

Application No: 18/3672M

Location: Tatton Bluebell Village, Land East of Manchester Road, Knutsford, WA16 0NS

Proposal: Outline application (with all matters reserved for future approval) for a residential-led (Use Class C3) development, including a local/neighbourhood centre comprising of retail/commercial, takeaway, residential and community uses (Use Class E, Sui-Generis and C3 uses); and a care home/elderly accommodation (C2 Use); alongside any associated recreational space, car parking, cycle parking, landscaping and other works for all proposed uses.

Applicant: Mrs Rachel Wilbraham, Tatton Estate Management Ltd

Expiry Date: 31-May-2024

SUMMARY:

The application seeks outline planning permission, with all matters reserved, for residential-led development of up to 275 residential units (Use Class C2 and C3) of which no more than 250 shall fall within C3 Use Class. C2 units to no more than 50. In addition, a 'Local Centre' is proposed which will provide for small retail, café, professional services, takaway(s) as well as a larger medical/dental facility.

The wider LPS36 site is allocated to provide around 500 dwellings with this site in particular earmarked to provide 250. As up to the full allocation of the Local Plan policy is being sought for permission, the principle of this aspect of the scheme is deemed acceptable.

The application also proposes a 50-bed C2 care home and a 'Local Centre'. Neither of these are express requirements of the site allocation. However, as part of LPS36, Criterion 2 supports '*appropriate retail provision to meet local needs*'. In addition, within the Site Specific Principles of LPS sets out that the site should achieve '*a mix of housing types, sizes and tenures*' and the '*Provision of additional community facilities*'. It is deemed that the provision of the 'Local Centre' would provide appropriate retail provision to meet local needs (subject to controls) and a cumulatively, would provide a community facility, as would the medical/dentist facility. Any C2 care home that may come forward would contribute to the mix of housing types, sizes and tenures. It has been calculated that there is sufficient space within the site to provide these additional provisions.

Although matters of 'Access' are not sought for approval at this stage, the Council's Highways Officer raises no objections to the proposed development in principle, subject to a commuted sum which will contribute to an active travel scheme to assist in alleviating the impact of the development on surrounding roads. In the event of approval, it is proposed that this commuted sum be secured via S106 Agreement.

With regards to heritage and design, as all matters are reserved, there is little to consider with this application. In consideration of landscaping and trees, subject to the required landscape buffers being secured by condition and the conditions proposed by the Council's Tree and Landscape Officer's being included, no issues in relation to these matters are raised. With regards to Ecology, the proposals will result in a Biodiversity Net Gain and subject to conditions, no objections are raised. No issues in relation to neighbouring amenity, the amenity of future occupiers or environmental amenity are raised, subject to conditions.

The Council's Public Right of Way Officer advises that the development should not directly impact any Public Right of Way and the additional indicative footpaths proposed offer health and wellbeing benefits. Subject to conditions to ensure these are provided & maintained along with the submission of a scheme of improvements for the existing closest PROW (Knutsford FP1), no objections are raised.

Contributions based on set formulas are required towards mitigating the development's impact upon local health facilities and schools. The health contribution would be pooled with other contributions with the intention that it would help part fund a desired larger medical hub in Knutsford in the future. It is calculated that there is sufficient local school capacity for primary and secondary education however, there is a shortage of SEN provision. The education contribution would go towards SEN only.

The minimum required quantum of affordable housing (30%) is proposed, and this will be secured as part of the S106 Agreement in line with a required Affordable Housing Statement which will sets out the detail along with triggers for provision.

There is sufficient space within the site to deliver the minimum required quantum of open space provision, including children's play. This will be secured through the S106 Agreement. The S106 Agreement will also secure the management and maintenance of this space, a commuted sum towards off-site allotment improvements/additions as well as a commuted sum towards off-site indoor sport provision. A Sports Needs Assessment is required to determine the level of contribution required towards outdoor sport in the area along with where that money is most needed. This too would be secured by the S106.

Subject to the above requirements being secured by S106, along with planning conditions, the application proposals are recommended for approval.

RECOMMENDATION

APPROVE subject to a S106 Agreement to secure contributions towards; off-site highway improvement works, health, education, allotments, sport, and on-site open space, its management and affordable housing, along with conditions.

DESCRIPTION OF SITE AND CONTEXT

The application site consists of a number of fields that are primarily currently used for agricultural purposes and together measure approximately 14.5 hectares. Manchester Road forms the western boundary of the site, with a hedgerow and some trees being located along the boundary. On the opposite side of Manchester Road some existing residential properties are present and the land to the north of these properties is currently in agricultural use but allocated for housing and employment use beyond that.

At the north-western corner of the application site an existing residential property adjoins the site. Agricultural land within the applicant's ownership beyond the site to the north remains as Green Belt. The eastern boundary is irregular with the site extending up to Mereheath Lane at the north-eastern corner of the site and then extends around the periphery of Egerton Youth Club. Beyond the southern boundary of the site is further land within the applicant's ownership and comprises of Knutsford Football Club.

PROPOSAL

Outline planning permission is sought, with all matters reserved, for:

- Up to 275 residential dwellings (Use Class C2 and C3) of which no more than 250 shall fall within C3 Use Class.
- 50-bed (max) Care home (C2 use)
- 'Local Centre' comprising of:
 - 1000m² gross commercial floorspace (E Use Classes including E(a) retail E(b) sale of food and drink on premises and E(c) services and takeaway (sui generis)) with following restrictions:
 - No individual unit shall be more than 450m² gross.
 - Convenience goods floorspace in any one retail unit will not exceed 280m².
 - 800m² medical or dental facility (E(e) use class)

- First-floor apartments and/or offices above shops (C3 and offices in a residential area E(gi) use classes) (*accounting for maximum residential unit numbers above*)

Note that the possible permutations of the residential element of the scheme would be:

- 250 C3 dwellings with no C2
- 250 C3 dwellings with 25-unit C2 care home
- 225 C3 dwellings with 50-unit C2 care home

This application was considered by Strategic Planning Board (SPB) on the 27th February 2019. SPB resolved to approve the application, with the exception of the proposed public house and hotel, subject to a S106 legal agreement to secure; 30% on-site affordable housing, an education, health, recreation open space and indoor recreation contribution, the provision of scheme of improvement of nearby allotments, a landscape buffer, the establishment of a management company for Open Space management and a contribution towards travel plan monitoring. A number of conditions were also proposed.

The S106 has not been signed to date for various reasons and the applicant now wishes to make changes to the scheme last considered by committee. As such, no decision notice has ever been issued and the application is to be reassessed accordingly.

The main changes between the scheme last considered by SPB and the current scheme include:

- Reduction in site area – omitting the sports clubs and adjacent paddock to the south of the site. Extent of site now reflects that of the site allocated for development by the Local Plan (14.5ha).
- Revised description of development – omitting reference to the previously sought hotel and public house not supported by the Council last time and to account for the new use class order.
- Proposed financial contribution towards sport/outdoor recreation in lieu of on-site provision previously proposed.
- Further footpath and cycle connectivity – new footpath network added within the proposed woodland buffer to the north of the site to connect with existing Public Right of Way and new footpath and cycle paths are proposed within the site, adjacent to Manchester Road and Mereheath Lane.
- More on-site Public Open Space provision
- Re-location of proposed ‘Local Centre’ – closer to Manchester Road
- Proposed voluntary contributions/provisions towards and a Toucan crossing on Manchester Road and towards Traffic Regulation Orders (TRO’s) to reduce speed limits on parts of Manchester Road and Mereheath Lane.

