 000). The total commuted sum is therefore £318 000. This sum is in accordance with the Supplementary Planning Guidance on S106 Agreements.

School Organisation and Capital Strategy:

The Capital Development Manager has commented with regard to the 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 buildings.

The Capital Development Manager has therefore requested a Section 106 Developer Contribution as follows:

Stobarts site - £91,745 (50 dwellings X pupil yield factor of 0.182=9.1 X school extension cost multiplier £11,079 X regional weighting 0.91)

Agricultural site - £144,957.40 (79 dwellings X pupil yield factor of 0.182=10.92 X school extension cost multiplier £11,079 X regional weighting 0.91).

Comments are awaited from the Cheshire Fire Authority.

VIEWS OF THE PARISH COUNCIL

Chelford Parish Council support the proposal. Affordable housing should be distributed 'sensitively' throughout the development. The PC are in favour of designating an employment area within the development. Concern is raised over the potential negative impact of the highways proposals on the News Agent business situated on Station Road (access). Concern is raised over traffic management and the possible impact of this development and the Stobarts one. Provision of a pedestrian crossing should be sought.

Contributions should be made to improving village social/leisure facilities. 36 affordable housing units should be provided across both the Chelford Market and Stobarts sites (15 at Stobart and 25 at Marshalls). Funding should be provided to accommodate extra pressure on Chelford Primary and pre-school and Medical Centre.

OTHER REPRESENTATIONS

7 letters have been received in relation to the application. The letters are available on the application file, however, the comments are summarised as follows: -

Land use

- Should be no opportunity to continue Sunday car boot sales on the recreational ground.
- Proposed community space is not big enough and there are no details of associated traffic impact.
- Concern over extension of planning permission from three to five years.

Trees

- Concern that trees should be left in-tact (particularly on Dixon Drive) for provision of privacy, beauty and environmental asset.

Impact on amenity/design

- Concern over impact of three storey buildings on residential amenity
- Lack of detail in the application.
- Three storey buildings are out of character with the existing area.

Traffic

- Retain existing traffic bollards restricting access to Dixon Drive.
- There should be Parking restrictions on local roads.
- Concern raised over increased congestion.
- Closure of Station Road (presumably due to construction) will be a problem.
- Development should provide direct access to Chelford Station for pedestrians and cyclists (to avoid busy roads).
- Provision of 'Sheffield' bike racks at Chelford Station.
- Developers should contribute to traffic management/calming and cycle provision.

Impact on security of railway line

- Improved and adequate security for the proposed works and after completion to protect the railway and residential property

General considerations

- General concern over insufficient notification of residents
- Concern that drainage/flooding issues in existing market be addressed
- Residences should include storage for cycles and buggies

APPLICANT'S SUPPORTING INFORMATION

The following additional information has been submitted in support of the application: -

- A Supplementary Planning Statement
- A Design and Access Statement
- A Transport Assessment
- An Ecological Assessment
- A Flood Risk Assessment
- A Noise, Vibration and Air Quality Assessment
- An Arboricultural Impact Assessment
- A Preliminary Environmental Risk Assessment

Details of the above documents can be found on the application file.

OFFICER APPRAISAL

Principle of Development and Policy

The proposed development needs to be considered with regard to the Employment Policies contained within the Macclesfield Borough Local Plan, and policies contained within PPS1, PPS3 and PPS4. Part of the site falls within an existing employment area in the Local Plan, and although policy E17 has not been saved and no longer forms part of the Statutory Development Plan, it is considered that policy E1 does apply. Therefore, the initial presumption is that the site should be retained for employment purposes. The remainder of the site is allocated as a public car park (which serves the existing market business) and therefore, policy T13 is relevant. A proposal for a residential-led mixed use scheme on this site therefore constitutes a departure from the Development Plan. Planning decisions must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

In this case, there are a number of relevant material considerations.