PLANNING HISTORY

18/4145S - EIA screening opinion relating to 18/3672m - Outline application for a residential-led (Use Class C3), mixed-use development, including a local centre comprising of flexible Use Classes (A1, A2, A3, A4, A5, D1 and D2); a mixed commercial use area of flexible Use Classes to allow for a C1 (Hotel) with A3/A4 (Pub/Restaurant); and/or a C2 Care Home with D1 Medical Centre; and/or Sui Generis (car showroom); alongside any associated ancillary office and service space, recreational space, car parking, cycle parking, landscaping, and other associated works for all proposed uses – EIA not required

09/1329M - Single Storey Rear Extension to Form Changing Rooms/Canteen, All Weather Pitch, Extension/Alteration to Car Parking & Access Alterations & Change Of Use Of Neighbouring Agricultural Field To Football/Rugby Pitches – Approved 12th August 2009

08/0494P - Change of Use of Agricultural Land To 4 No. Football Pitches – Approved 20th May 2008

ADOPTED PLANNING POLICY:

The Cheshire East Development Plan comprises of the following plans relevant to this application; The Cheshire East Local Plan Strategy (CELPS), the Cheshire East Site Allocations and Development Policies Document (SADPD) and the Knutsford Neighbourhood Plan (KNP). The relevant policies within these plans relevant to the application proposals include:

Cheshire East Local Plan Strategy 2017 (CELPS)

LPS 36 – North West Knutsford

MP 1 – Presumption in favour of sustainable development, PG 1 – Overall Development Strategy, PG 2 – Settlement hierarchy, PG3 – Green Belt, PG6 – Open Countryside, PG 7 – Spatial Distribution of Development, SD 1 – Sustainable Development in Cheshire East, SD 2 – Sustainable Development Principles, IN 1 – Infrastructure, IN 2 – Developer contributions, SC 3 – Health and Well-Being, SC 4 – Residential Mix, SC 5 – Affordable Homes, SE 1 – Design, SE 2 – Efficient Use of Land, SE 3 – Biodiversity and Geodiversity, SE 4 – The Landscape, SE 5 – Trees, Hedgerows and Woodland, SE 6 – Green Infrastructure, SE7 – The Historic Environment, SE 12 – Pollution, Land Contamination and Land Instability, SE 13 – Flood Risk and Water Management, CO 1 – Sustainable Travel and Transport and CO 4 – Travel Plans and Transport Assessments

Appendix C – Parking Standards

Cheshire East Site Allocations and Development Policies Document 2022 (SADPD)

PG9 - Settlement Boundaries, GEN1 - Design principles, GEN5 - Aerodrome safeguarding, ENV1 - Ecological network, ENV2 - Ecological implementation, ENV3 - Landscape character, ENV5 - Landscaping, ENV6 - Trees, hedgerows and woodland implementation, ENV7 - Climate Change, ENV12 - Air quality, ENV13 – Aircraft Noise, ENV14 - Light pollution, ENV15 - New development and existing uses, ENV16 - Surface water management and flood risk, ENV17 - Protecting water resources, HER1 - Heritage assets, HER4 – Listed buildings, HER5 – Registered Parks and gardens, HER7 – Non-designated heritage assets, RUR6 - Outdoor sport, leisure and recreation outside of settlement boundaries, HOU1 – Housing mix, HOU8 – Space, accessibility and wheelchair housing standards, HOU12 - Amenity, HOU13 – Residential Standards, HOU14 – Housing density, HOU15 – Housing delivery, INF1 - Cycleways, bridleways and footpaths, INF3 -Highways safety and access, INF6 - Protection of existing and proposed infrastructure and INF9 - Utilities

Knutsford Neighbourhood Plan 2019 (KNP)

C4 – Utilities, D1 – The Knutsford Design Guide, D2 – Local Distinctiveness, D3 – Landscape in New Development, D4 – Sustainable Residential Design, E1 – Connections to the Countryside, E2 – Green and Blue Corridors, E3 – Habitat Protection and Biodiversity, E5 – Pollution, HW1 – Health and

Wellbeing, HE1 – Landmarks, Views, Vistas and Gateways, HE2 – Heritage Assets, H1 – Housing mix, SL1 – Open Space in New Developments, SL3 – New Sport and Leisure Facilities, T1 – Walking in Knutsford, T2 – Cycling in Knutsford, T3 – Public Transport and T4 – Parking

Other Material Policy Considerations

National Planning Policy Framework (NPPF) (2023 update)

Of particular relevance are chapters in relation to; Achieving sustainable development, Decision making, Delivering a sufficient supply of homes, Building a strong, competitive economy, Ensuring the vitality of town centres, Promoting healthy and safe communities, Promoting sustainable transport, Making efficient use of land, Achieving well design places, Protecting Green Belt land, Meeting the challenge of climate change, flooding and coastal change, Conserving and enhancing the natural environment and Conserving and enhancing the historic environment.

National Planning Policy Guidance (NPPG)
Adopted SPDs

CONSULTATIONS (External to Planning)

Head of Strategic Transport (CEC Highways) – No objections, subject to a S106 Agreement for a contribution of £1.3 million pounds towards highway mitigation/active travel works on the A50 corridor in Knutsford.

Environmental Protection (CEC) – No objections, subject to the following conditions; reserved matters to be accompanied by an acoustic report for internal and external noise, submission/approval of a acoustic validation report via to occupation, provision of electric vehicle charging infrastructure (mode 3), submission/approval of an Construction Environmental Management Plan, submission/approval of low emission boiler details, submission/approval of a Phase II contaminated land report, submission/approval of contaminated land verification report, submission/approval of soil verification report and that works should stop should contamination be identified.

Public Rights of Way (PROW) – No objections, but request that a) the proposed paths extending north and linking into Knutsford FP1 be secured through the planning process b) that the surface of the proposed paths and FP1 be designed, constructed and improved to ensure year-round availability e.g. compacted stone c) that the maintenance of these footpaths be secured within the arrangements for the management of the proposed off-site woodland planting d) that upgrades to the path furniture (stiles/gates) on FP1 be secured. Recommend the developer/applicant submit a detailed scheme of path improvements.

Environment Agency – No updated comments received.

Previous comments: Not necessary to consult as scheme does not trigger and EA consultation requirement (15/05/2023)

Lead Local Flood Risk Authority (LLFA) – No objections, subject to a condition requiring the submission/approval of a detailed surface water drainage scheme based on the principles set forward within the approved Flood Risk Assessment and Drainage Strategy.

United Utilities – No further comments to those previously provided.

Previous comments: Request the following conditions: Submission/approval of a surface water and foul water drainage scheme & the submission/approval of a drainage management and maintenance plan.

Children's Services (CEC) – No objections, subject to a contribution of £482,484.00 towards offsetting the impact of the development upon Special Educational Needs children based on 250 dwellings.

Housing (CEC) – No objections, subject to 30% affordable housing being provided with a 65%/35% split for rental/intermediate to be secured by S106 Agreement. Affordable Housing Statement also required.

ANSA Greenspace (CEC) – No objections, subject to a requirement to secure the required on-site open space provision, its on-going management and maintenance, provide an Open Space Strategy which sets out the detail, provide a commuted sum towards off-site Allotment improvements/enhancements/additions and provide a Sports Needs Assessment to determine the required contribution towards outdoor sport and where it should be spent locally.

Indoor Sport (CEC) – Require a contribution of £65,000 to be used at Knutsford Leisure Centre, in line with the Indoor Built Facilities and/or the Sports Need Assessment produced for the site by the applicant where other sites are indicated.

NHS Cheshire CCG – Require a financial contribution to offset the impact of the proposed development based on the number of dwellings. Should the full amount of both C3 and C2 units sought by this application be built out, based on existing formulas this contribution will range from anything in between £353,912.50 through to £391,975.

Historic England – *'Do not wish to offer any comments'*

Manchester Airport – No objections, subject to a number of conditions including; the submission/approval of measures to minimise dust during construction works, that if any future development proposes a flat-roof design, that Manchester Airport should be consulted, the submission/approval of a SUDS scheme, that any exterior lighting should be capped at the horizon and no solar thermal or solar PV equipment should be installed without further permission. A number of informatives are also proposed.

Cheshire Archaeology Planning Advisory Service – Recommend a condition requiring the submission/approval of a programme of archaeological work in accordance with a written scheme of investigation.

Campaign to Protect Rural England (CPRE) – Have 'strong concerns' regarding the proposals including: 1. Size of local centre and range of uses proposed could exceed the 'appropriate retail provision to meet local needs'. The scale should be tightly limited; 2. Would like to see more affordable housing provision and robust controls to ensure delivery of the affordable housing that is proposed; 3. Concerns about the impact of the development on the local landscape character and quality of the area; 4. Request that other matters raised by the local community (e.g. schools, healthcare, public transport, traffic impact, impact on adjacent sporting facilities and flood risk).

Natural England – No objections, subject to appropriate mitigation being secured through a condition to secure a Construction Environment Management Plan (CEMP) and a detailed drainage strategy operated and managed in perpetuity.

Cheshire Brine Subsidence Board – Recommend a condition relating to foundations, services and the superstructure.

Sport England – No statutory objection. However, object on non-statutory grounds because the existing sporting provision within an area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies and this has not been addressed within the Sports Strategy.

Knutsford Town Council – No further comments to those made on the 15th November 2022. The 2022 comments are summarised as follows:

Object to the proposed development for the following reasons:

Overdevelopment of site

- Proposals should be restricted to 250 residential units, inclusive of the proposed care home.
- Not satisfied that there is a need for additional housing above the allocation.
- Consider that the numbers jeopardise the amount of available Public Open Space
- Consider that only one convenience retail unit should be permitted. Anything further would be contrary to KNP Policy ER2.

Insufficient infrastructure

- Request that the allotment improvement include a requirement to provide additional allotments.
- Proposals for the highway works involving the widening of King Edward Road is not supported as works fail to prioritize active travel.
- Recommend series of other improvements including; creation of segregated walking/cycle path along the A50; installation of a Toucan crossing at the junction of Manchester Rd/Garden Rd/Tabley Rd; installation of Toucan crossing at Junction of Manchester Rd/Sugar Pit Lane; Creation of segregated walking/cycle path along Mereheath Lane.

Public Open Space (POS)

- Proposals provide insufficient amount of POS. Masterplan does not show a network of green space within the development.
- Ponds not suitable as part of functional part of POS.
- LEAP should be provided on site as site is beyond 5-10 walk from next closest one
- Sports pitch should be provided within the curtilage of the site to prevent incursion into the Green Belt.

OTHER REPRESENTATIONS:

In response to the most recent re-consultation (25/03/2024 – 15/04/2024), comments were received from 61 addresses. Of these, 60 raised objections or concerns for the below, summarised reasons:

Procedural matters

- Due to age of the application, it should have lapsed by now.
- Plans are vague.
- Proposed description is not in line with the intended allocation of the site.

Principle of development

- No need for the additional housing given the Council's robust 5-year housing land supply position.
- Too many houses proposed.
- Loss of Green Belt land

Comments relating to proposed 'Local Centre'

- Need to ensure that they are purely local shops and does not turn into a retail park
- Need to consider parking implications
- Need to consider light pollution implications
- Concerned about the ambiguity of what is proposed. Should exclude retail and commercial as it will detract from the town centre
- The breadth of the uses within this area could go beyond 'appropriate retail provision to meet local needs'
- A 'community building' should be included
- Can the quantum of development, plus parking, fit into the 'Local Centre'?
- 'Takeaway' was excluded from previous approved resolution (Condition 27)
- Recommend a condition that the Local Centre be restricted to F2 use with a maximum of 1000sqm with convenience stores restricted to no more than 280sqm.

Sustainability / Lack of infrastructure

- Limited school availability
- Limited access/capacity to doctor's GP surgeries
- Limited dentist availability
- Limited town centre parking
- Poor road maintenance
- Poor public transport connections
- Should all be provided before development is proposed, not after through contributions

Highways

- Existing congestion will be made worse by more cars e.g. on Manchester Road towards the town centre and Mereheath Lane; already difficult to turn right at the Toft Road/Adams Hill junction when travelling from Toft
- The revised proposals do not do enough to promote walking and cycling

- Manchester Road should have a 20/30mph restriction.
- Manchester Road is dangerous – have already been accidents
- There has been no assessment on the congestion impact closer to town
- Pedestrian safety – Sugar Pitt Lane is a narrow residential street with a children’s nursery that already gets congested
- Suggest the re-siting of the proposed Toucan crossing to avoid Sugar Pit Lane being used as a rat-run
- Why is main access proposed to be on Manchester Road when Mereheath Lane is quieter.
- Traffic volume data supplied is inaccurate / not robust enough – does not account for times when there are problems on the M6
- Traffic data is out-of-date
- No bus stop or service subsidy proposed
- Mechanism to secure contributions Via S106 process instead of S278 works seems inappropriate. Should be a condition and a S278.

Housing & Affordable housing

- Not convinced that there is a ‘local’ need for affordable housing
- The provision of C2 conflicts with the requirements of the policy
- More housing is sought than allocated by policy
- The ‘affordable’ housing, will not be affordable

Ecology

- Proposals do not enhance the natural environment & wildlife
- Proposals do not offer a net gain in biodiversity

Landscaping, boundary treatments & trees

- Boundary treatments to Knutsford Sports Club and Knutsford Football Club should be retained as existing and not be labelled as ‘new’ on the plans due to maintenance and established ‘rights of way’.
- Request that all Manchester Road trees be undisturbed.

Public Rights of Way and Footpaths

- Oppose the provision of the new footpath introduced to the immediate north of the development site due to; impact on security of closest neighbour (Bluebell Farm); connectivity is already catered for; conflict with the proposed ‘landscaped belt’

Heritage & Design

- Proposals do not enhance existing vistas or the gateway into the town
- Congestion will detract from the defining heritage characteristics of the town
- Overdevelopment of site

Amenity

- Impact of aircraft noise

- Concerns over air pollution
- Impact of building work on residents
- Lack of information to assess privacy concerns

Open Space / Sport and Leisure

- Inadequate on-site open space proposed within red line boundary
- Areas such as ponds included as 'open space' even though they are not accessible by people
- Scheme should contribute towards new sports and leisure facilities
- Clarity needed as to how contribution will be spent
- Concerns that the contribution will be invested in football disproportionately. Money should be more widely spread so it covers a range of sports
- Future of Knutsford Football Club compromised by the development. Restricts future expansion. Concerned that the development could include the football club in the future. Football Club on a short-term lease
- New residents may object to future expansion of the Football Club
- Proposals do not satisfy the requirements of policy regarding open space and local sport provision
- Play area and informal play area should not be within an area with a pond
- Whether there is a desire or need to expand Mereheath Lane allotments

Flood Risk and drainage

- Uncertainty over surface water flooding which should be resolved before planning permission is granted
- Land often floods (near Knutsford Football Club)
- What happens is the development site results in flooding of neighboring gardens?
- Existing flooding concerns on Mereheath Lane
- Sewerage system already at capacity

1 of the consultation responses was in favour of the development for the following reason:

- It will increase business in town

In response to the re-consultation that took place between the 3rd and the 24th October 2022 and comments received beyond this consultation period but before the final re-consultation, objections were received from approximately 133 addresses.