- The site is located within Chelford Village and is adjacent to a residential area.
- The existing buildings on site are largely designed for the existing market business and are generally in poor condition and unlikely to be suitable for modern business requirements.
- The market attracts a large number of visitors and although the site is adjacent to Chelford railway station, the nature of the business means that a significant number of visitors arrive by road, and this results in congestion and parking problems when the market is operating.
- Although the site is classified as an existing employment area, it is noted that the existing use does not fall into the B1, B2 or B8 use classes and is in fact a Sui Generis use. The current use supports 25 full-time equivalent jobs. The proposal is a predominantly residential scheme, but it does also include provision for 350 sq. m of light industrial starter units and 350 sq. m of B1 offices. Using both the 2001 English Partnerships Guide to Employment densities and the

2010 Roger Tym & Partners report on Setting Employment Land Targets produced for 4NW, it is evident that the employment element of the proposals would be able to support around 30 full-time equivalent jobs.

- These small scale offices and industrial starter units are considered to be appropriate in a rural location such as Chelford and are likely to provide future employment opportunities for local people.
- The indicative scheme provides a good mix of housing types and 25% of the units would be affordable.
- The proposal also initially included space for a community facility.

Although policy T13 requires that existing public car parks “*will normally be retained for car parking*”. In this case, the car park exists to serve the market business. Should this business cease to operate in the vicinity, the car park would be redundant.

The site is of poor environmental quality and the existing use is not ideal in this location given the current access and parking arrangements, and provides a low level of employment for the size of the site. There is also an identified need for affordable housing in the area and consequently, although contrary to the Development Plan, it is acknowledged that there are significant material considerations that indicate that the principle of a residential-led mixed-use development on this site could be acceptable. Consideration needs to be given as to whether the material considerations are such that the benefits of the proposal are sufficient to justify the development.

The provision of the employment units and the provision of community facilities clearly can be very important material considerations which may help to justify the development. As such, it is considered vital to ensure that they are delivered as part of the overall scheme and a mechanism will be required to ensure that the employment units are provided alongside the residential part of the scheme. If the application were to be approved, it is recommended that a condition will be required to ensure that the Employment Development is implemented.

Housing policy and supply

Detailed negotiations on the provision of the affordable housing element will take place prior to the submission of a Reserved Matters application, and it will be important to meet need by the provision of both social-rented and intermediate housing. Councillors will be aware that the emerging Interim Policy Statement on Affordable Housing states that in settlements of less than 3,000 population, the exact level of affordable provision will be determined by:

- local need,
- site characteristics,
- general location,
- site suitability,
- economics of provision,

- proximity to local services and facilities,
- other planning objectives,

and that, the general minimum proportion for any site will normally be 30%. However, as this application was registered prior to the introduction of this policy, and the applicant could not have foreseen its contents, it is considered reasonable that the affordable housing requirement should be based on the previous policy requirement of a 25% affordable housing contribution.

The housing needs survey also stated there is a shortage of 2 bed, 3 bed and 4 bed properties. There is also demand for properties as there are currently 51 applicants for properties registered on Cheshire Home Choice, the majority of these are for 2 bed properties. The SHMA carried out in 2010 stated that targets need to support a better mix of housing types in all locations. The SHMA 2010 shows that the largest proportion of additional affordable units needed in the former Macclesfield borough are required as rented properties. The definition of affordable housing in PPS3 includes social rented housing or intermediate affordable housing including shared equity schemes.

Affordable dwellings should be indistinguishable from the general market housing and be interspersed throughout the development. Due to Chelford being a rural parish, the affordable element of the development should be restricted to meeting local needs of the Parish before being cascaded to adjacent parishes, and kept affordable in perpetuity. In accordance with current planning policy, 21no. units should be provided as affordable housing: 11 of these for social rent and 10 as intermediate tenure. As the applicant is not a registered social landlord, planning permission may be granted for the whole scheme providing the applicant enters into a legal agreement whereby there are secure arrangements to ensure that the benefits of the affordable housing will be enjoyed by subsequent occupiers as well as the initial occupiers. It would be preferable for the developer to undertake to provide the social rented element through an RSL who would become a signatory to the Section 106 agreement.