In response to the application last considered by planning committee, comments were reported to be received from 57 addresses along with representations from the Cheshire Football Association, Knutsford FC, Knutsford Sports Club and 5 Knutsford resident's groups.

OFFICER APPRAISAL

Principle of development

This application seeks outline planning permission with all matters reserved for up to 275 residential units (Use Class C2 and C3) of which no more than 250 shall fall within C3 use class and the number of C2 units (care home) are restricted to 50, up to 1000sqm of retail/commercial floorspace, a

community/medical/dental building of 800sqm and any associated recreational space, car parking, cycle parking, landscaping, and other works for all proposed uses.

This development is proposed on part of a site allocated for development within the development plan. More specifically, LPS 36 North West Knutsford.

LPS 36 sets out that this site allocation will achieve the phased provision of *around* 500 new homes and 7.5 hectares of high-quality Class B1 business park development. In order to achieve this, the site allocation is split-up into 3 parcels. These parcels comprise of:

- LPS 36(A) Land North of Northwich Road (175 dwellings);
- LPS 36(B) Land West of Manchester Road (75 dwellings and the development of a new 7.5 hectare high quality Class B1 business park; and
- LPS 36(C) Land East of Manchester Road 250 dwellings;

The application subject to this application relates specifically to LPS 36 (C) Land East of Manchester Road, where the site is allocated to achieve the delivery of 250 dwellings.

To understand the status of the delivery of the wider strategic site at present, LPS 36(A), Land North of Northwich Road which was expected to achieve 175 dwellings, has planning permission and is currently under construction for the erection of 190 dwellings.

LPS 36(B), Land West of Manchester Road, expected to achieve 75 dwellings and 7.5ha of B1 commercial development received outline planning permission to achieve up to 60 dwellings and a 7.5ha business park. However, this expired on the 14th May 2024.

Policy LPS 36 of the CELPS sets out that collectively, the sites will deliver, as appropriate, a number of provisions. These include:

- Appropriate retail provision to meet local needs;
- Appropriate:
 - contributions towards educational facilities; and
 - Provision of open space, and provision of / contributions toward sports and leisure facilities;
- Incorporation of green infrastructure where required, including:
 - Allotments; and
 - Community orchard or community gardens; and
- Pedestrian and cycle links to new and existing residential areas, shops, schools and health facilities;
- The existing sports grounds situated between Mereheath Lane and Manchester Road to the south of LPS 36(C) are removed from the Green Belt. These are identified as protected open space within LPS 36 as shown on Figure 15.43 and will be retained in their entirety as such, and enhanced if possible. The existing allotment gardens to the east of Mereheath Lane remain in the Green Belt as protected open space.

Additionally, there are numerous 'Site Specific Principles of Development' which proposals should be assessed against as they may apply to that particular site. Those which are deemed relevant to the application proposals include;

- (a) Protection and enhancement of the setting of Tatton Park.
- (b) The sites will deliver housing which will contribute to the local character of Knutsford through the use of appropriate density, architecture, style, form and materials and reference to CEC most up to date Design Guidance.
- (c) A mix of housing types, sizes and tenures to comply with Policy SC 4
- (d) Proposals will be expected to be of a high quality design that respects the setting of nearby designated heritage assets, parkland and the character of the surrounding area.
- (e) Proposals will be expected to include a Landscape Character Assessment to guide the scale and massing of new development.
- (f) Provide a comprehensive landscaping scheme which retains existing mature trees and hedgerows where possible, or provide appropriate mitigation.
- (g) Any replacement and/or new sports provision should be in accordance with an adopted up to date and robust Playing Pitch Strategy and Indoor Sports Strategy and with Policy SC 2 '*Indoor and Outdoor Sports Facilities*'.
- (h) Provision of additional community facilities.
- (i) Contributions to health infrastructure
- (j) Improve the connectivity and accessibility into and out of the sites to the town centre and wider local area with the provision of, or contribution to, cycle paths and pedestrian linkages.
- (k) Creation of a network of green infrastructure and accommodation of SuDS requirements.
- (l) Provision of high quality landscaping to enhance ecological features.
- (m) Provision of new woodland belts within the sites and to create site boundaries.
- (n) Contribute to road infrastructure in the area including roundabout improvements at the junction of A50/Northwich Road and Canute Place and Improvement to the A50 Corridor.
- (o) An archaeological pre-determination evaluation will be required for these sites in addition to a desk based archaeological assessment.
- (p) The Local Plan Strategy site is expected to provide affordable housing in line with the policy requirements set out in Policy SC 5 'Affordable Homes'.
- (q) A minimum of a Phase 1 Preliminary Risk Assessment for contaminated land should be carried out to demonstrate that the sites are, or could be made, suitable for use should they be found to be contaminated. Further work, including a site investigation, may be required at a pre-planning stage, depending on the nature of the sites.
- (r) The sites will be developed only where it can be demonstrated that there is no adverse impact on the Midland Meres and Mosses Phase 1 Ramsar, Rostherne Mere Ramsar and Tatton Mere SSSI particularly in relation to changes in water levels and quality and recreational pressures. This should include a Habitats Regulations Assessment of the direct and indirect impacts of the development on the features of special interest. Where impacts cannot be avoided, appropriate mitigation measures will be required to ensure no adverse effects on the integrity of the sites.
- (u) The development of site LPS 36(C) should:
 - be planned in a comprehensive way,
 - provide for open space and landscaping (and no built development) within the area removed from the Green Belt and identified as 'protected informal open space' – this area to comprise informal open space incorporating landscaped belts along both Mereheath Lane and the eastern edge of built development on the site, each landscaped belt to be a minimum of 15 metres wide and complementary to the landscape character of the surrounding area; and
 - provide a suitable landscape screen within the area allocated for housing adjacent to its eastern boundary with the 'protected open space'. The details of this landscape screen should be informed by the required Landscape Character Assessment and provide appropriate mitigation as part of a comprehensive landscape scheme; and

- include the provision of a wide landscaped belt on the Green Belt land to its northern side, with an average width of around 100m to soften the transition between built development and the adjacent open countryside and to respect the setting of Tatton Park, its Registered Historic Park and Garden, and the visitor approach to Tatton; and
- provide for the long-term future management of the informal open space and landscaped belts.

The application site was released from the Green Belt in order to assist the Council in achieving a five-year supply of housing. The policy also allows for retail provision to meet local needs and community facilities. Therefore, the principle of development is acceptable on this part of the site subject to all other matters being satisfied, including the criteria listed above. These will be considered as part of the relevant sections of the below assessment.