It is considered that the proposal would contribute to the housing needs of the area and provide a reasonable mix of properties. The application site is considered to be in a sustainable brownfield location, with good access provided by bus, and the train station which is on the Manchester to Crewe railway line. Chelford has a small range of services such as a grocers shop, butchers, post office, a pub, a primary school, and a garage. In addition, the proposal seeks to add to employment accommodation and contribute to the community facilities. The density is approximately 35 dwellings per hectare, thereby making efficient use of land. The details of a reserved matters application could secure a scheme which is acceptable in respect of design/appearance, layout, landscaping, relationship with neighbouring properties and level of parking provision. Overall, the proposal accords with current housing policy.

Design, layout, density and impact on residential amenity

The current use does not employ large numbers of people. However, when the market is operational, it is considered that the use is unneighbourly, and it causes noise and disturbance to local residents within the vicinity of the site, by virtue of the number of visitors attracted to the site. The proposed development would change the nature of the site to a predominantly residential use. Only a small proportion of the site would be retained for employment purposes, and the use would be limited to B1 - Offices and Starter Units, which are considered to be more neighbourly than the current auctioneering facility.

The indicative layout illustrates that separation distances upwards of 32m can be achieved between the existing houses in the vicinity of the site and those proposed within the new development. It is considered that such separation distances comply with the requirements of Local Plan Policy DC36.

It is noted that the scale of the proposal is an aspect which is a reserved matter. The building parameters plan which has been submitted on the 'indicative height parameters plan' has been considered in the context of the surrounding area (i.e. existing buildings: dwellings, commercial buildings and station), and views from key public vantage points around the site (i.e. the bridge over the railway line, and Dixon Drive).

Scaled parameters

Bearing in mind: -

- a) the scale of the buildings that currently exist on site,
- b) the scale of the buildings within the vicinity of the site (particularly the dwellings on Dixon Drive and Station Road,
- c) factors such as distance standards, amenity and outlook (which will have to be satisfied on a reserved matters application),

it is considered that the scale of the buildings as outlined on the 'height parameters plan' can comfortably be accommodated within the site. It is considered that these scaled parameters would allow for a residential scheme to be designed that would be acceptable within the character and appearance of the area and the street scene of Dixon Drive, whilst also allowing for a satisfactory layout to be achieved in a reserved matters application in respect of distance standards, outdoor amenity space and outlook. It is considered that the two storey dwellings should have a maximum ridge height of 8 metres and the three storey dwellings should have a maximum ridge height of 9 metres.

Design

The Council's Design Officer has been consulted in relation to the proposal. In general, there are no objections to the mixed use development proposed for this site. However, it is considered that more thought should be given to the planting along the boundary between Dixon Drive and the development to ensure that there is a successful visual connection between Dixon Drive and the proposed new houses, which would integrate the new development with the village.

Access to Community facility & Business Area

On the indicative layout, the community facility, business area and the railway station cannot be accessed directly from the housing area. The layout should be revised to provide a route for pedestrians and cyclists- especially to the railway station.

Impact on Locally Listed Building

It is noted that the proposal will incorporate the demolition of The Coal Masters House which is a locally listed building. The local list was adopted on 14th October 2010. It is disappointing that this building cannot be retained on the scheme. However, after balancing up of the scheme as a whole and following consideration of the implications of retaining the building and how this would have serious implications on the proposed access to the employment area and how revising this access would have an impact on how the employment area, relates to the residential development in this area (causing a resultant reduction in residential amenity), it is considered, on balance, that there may be insufficient justification for the retention of the building in this instance. The developer has been asked to see if it is feasible to retain the building and further comments will be provided in an update report.

Further detailed design proposals would be required at the reserved matters stage.

Highway Safety (in respect of the proposed access and indicative parking arrangements)

The access is the only specific aspect of the proposal which has been applied for as part of the outline application. As noted above, the Strategic Highways Manager raises no objections in principle, subject to conditions, which will require the submission of further details in relation to the layout of the access and visibility splays, and also require all off site works to be completed prior to the occupation of the development. In addition, the Strategic Highways Engineer raises no objections with regard to the number of parking spaces provided on the 'indicative layout' submitted with the application.