C3 Housing

The previous application approved by committee included the following draft condition *‘The development hereby approved shall include a total of no more than 275 residential dwellings (Use Class C2 and C3) of which no more than 250 shall fall within C3 Use Class. C2 units to no more than 50’.*

The applicant still wishes to proceed on this basis. 30% of the C3 units would be required as affordable housing. As such, the residential element of the proposals will comprise of market, affordable and care home development.

The application site is specifically allocated to achieve 250 dwellings and as such, up to the full allocation of the Local Plan policy is being sought for permission. Subsequently, the principle of this aspect of the scheme is deemed acceptable.

C2 Care home

The application also proposes a Class C2 care home of no more than 50 beds, depending on the final make-up of the Reserved Matters and the split between market dwellings and care home. Such a use is not a requirement of the LPS 36 site allocation. However, there is a general need for such development in Cheshire East and its provision would be in a sustainable location as determined by the site being allocated for residential development.

There appears sufficient space within the site to accommodate this as well as the C3 housing provision given the relative low-density of a development of this nature. If the development proposed is built-out in full, in any permeation, within the ‘residential zones’ shown on the indicative Masterplan, including any spaces above commercial units within the local centre where apartments could be provided, the scheme could achieve the generally expected net density for residential proposals of at least 30 dwellings per hectare as detailed within Policy HOU14 of the SADPD. Going above this density on certain parts of the site is not of great concern. Policy HOU14 of the SADPD details that development proposals will be expected to achieve a higher density in the settlement boundaries of Key Services Centres of which Knutsford represents.

In addition, the provision of C2 development would assist in achieving Site Specific Principle (c) which requires future development to provide a mix of housing types, sizes and tenures to comply with Policy

SC 4 of the CELPS. This would also align with Policy HOU1 (Housing mix) of the SADPD. Policy H1 of the Knutsford Neighbourhood Plan supports the provision of C2 nursing and care homes.

'Local Centre'

Within the proposed 'Local Centre', the submission proposes:

- 1,000 m2 of commercial (*E (a), (b) and (c) use class and takeaway unit(s) (sui generis)*) floorspace, with:
 - no single retail unit to exceed 450 m2 gross
 - no unit selling convenience goods to exceed 280 m2
- 800 m2 medical or dental facility (*E(e) use class*)
- Possible apartments and/or office space above the ground-floor commercial units

In terms of overall density, the area on the indicative Masterplan for this 'Local Centre' provision measures approximately 5,778 m2. As proposed, the above facilities would account for 1,800sqm of this area (approximately 31%). Although allowance would need to be made for parking areas, internal roads, footpaths, service areas and landscaping, this suggests that there is sufficient space for this amount of commercial floorspace to be provided within this area. This was the amount of floorspace previously supported by Officers and committee.

Commercial, Business, Service (Use Class E) and takeaway (Sui generis)

Part of LPS 36 states the development of the sites at North West Knutsford should provide for '*Appropriate retail provision to meet local needs*'.

The applications for the site on the opposite side of Manchester Road and the site off Northwich Road, the other sites which make up LPS 36, make no such provision for retail use and therefore the retail provision on this site is acceptable in principle, particularly given its absence elsewhere.

The provision of retail units is also supported in Policy ER2 of the KNP that states '*New small-scale convenience retail development may be permitted as part of large residential schemes to meet an identified localised need, specifically in the north and the west of the Town where significant growth is proposed but no local shopping currently exists.*'

Policy RET2 of the SADPD details that retail and convenience floorspace for the borough over the plan period (up to 2030), will partially be met through the '*delivery of sites allocated in the LPS that include an element of retailing to meet local needs*'. Indeed table 9.2 within the SADPD, which details the need for convenience retail floorspace at town level up to 2030, shows that Knutsford has the largest need for such provision in the whole of Cheshire East.

It was agreed when this application was originally assessed, that the amount of retail floorspace will be restricted to a total of 1000 m2 with the largest commercial unit being no more than 450m2. It is understood that the 450m2 restriction was to ensure that the retail space was not delivered as one single unit. Units offering convenience goods floorspace were restricted by condition in any one retail unit to 280m2 net as this is the maximum size of store that is not restricted by Sunday trading laws. This increases their degree of convenience to residents.

It was (and still is) considered that this level is appropriate to serve local needs as only the larger unit(s) would be subject to restricted opening hours law with the intention that the majority be smaller units below 280m² which can open unrestricted hours. Additionally stores of this size are not a retail destination and serve mainly the local population with some passing trade.

The proposed 'E' use classes proposed comprising of retail E(a), the sale of food and drink on premises e.g. café (E(b)) and E(c) services e.g. accountants, are uses typically found in parades of local centres and would be acceptable in such a location.

In terms of takeaways (sui generis), there is no requirement to provide this within LPS 36. Policy RET5 of the SADPD considers takeaways. Overall, they are deemed appropriate so long as they result in no adverse effect, either individually or cumulatively on the character of the area, amenities of residential occupiers, community safety and/or highway safety.

It is deemed that the provision of takeaway unit(s) within a local centre would act as a complementary use to the retail offering proposed and would be acceptable in principle.

A condition will be included on the decision notice in the event of approval restricting the level of Commercial, Business, Service (Use Class E) and takeaway (Sui generis) floorspace within the Local Centre to 1000m² gross with the largest commercial unit being no more than 450m². Units offering convenience goods floorspace will be restricted in any one retail unit to 280m². In addition, a condition is proposed that will control the types of uses proposed within the Local Centre.

Subject to these conditions, this element of the proposal is therefore considered to comply with LPS 36 of the CELPS and Policy ER2 of the Knutsford Neighbourhood Plan.

Medical or dental facility unit

In the 'Site Specific Principles of Development' the '*Provision of additional community facilities*' is listed amongst the criteria within part (h). The applicant has sought agreement in principle for E uses on the site, specifically for a medical or dental facility. Within the E use class, E(e) specifically relates to the provision of medical or health services.

The provision of such a use on the site is considered appropriate and consistent with the LPS policy as well as Policy HW2 in the Knutsford Neighbourhood Plan. A condition will be included on the decision notice requiring the provision of an 800m² gross floorspace Class E(e) facility within the Local Centre as well as restricting its use as such.

Residential and/or Offices above shops

It is not uncommon to find either uses above retail units in local centres. The space above the units could allow for the provision of some smaller residential properties to help to the overall mix of the dwellings proposed. Any concerns regarding noise for the future occupiers of such units would be considered at reserved matters stage.

Office development primarily falls within use class E. The applicant has clarified that this would be Use Class E(gi). This use relates to Office uses to carry out any operational or administrative functions which can be carried out in a residential area without detriment to its amenity. The principle of such uses within the Local Centre proposed would be acceptable, subject to its impact on amenity and highway safety (parking), all of which would be considered at reserved matters stage.

Principle conclusions

The amount of residential development proposed generally aligns with the requirements of LPS 36. In addition, the retail provision sought is deemed to adhere with one of the overall provisions of the wider North West Knutsford site allocation which requires 'appropriate retail provision to meet local needs', particularly given its absence elsewhere within the planning permissions approved to date elsewhere.

The care home, whilst not stated as a requirement of the policy, is considered appropriate as it will add to the mix of housing types and tenures. Takeaway unit(s) are considered to represent a complimentary use to the Local Centre and the provision of medical/dental unit is supported by the Neighbourhood Plan. Subject to conditions ensuring the provision and restriction of the uses proposed it is deemed that the application proposals would be acceptable in principle.