A developer contribution will be required towards the following:

- an investigation for the removal of traffic regulation orders,
- footpath improvements along Dixon Drive,
- the removal of the no through road for vehicles along Dixon Drive
- and, junction improvements at the Knutsford Road junction with Station Road and Dixon Drive.

It is estimated that these costs will total approximately £16 300 and will cover the consultation with residents, traffic management costs and constructions costs.

Environmental Issues

The Environmental Health Officer raises no objection to the application, subject to conditions in relation to noise and vibration, air quality and contaminated land. A Phase II contaminated land investigation shall be required and any remediation required as necessary. The proposed residential use is a sensitive end use. A report submitted with the application identified potential contamination and recommends further investigation.

Landscape

The Landscape Officer raises no objections to the application. The application includes an indicative landscape masterplan. The landscape scheme proposes extensive native structure planting including a new hedgerow with trees across the centre of the site which would mitigate for the loss of the diseased, protected poplar trees that were recently felled (with the appropriate consent). The proposed mound and woodland planting along the eastern boundary would reduce the impact of the railway and would eventually screen the development from the Green Belt. The scheme also includes ornamental planting within front gardens to enhance the development.

If the application is approved, the following aspects should be reconsidered and the landscape masterplan revised accordingly: -

Dixon Drive Boundary

There is a tall hedge with trees along the Dixon Drive boundary which currently provides a good screen for the market buildings and the car park. Further native structure planting is proposed along this boundary to widen this belt. This would tend to create a barrier which would separate the new development from the rest of the village. The existing boundary hedge should be reduced to an appropriate height and thickened or gapped where necessary and the semi-mature hedgerow trees should also be selectively thinned out to allow the better specimens to flourish. This would create a visual connection between Dixon Drive and the proposed new houses and would integrate the new development with the village.

Railway Boundary

Two metre high mounds and acoustic fencing are proposed along the railway boundary for noise mitigation. Further details and cross sections through the mounds would be required to ensure that the gradients are acceptable. The details for the proposed structure planting on the mounds should also be submitted with the reserved matters application. Network Rail will be required to be involved with the proposed species and mature heights of the trees adjacent to their operational land to ensure that this aspect is acceptable to Network Rail. The future ownership and maintenance responsibility for the mounds and the acoustic fences should also be considered.

Business Area

On the indicative layout plan, the business area and the railway station cannot be accessed directly from the housing area. The layout should be revised to provide a route from the residential area for pedestrians and cyclists.

Landscape Masterplan

Revisions have been requested to the landscape masterplan to ensure the inclusion of indicative hard and soft landscape details plus planting species, sizes and numbers.

Landscape Management and Phasing

The future ownership and maintenance responsibility for any landscaped areas (including boundary structure planting), that are not within residential plots must be considered and a landscape management plan for an appropriate period should be agreed.

The phasing of the development and associated landscape works should also be considered. The noise mitigation works and structure planting along the railway boundary should ideally be implemented at the start of the development.

The above issues will be considered when a reserved matters application is submitted and assessed, and these comments are made at this stage to highlight what officers would expect to be incorporated in due course. In addition, it will be necessary for the landscape management and phasing details to be included at the reserved matters stage also.

Trees

The Arboricultural Officer raises no objections to the outline scheme in principle.

Concern has been raised in relation to the loss of a Horse Chestnut (T1) and a Sycamore (T38) and Beech (T39), which lie at the northwestern corner of the site. This has been proposed in order to construct the planting and acoustic bund which faces on to the railway. The three identified trees provide a reasonable degree of mature screening at present, which would take some considerable time to replicate should their removal and the identified bund planting proceed. It was also noted that the bund extends to within 4 metres of the rear elevation of the adjacent block, negating any meaningful utilizable space to the rear of the building. T38 has been identified as a category A tree by the applicants arboricultural consultant, therefore, high value which should be retained. One solution could be to retain T1, T38, and T39, reduce the extent of the bund outside the identified RPA's (Root Protection Areas) and away from the buildings.

The linear group of trees to the northern boundary of the site (identified as T2 to T15) would benefit from an amount of selective thinning in terms of numbers removing those specimens which are considered to be suppressed, allowing greater space to be established for the better specimens. A number of the trees have had a significant amount of rubbish and material tipped close to their stems.

It is considered appropriate to lose certain trees around the site due to their lack of vigor and vitality and long term viability. This includes T16 (on Dixon Drive), T33 (adjacent to the railway line), which has been extensively damaged by fire, T34, T35 and T36 (within the site), a Beech (G1) to the north

eastern corner of the site, and G4 and G5 (adjacent to Dixon Drive), which contribute little to the amenity of the area.

The two linear groups of Birch identified as G7 & G8 have all been heavily pruned away from the adjacent electrified lines by Rail Track under their statutory undertaker status, removing value in amenity terms. Their removal would not be contested.

The two groups of Hawthorn identified as G9 & G10 (adjacent to the existing Electrical Sub Station) both exhibit moderate signs of reduced vigor and vitality, as a result of hostile adjacent ground conditions. The proximity of the trees to the adjacent off site buildings and low amenity value, preclude any consideration for formal protection.

G11 consists of two Wych Elm located off site on Network Rail land. The species precludes consideration for long term retention, with the trees also subject of regular harsh pruning.

G12 forms part of the group of trees identified as T1, T38, and T39 identified for removal to construct the planting and acoustic bund. The loss of G12 is not considered significant, with the trees dominated by the adjacent mature Sycamore (T38).

In addition, it would be prudent to take an objective view of the group (T18 – T22, on the Dixon Drive boundary) selecting only those trees with significant long-term potential for retention.

The groups of trees identified as T23 – T26 (on the Dixon Drive boundary) are all relatively reasonable spaced. The loss of T25 is accepted by virtue of its condition, this will further increase space within the group which presents a number of structural flaws. The relationship of the trees to the adjacent build plots is considered acceptable.

The three trees identified as T27 to T29 are all located an acceptable distance from the adjacent plots.

The proximity of the building plot located adjacent to trees numbered T10 to T12 (an Oak, Sycamore and Lime) is considered poor. The build footprint is located outside the identified trees RPA but there is an issue of dominance and shade. Consideration should be given to re-orientating the property, with a blank gable elevation facing the trees.

T30 is a large mature Oak located off site adjacent to a set of garages (adjacent to no. 8 Dixon drive). This tree, by virtue of its size will dominate its immediate area and those plots adjacent to the trees canopy. Consideration should be given to relationship issues, and a small amount of tree surgery may be required to reduce the trees overall lateral extension growth. Both T31 and 32 do provide a degree of screening to the adjacent garages but their form is restricted by the dominance of the adjacent T30.

The Sycamore identified as T37 (within the site) whilst not presenting visible signs of reduced vigor and vitality, exhibits extensive damage to its root system and is affected by alterations in ground levels. The tree has been identified for retention. However, removal is considered a more objective way forward.

The linear group of trees identified as G2 & G3 form part of an attractive feature which extends parallel to Dixon Drive. It appears that the trees have not received any maintenance since they were planted. Their canopies are now interlocking, forming more of a hedge than an evenly spaced group of trees. There are a number of poorly formed and suppressed trees within the two groups. These should be removed in order to benefit those specimens which can be retained through to maturity. The social proximity of the build plot to those trees identified as G2g – G2i is considered very poor, and should be re-designed. The two plots to the south of G3 are located in close proximity to the linear group; consideration should be given to the position of habitable rooms and increasing external utilizable space not affected by the trees.

A Leyland Cypress (identified as G6, to the rear of no 10. Dixon Drive) provides a landscape function in terms of screening the rear garden of the off site properties from the buildings associated with the market. This function will be transferred to the proposed new dwelling.