Highways

Policy CO1 of the CELPS refers to sustainable travel and transport. The policy expects development to reduce the need to travel by; guiding development to sustainable and accessible locations; ensuring development gives priority to walking, cycling and public transport within its design; encourages more flexible working; support improvements to communication technology and support measures that reduce the level of trips made by single occupancy vehicles. It also states that development will improve pedestrian facilities so that walking is attractive for shorter journeys and improve cyclist facilities so that cycling is attractive.

Policy CO2 refers to enabling business growth through transport infrastructure. It states that the Council will support transport infrastructure that will mitigate the potential impact of development proposals including; supporting measures to improve walking, cycling and sustainable travel environment on routes relieved of traffic and by supporting schemes outlined within the Transport Delivery Plan.

Policy T1 of the KNP relates to walking in Knutsford, Policy T2 relates to cycling, T3 public transport and T4 parking. SADPD Policy INF3 considers highways safety and access and Policy INF1 considers cycleways, bridleways and footpaths.

Highways related requirements of LPS 36 are considered to include:

The wider strategic site delivery of:

- *Pedestrian and cycle links to new and existing residential areas, shops, schools and health facilities;*

And the following Site Specific Principles of Development:

(j) Improve the connectivity and accessibility into and out of the sites to the town centre and wider local area with the provision of, or contribution to, cycle paths and pedestrian linkages.

(n) Contribute to road infrastructure in the area including roundabout improvements at the junction of A50/Northwich Road and Canute Place and Improvement to the A50 Corridor.

The application, as originally submitted, is supported by various highways documentation, the most recent of which is a Transport Statement Addendum, dated March 2024.

Access

Access to the site is a Reserved Matter to be determined at a later stage. However, it is likely that it would be via a new roundabout on the A50 Manchester Road. A secondary access to Manchester Road is also shown which it is indicated, could provide access to initial phases or sustainable travel access. The assessment of the access points would be undertaken on the submission of a reserved matters application.

Pedestrian linkages are shown the proposed Masterplan.

An indicative proposed Toucan Crossing is also indicated on Manchester Road, that links to Sugar Pit Lane.

Development Impact

Although the applicant has submitted a Transport Assessment (and subsequent documents) in support of the proposal that assess the likely traffic impact of the development this is not for determination in this application.

As part of the consideration of this application at the previous committee, three conditions were proposed that required the delivery of mitigation works at various junctions within Knutsford (Canute Place/Hollow Ln/ Brook St, Adams Hill/ Toft Road). More specifically;

- Improvements at Canute Place implement before occupation of 100 houses or 1000m² of commercial floor space
- Improvements at Toft Rd / A537 junction implement before occupation of 100 houses or 1000m² of commercial floor space
- Improvements at Hollow Lane / A537 junction - implement before occupation of 100 houses or 1000m² of commercial floor space

However, in the intervening period, there have been further considerations on the type of improvements required at these junctions to improve traffic flows. In addition, there has been further S106 receipts for the proposed works at these junctions.

It is now considered that additional contributions are no longer required at the junctions referred to in the previously recommended conditions, but the development should contribute to the active travel scheme along the A50 King Edward Road and link into the new roundabout scheme being delivered at the Canute Place roundabout.

The design of the active travel scheme includes providing a segregated pedestrian/cycle path on the eastern side of King Edward Road (town centre side) from Canute Pace to Adams Hill. There are associated junction improvement works being provided as part of the scheme.

The active travel scheme has been assessed in regard to the effect on capacity at the main road signal junctions along King Edward Road, the results indicate that introduction of the scheme would not result in excessive queueing occurring along King Edward Road.

Whilst the delivery of the mitigation scheme would normally be secured via a S278 Agreement, it is agreed that a S106 contribution in this application is acceptable as there may be some design changes required in the future and also, other secured contributions from other developments are required to fund this scheme. This application is required to contribute £1.3 million pounds towards the highway improvement proposals.

The applicant has offered additional voluntary contributions/provision for a Toucan Crossing on Manchester Road and for reduced speed limits on Manchester Road and Mereheath Lane.

A proposed Toucan Crossing would serve multiple purposes. It would allow safe access across Manchester Road for the future residents of the scheme and residents on the opposite side of the road looking to access the site for facilities provided in the proposed Local Centre or the open space. In addition, in a location similar to where the Toucan Crossing is proposed, the neighbourhood plan identifies that as a location where junction improvements are sought for cycling. However, matters of 'Access' are not sought for determination at this stage and the need for such a development, including its linkages into the wider network and its costings have not yet been undertaken. As such, in the event of approval, it is proposed that this voluntary provision be secured by condition and S278 agreement.

Exploring whether a reduction speed limits on both Manchester Road and Mereheath Lane can be also controlled as part of a planning condition, but this would have to be considered in accordance with the Council's Speed Management Strategy.

To conclude, the Council's Highways Officer advises that the revised application is acceptable subject to a S106 contribution for highway mitigation works on the A50 corridor in Knutsford.

Subject to securing the proposed contribution, the proposals are deemed to adhere with the requirements of the relevant highways policies of the development plan.

Design

All matters of design (layout, scale and appearance) are not sought for permission as part of this application. The acceptability of this detail, including residential mix, position of affordable housing, appearance etc, would be considered at Reserved Matters stage only.

Design related requirements of LPS 36 are considered to include the following 'Site Specific Principles of Development':

(b) The sites will deliver housing which will contribute to the local character of Knutsford through the use of appropriate density, architecture, style, form and materials and reference to CEC most up to date Design Guidance.

(c) A mix of housing types, sizes and tenures to comply with Policy SC 4

(d) Proposals will be expected to be of a high-quality design that respects the setting of nearby designated heritage assets, parkland and the character of the surrounding area.

These LPS considerations are also Reserved Matters considerations.

Issues of layout, scale and appearance are matters that are reserved for future approval.

The site is a key gateway site for Knutsford and the design expectations for the site are high. A bespoke solution will be required to meet the high expectations and requirements of Cheshire East Council and to create a unique sense of place. As such, as part of the assessment last time this application was considered, it was agreed that a condition be imposed in the event of approval requiring the submission/approval of a design code in advance of any reserved matters application being submitted.

This would also enable the developer to design to these more detailed constraints such as the required low density along the eastern edge of the site where its relationship is close to Tatton Park as detailed below. In the event of approval again, it is deemed that this condition is once again appropriate.

Heritage

Policy SE7 of the CELPS states that *'All new development should seek to avoid harm to heritage assets and make a positive contribution to the character of Cheshire East's historic and built environment, including the setting of assets and where appropriate, the wider historic environment.'*

Policy HE2 of the KNP relates to Heritage Assets. The crux of this policy is that application which result in the loss of, cause unacceptable harm to, or negatively impact on the significance of heritage assets will be resisted. Policy HER1 of the SADPD refers to heritage assets and sets out what should be included in submissions that possibly impact heritage assets.

Policy HER5 of the SADPD refers to Registered Parks and Gardens. This policy sets out that development proposals affecting such assets will be expected to preserve the heritage asset, its setting and any features of special interest that contribute to its significance.

Heritage related requirements of LPS 36 are considered to include the following Site Specific Principles of Development:

(d) Proposals will be expected to be of a high quality design that respects the setting of nearby designated heritage assets, parkland and the character of the surrounding area.