In February 2009 consent was given for the removal of 29 Poplars which extended in a linear group from Dixon Drive east towards the railway line. All the trees exhibited significant reduced vigor and vitality, and a stag-headed appearance. A condition of the removal was that they would be replaced with a linear replacement planting scheme which would contain a random mix of Beech, Lime, Ash and Maple to be planted every 10 metres, in close proximity to the felled trees. It appears from the site plan that the replacement linear group has been moved to the north of the original group, which is not a problem, but the proximity of the intended plots to trees which have a significant high canopy potential should be reflected in the layout. This can be addressed at the reserved matters stage.

It is understood that the applicant is taking into account the Arboricultural Officers comments and that a revised plan will be submitted which addresses the issues raised.

Ecology

The nature Conservation Officer raises no significant ecological issues in relation to the proposed development. Conditions are suggested to safeguard breeding birds and to ensure some additional roosting/nesting potential is provided as part of the proposed development.

Community facility and other benefits

Chelford Parish Plan highlights that it is the wish of the community to enhance the already existing facilities in the village, such as the grass playing fields at Mere Court and the children's play ground at the Village Hall. There is a

further desire to have additional recreation facilities within the village, such as tennis courts.

It has become apparent that although the applicants have shown a 'Community facility' on the layout plan, they are not seeking to actually build this out. The funds to construct and kit out the building would have to be found elsewhere.

As a result of the lack of funding to cover this, it is considered that an entirely new community centre would seem an inappropriate form of development. It should also be factored in that existing facilities in the area would benefit from improvements. Therefore, the applicants have been requested to remove the Community facility from the plan and make a contribution towards improving/extending existing community facilities, in accordance with the provisions of the Supplementary Planning Guidance on S106 Agreements. This would equate to a contribution of approximately £47 600 (subject to RPI). The following areas require improvements, however, consultation with the public will be required to ensure that the best value is provided for residents: - Chelford Village Hall, Astle Court Community Room (a CPP facility), the Scout Hut (located adjacent to the Village Hall) and possibly Chelford School (community uses only), and improvements could be provided within the major housing areas.

Access to local facilities also follows on from the comments above- The Chelford Parish Plan considers developing a scheme to provide an off-road path between the residential area of the village and village facilities. Linkages such as this could be considered as part of the development, rather than providing new facilities which might unintentionally segregate the existing and new communities within the village.

The scheme would provide a number of benefits to Chelford. A new stock of houses would come forward, including the provision of 22 Affordable Homes.

The scheme would replace a tired employment use, (which would not be suitable for a modern business), with a more appropriate mixed use scheme, including the provision of Employment Units, which with the provision made on the Stobarts site opposite, is considered to be sufficient to meet the long-term employment needs of Chelford.

The redevelopment will result in the removal of a number of large industrial buildings, which will improve the visual amenity of the site, and the proposal will bring a number of environmental benefits through the decontamination of the land, the provision of contribution towards Public Open Space in the area, and a contribution towards community facilities.

Chelford is currently deficient in the provision of Children's play space and also requires improvements to the quality of existing facilities and accessibility, and as a result the Leisure Services officer has requested a contribution towards improvements to public open space and towards

recreation and outdoor sports. Improvements to the quality of existing facilities and accessibility are required.

There is great need to improve facilities for children's play and provide for the full age range of Chelford residents and their differing needs. There are particular issues with older children's and youth provision but also sporting opportunities for all as well as supporting facilities and activities for older people. There is a need for facilities, activities and events which help bring the community together.

POS improvements will be made at the open space and play area at Mere Court, the amenity open space on Dixon Drive, Chelford Village Hall open space and children's play area and a footpath link should be provided from Chelford Village Hall to the village.

The Commuted Sum for Open Space (Formal and Informal Children's Play Space and Amenity POS) would be used for (but not restricted too) the following additions, improvements and enhancements: -

Mere Court – this area is in need of major improvement works and has the potential to provide a greater range of facilities for a greater range of the community. It is seen by residents as being ideally situated in the centre of the village. A detailed development plan would be drawn up using the Green Flag criteria and works would include amongst others a much improved children's play space, substantial pitch improvements, substantial landscape works including restoration of historical landscape features and structure planting, wildlife / habitat improvements, access and boundary improvements, improved connectivity with the school and creation of an informal activity area(s), routes throughout the site could be improved with new seating areas etc.

Dixon Drive - has a large quantity of amenity space and footpaths which provide important opportunities but fall short of being inclusive. Works to improve footpath surfaces, access and information / interpretation plus landscape structure works are required.

Chelford Village Hall - the play area is very limited and there is a recognised need to make substantial improvements to the play facilities both formal and informal. There are also opportunities and the need for amenity provision here.

Footpath link from the Village Hall to Chelford's centre. There is a Parish Plan proposal to address the safety issues and reluctance of some to travel to the Village Hall site along the main road.

The Commuted Sum for Recreation / Outdoor Sports (Pitches, Courts, Greens and Auxiliary facilities) would be used for (but not restricted too) the following additions, improvements and enhancements: -

Mere Court - as above substantial works are required and the football pitch works would be completed with the Recreation/Sport commuted sum. In addition, there is a serious need to address the lack of any other sporting / active recreational facilities and suitable supporting facilities in accordance with Sport England guidance. Mere Court may be a suitable location for some of these facilities. These would include green gym and exercise / jog trails and could be linked to local PCT initiatives.

Chelford Village Hall is a probable location for the provision of sporting facilities and to support this, substantial improvements to the changing and pavilion facilities will be required. This is in line with Sport England Guidance and is necessary to ensure inclusivity of the sports development.

The comments of the Capital Development Manager in relation to the School Organisation and Capital Strategy are noted. If both the Stobart's proposal and Chelford Market scheme are delivered, there would be a requirement for an additional 6 pupil places at the primary school. 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 if a contribution is required, it should be calculated in relation to the policies specific to the local 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 £9 000 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, the contribution towards new facilities at the school should be £60 000 – not the £144 957 originally requested.

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

OTHER MATERIAL CONSIDERATIONS

The applicants have requested that if approved, permission be granted for a period of 5 years. It is considered, given the existing market conditions and that the Market will be seeking suitable accommodation elsewhere, that a 5 year consent be granted, and if required, the application could be renewed at a later stage. This is in line with Government advice which encourages local planning authorities to be flexible in this regard.

The comments provided by neighbours and the Chelford Parish Council in relation to land use, trees, impact on amenity and traffic are noted. It is considered that the majority of issues are covered in the report above.

It should be noted that, as the scheme is in outline form with all matters apart from access reserved for future consideration, there will be an opportunity to

consider the detail raised in some of the comments expressed, at the time of the reserved matters application.

The scheme would not allow an opportunity to continue Sunday car boot sales on the recreational ground.

Network Rail has been consulted in relation to the potential security measures and impact on the railway line and no objections are raised subject to conditions.

It should also be noted that Cheshire East Council own approximately one third of the land to the north of the site and that Cheshire East Councils Estates Department may have views on how this land is to be used. The land ownership issue is not considered to impact on the planning matters at this stage, however, it could affect the land value and result in viability issues which may require the matters contained within the S106 to be reconsidered in due course.

CONCLUSIONS AND REASON(S) FOR THE DECISION

- The site is adjacent to an existing residential area in a sustainable location.
- The existing buildings are unlikely to be suitable for modern business requirements.
- The impact of the proposed development would be considered to be less than the existing on current residents.
- The proposed B1 accommodation would provide for more jobs than the current facilities, and the size and nature of the offices and industrial starter units are considered appropriate to Chelford and are likely to provide future employment opportunities for local people. It is essential however, to ensure that the employment units are provided and that this element is conditioned. Without the employment development, Chelford would be left with little employment land/prospects for local jobs, and the scheme would not be considered as favourably in relation to both national and local sustainability objectives.
- The proposal would bring environmental improvements.
- The indicative layout and scale of the development would make efficient use of this brownfield site and provide a residential scheme that would contribute to the housing needs of the area. Although the layout and scale would be a reserved matter, the indicative details submitted would have an acceptable impact on the character of the area and it is considered that it would be possible to comply with the distance standards between properties contained within the Local Plan.
- It is considered that the extent to which the proposal would impact on neighbouring residential amenity would be acceptable.
- The access, as proposed, is considered to be acceptable.