And within (u):

- *include the provision of a wide landscaped belt on the Green Belt land to its northern side, with an average width of around 100m to soften the transition between built development and the adjacent open countryside and to respect the setting of Tatton Park, its Registered Historic Park and Garden, and the visitor approach to Tatton;*

The proposed development has the potential to impact upon the setting of Tatton Park, a Grade II* registered parkland. The application, as originally submitted, was accompanied by a desk-based Heritage Assessment dated July 2018.

As part of the scheme previously considered by committee, it was acknowledged that to protect the historic setting of the Tatton Park estate, care must be taken to ensure the density along the eastern

boundary is reflective of a low-density edge. The spatial design code document (July 2018) indicated that the built edge along this edge would be predominantly of medium density. As such, as part of the previous assessment of this application a condition was proposed that required the submission/approval of an updated Design Code document ensuring that the eastern edge of the site would indeed be low-density and not medium density.

In response to the requirement to provide a wide, landscaped belt on the Green Belt land to the northern side, with an average width of 100 metres, in order to respect the setting of Tatton Park ((u) above), the indicative Masterplan shows this being provided, but split-up into two, 50-metre parcels, one to the far north and the other also to the north, but immediately beyond the development parcel. This solution represents an area of disagreement between the Council's Heritage Officer and the applicant. The Council's Heritage Officer is not satisfied with the solution because as proposed, this would leave a void in the middle which doesn't provide the required level of depth to mitigate the impact of the development on the park. The agent for the application considers the LPS 36 policy to be poorly worded. The agent notes that the policy does not seek a 'continuous' 100m buffer, but an 'average' 100 metre buffer. The agent also notes that the accompanying figures for allocation LPS 36 (Figures 15.42 and 15.43) do not show how this landscape belt should be indicatively set out. The agent also advises that the supporting Heritage assessment concludes that the proposals will not cause any harm to the significance of the grade II* Registered Park and Garden of Tatton Park.

The proposal to split-up this landscape buffer was the same as proposed when the application was last considered and approved by planning committee in February 2019. The agent for the applicant advises that the previous planning officer agreed that the two 50-metre buffers were appropriate and in line with policy as the wording of the policy was unclear. Upon review, it is noted that the Council's Landscape Officer was satisfied with this as a solution also.

It is noted that there appears to be no comments on file previously from the Council's Heritage Officers in relation to this concern. It is important to note that full landscape and layout details will be provided and determined at the Reserved Matters stage.

Given that the situation remains unchanged from that previously accepted, it is considered that the requirement to provide a 100m buffer will be secured by condition in the event of approval.

Archaeology

Policy HER1 of the SADPD refers to heritage assets and sets out what should be included in submissions including demonstrating an understanding of archaeological significance.

Policy HER8 of the SADPD specifically refers to archaeology. This sets out that proposals affecting areas of archaeological interest will be considered against Policy HER 7 – non-designated heritage assets.

Policy HE2 of the KNP refers to heritage assets. It details that below ground archaeology should be considered as a heritage asset and great weight should be afforded to their conservation.

Archaeology related requirements of LPS 36 include the following 'Site Specific Principles of Development':

(o) An archaeological pre-determination evaluation will be required for these sites in addition to a desk based archaeological assessment.

The application is supported by a heritage assessment that has been prepared by the Pegasus Group and which considers the effect of the proposals on the historic environment.

With regards to archaeology, the assessment has looked at all of the usual sources of information, including data held in the Cheshire Historic Environment Record (CHER), historic maps, aerial photographs, and readily available secondary sources. It concludes that the area has a generally low archaeological potential, and it may be noted that the only two sites currently recorded on the CHER (western limits of a 19th-century brickworks and a Royal Observer Corps) site are beyond the recently revised limits of the application area.

However, this is a sizable block of previously undeveloped land and the Cheshire Archaeology Planning Advisory Service (APAS) advise that there must be some potential for archaeological remains to be present within the area. ASAS do not suggest that this potential is sufficient to justify an archaeological objection to the development or to require comprehensive evaluation trenching. It is advised however that, in the event that planning permission is granted the site should be subject to an initial programme of non-invasive survey. Over the last few years, the APAS has secured a number of such surveys, which have taken the form of a programme of supervised metal detecting. This work has been carried out by suitably experienced detectorists working under direct archaeological supervision.

On occasions, the survey has not identified anything more significant than material resulting from casual loss over the centuries, information that is not without interest. However, where concentrations of material have been identified, further targeted investigation has allowed the recognition of archaeological deposits, including a Roman farmstead at Sandbach.

The programme of work outlined above, which will also require the preparation of a report, may be secured by condition in the event of approval.

Subject to this condition, the proposed development is deemed to adhere with the requirements of the archaeology policies of the development plan.

Landscape

All matters of 'Landscape' are not sought for permission as part of this application. The acceptability of this detail would be considered at Reserved Matters stage. However, certain landscaping matters can be considered based on the Parameters Plan.

Policy SD2 of the CELPS states that development will be expected to respect and, where possible, enhance the landscape character of the area. Policy SE4 of the CELPS specifically relates to landscape considerations. It states that all development should conserve the landscape character and quality and where possible, enhance and effectively manage the historic, natural and man-made features that contribute to local distinctiveness.

Policy D3 of the KNP relates to landscape in new development. Policy ENV3 of the SADPD is largely reflective of this policy. Policy ENV5 of the SADPD sets out what should be included in landscaping plans.

Landscape related requirements of LPS 36 are considered to include the following 'Site Specific Principles of Development':

(e) Proposals will be expected to include a Landscape Character Assessment to guide the scale and massing of new development.

(f) Provide a comprehensive landscaping scheme which retains existing mature trees and hedgerows where possible, or provide appropriate mitigation.

And within (u)

- provide for open space and landscaping (and no built development) within the area removed from the Green Belt and identified as ‘protected informal open space’ – this area to comprise informal open space incorporating landscaped belts along both Mereheath Lane and the eastern edge of built development on the site, each landscaped belt to be a minimum of 15 metres wide and complementary to the landscape character of the surrounding area;*
- provide a suitable landscape screen within the area allocated for housing adjacent to its eastern boundary with the ‘protected open space’. The details of this landscape screen should be informed by the required Landscape Character Assessment and provide appropriate mitigation as part of a comprehensive landscape scheme;*

The application as submitted, was accompanied by a Landscape and Visual Note (July 2018) and a Consultation Masterplan.

The effects on views and visual amenity will need to be assessed once designs for the scale, mass and composition of buildings have been proposed as part of any subsequent Reserved Matter’s applications.

Further to the planting belts being correctly allowed for, sufficient space should be allowed for light and views both into and out of the built developments, particularly along the northern site boundary where trees are proposed for mitigation of views into the site and outward-facing housing areas are proposed right up to the boundary. It is subsequently determined that the proposals adhere with the landscape policies of the development plan, subject to the landscape buffers being secured and conditions.

It is noted on the submitted Consultation Masterplan that the 15 metre-buffers required by Site Specific Principle (u) can be achieved. These too, need to be secured.

The Council’s Landscape Officer has recommended the following conditions; that a Landscape & Visual Appraisal be carried out and be used to inform the detailed proposals and that a more detailed landscaping scheme for the site be conditioned that takes account of the Landscape & Visual Appraisal. In the event of approval, a condition relating to levels is also recommended. These conditions will ensure that the remaining landscape-related Site Specific Principles of Development (e), (f) and (u) are adhered to.