In summary, for the reasons outlined, it is considered that the principle of residential use on the site is acceptable and although the proposal does not comply strictly with policy, there are sufficient material considerations which result in a recommendation of approval being made, subject to conditions and a S106 agreement.

HEADS OF TERMS

- 25% Affordable Housing = 21 units be 50% social rent, 50% intermediate tenure
- Leisure Services have stated that the commuted sum required for provision of Outdoor Space is £255 000; the figure required for Recreation / Outdoor Sport is £82 000 (which includes discount of £19 000 for the affordable housing based on the affordable apartments and family dwellings). Both the above commuted sums would be used to make improvements, additions and enhancements to the following facilities (subject to consultation with the public) at: - the Mere Court open space and play area, Amenity Open Space on Dixon Drive, Chelford Village Hall (open space and children's play area), provision of a footpath link from Chelford Village Hall to Chelford Village.
- The contribution towards a community facility would equate to approximately £47 600 (subject to RPI). This would be used (subject to consultation with the public) at: -Astle Court Community Room, the Scout Hut, Chelford School (community uses only), and within the major housing areas.
- A developer contribution will be required to towards the following: - an investigation for the removal of traffic regulation orders, footpath improvements along Dixon Drive, the removal of the no through road for vehicles along Dixon Drive and junction improvements at the Knutsford Road junction with Station Road and Dixon Drive. It is estimated that these costs will total approximately £16 300 and will cover the consultation with residents, traffic management costs and constructions costs.
- A developer contribution will be required towards additional school places at Chelford CE Primary School at a cost of £60 000.

It is noted that the commuted sums required for open space and outdoor recreation, contribution towards a community facility, highways improvements and the additional school places and affordable housing provision would form part of a S106 agreement.

Community Infrastructure Levy (CIL) Regulations

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

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

The provision of 25% affordable housing is necessary, fair and reasonable to provide sufficient affordable housing in the area, and to comply 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 Stobarts application 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 85 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.



10/3448M - CHELFORD AGRICULTURAL CENTRE, DIXON DRIVE, CHELFORD, SK11 9AX

N.G.R. - 381,430 - 375,030

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Application for **Outline Planning**

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

1. A01OP - Submission of reserved matters
2. A02OP - Implementation of reserved matters
3. A03OP - Time limit for submission of reserved matters
4. A06OP - Commencement of development
5. A08OP - Ground levels to be submitted with reserved matters application
6. A09OP - Compliance with parameter plans
7. A01LS - Landscaping - submission of details
8. A04LS - Landscaping (implementation)
9. A02TR - Tree protection
10. A04TR - Tree pruning / felling specification
11. A07TR - Service / drainage layout
12. A01GR - Removal of permitted development rights
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. Submission of a landscape management scheme to be submitted with the Reserved Matters application
18. Phasing of landscaping works
19. The landscaping scheme shall incorporate details of boundary treatment
20. Protection of breeding birds
21. Provision of bird boxes
22. Details of lighting to be approved
23. Submission of an air quality assessment
24. 12 metre buffer zone on the Eastern Boundary - adjacent to railway line
25. No residential façade shall be closer than 16 metres to the railway line
26. Acoustic mitigation to be detailed with site layout plan at reserved matters stage

27. Any changes to layout plan to reflect minimum Noise Exposure Categories
28. Details shall be submitted showing the floor plans, elevations and layout of the residential units closest to the railway line
29. Acoustic specification of fixed plant and equipment to be submitted
30. Contaminated Land
31. Submission of a drainage scheme including details in respect of surface water run-off
32. Submission of a Character Assessment justifying scale, layout and materials as part of the Reserved Matters application
33. Waste Management Plan