Trees & Hedgerows

Policy SE5 of the CELPS states that development which will result in the loss of, or threat to, the continued health and life expectancy of trees, hedgerows or woodlands, that provide a significant

contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area, will not normally be permitted. Policy ENV6 of the SADPD are largely reflective of this policy.

Tree & Hedgerow related requirements of LPS 36 are considered to include the following 'Site Specific Principles of Development':

(f) Provide a comprehensive landscaping scheme which retains existing mature trees and hedgerows where possible, or provide appropriate mitigation.

(m) Provision of new woodland belts within the sites and to create site boundaries.

The application, as originally submitted, was accompanied by a preliminary Arboricultural Impact Assessment (July 2018). An updated AIA was received in November 2023.

The site is traversed by hedgerows with the principal tree cover being largely contained to the site boundaries, including an arrangement of mature, roadside (Manchester Road) Oak Trees (T1-T5). There are belts of structure planting and screening vegetation located across the edges of the Egerton Youth Club grounds (G1, G5). Scattered young tree planting and naturalized, self-seeded strands of unmanaged vegetation are clustered internally around the site (G2, G3).

Tree Preservation Orders (TPO's)

Three (3) Oak trees on the boundary of the application site are afforded protection by the Cheshire East Borough Council (Knutsford – Land to the East of Manchester Road) Tree Preservation Order 2018. The trees are identified as T3, T4 and T5 of the First Schedule of the TPO.

Other possible constraints

The site does not lie within a designated Conservation Area, is not a Local Wildlife Site (LWS), does not comprise of any Priority Woodland Habitat, includes no Ancient Woodlands or Ancient and Veteran Trees.

Development impact

The AIA identifies 7 No. individual trees, 6 No. groups of trees and 8 hedgerows within or immediately adjacent to the application site.

All High (A Category) and Moderate (B category) trees (5 Oak including those protected by the TPO) are shown to be retained within open green space adjacent to Manchester Road.

A moderate (B category) group of Aspen along the eastern boundary (G1) is to be retained with new planting as a buffer to the adjacent playing fields.

The Council's Tree Officer advises that at the Reserved Matters stage appropriate separation of these trees from the development should be achieved having regard to Root Protection Areas (RPA's) and social proximity, including assessment of shading from trees having regard to BS5837:2012.

The accommodation of pocket groups of trees (G2 and G3) and hedgerows H2-H8 within the development is welcomed.

The proposed open space to the north-east of the site to accommodate retained trees G5; T12 and hedgerow H7 is also welcomed.

The removal of sections of the hedgerow along Manchester Road to accommodate two new site access points is noted. Should planning consent be granted, the Council's Tree Officer advises that a landscape condition should be included requiring the replacement of those sections lost to development and retention and enhancement of existing hedgerows to be retained. Any reserved matters application should be accompanied by plans showing existing hedgerows to be retained and proposed hedgerows on site. In the event of approval, a condition requiring the submission/approval of an Arboricultural Report be submitted with the Reserved Matters is also proposed.

Subject to these conditions, the proposed development is deemed to adhere with the requirements of policies SE5 of the CELPS and ENV6 of the SADPD and the tree related requirements of LPS 36.

Ecology

Policy SE3 of the CELPS states that developments that are likely to have a significant adverse impact on a site with legally protected species or priority habitats (to name a few), will not be permitted except where the reason for or benefits of the proposed development outweigh the impact of the development. Policy ENV1 of the SADPD relates to ecological networks and Policy ENV2 relates to ecological mitigation.

Ecology related requirements of LPS 36 are considered to include the following Site Specific Principles of Development:

(l) Provision of high quality landscaping to enhance ecological features.

(r) The sites will be developed only where it can be demonstrated that there is no adverse impact on the Midland Meres and Mosses Phase 1 Ramsar, Rostherne Mere Ramsar and Tatton Mere SSSI particularly in relation to changes in water levels and quality and recreational pressures. This should include a Habitats Regulations Assessment of the direct and indirect impacts of the development on the features of special interest. Where impacts cannot be avoided, appropriate mitigation measures will be required to ensure no adverse effects on the integrity of the sites.

The application is supported by various ecology documentation. An assessment of the various ecology considerations is broken down into the sections below.

Tatton Meres SSSI Impact Zone

The proposed development falls within Natural England's impact zone for Tatton Meres SSSI, Midland Meres and Mosses Phase 1 (RAMSAR).

The application is supported by a 'Shadow' Habitat regulations assessments prepared by the applicant's ecological consultant. The assessment concluded that the application proposals are unlikely to lead to a likely significant effect, either alone or in combination, for the following reasons:

- The surface water drainage strategy being adopted
- The control of foul water through the existing sewerage network
- The reduction in diffuse pollution as a result of the development on the land

- The negligible contribution via air emissions.

Natural England have advised that they do not object provided conditions/planning obligations were attached to any consent granted relating to drainage and the submission and implementation of a Construction Environmental Management Plan.

Nutrient Neutrality

The application site falls within the catchment of Rosthere Mere RAMSAR which is subject to Nutrient Neutrality requirements.

The Council's Nature Conservation Officer advises that there are no Waste Water Treatment works in Cheshire East located within the catchment of any designated site subject to Nutrient Neutrality (NN). Therefore, wastewater discharges from the application site will not result in nutrient pollution of any site subject to Nutrient Neutrality.

The February 2019 Flood Risk Strategy proposes that surface water from hard standing and roofs would be directed to the existing sewer system. The Nutrient Neutrality impact assessment has been undertaken on this basis and does not identify any effects resulting from surface water discharge. The applicant has confirmed that it remains their intention for the surface water drainage from hard standing and roofs to be directed to the existing sewer.

If outline consent is granted, the Council's Nature Conservation Officer advises that a condition will be required that the detailed drainage design submitted at the Reserved Matters stage comes forward in accordance with the submitted Flood Risk and Drainage Strategy 2019.

Bats

The submitted *Ecological Appraisal* (Bowland Ecology, July 2018) observes that some trees on the proposed site, in the hedgerow and around the pond, contain potential bat roost features. Based upon the submitted Arboricultural Impact Assessment it does not appear likely that any of these trees would require removal. The Council's Nature Conservation Officer advises that a condition should however be applied that requires a bat survey to be undertaken if any trees proposed for removal as part of any future Reserved Matters application.

Great Crested Newts (GCN)

Evidence of two small populations of GCN has been recorded in ponds on and adjacent to the site. Proposed changes to this site in the absence of mitigation is likely to have a medium impact on GCN at the local level and a low impact upon the conservation status of the species as a whole.

The submitted 2018 report recommends the enhancement of ponds 3 and 2, the addition of artificial refugia, and the creation of insect friendly habitat in the public open space section of the proposed site as a means of compensating for the proposed changes. It also recommends advance vegetation management, temporary amphibian fencing and pitfall trapping, hand searching and supervised removal of aquatic habitat to reduce the risk posed to any GCN that may be present when the works are completed.

The updated *Ecological Appraisal Review* (Bowland Ecology, August 2022) found the ponds to be in a broadly similar condition to that on previous surveys. The report recommends that either the standard mitigation licensing process or District Level Licensing (DLL) route could be considered. The applicant in this instance intends to enter natural England's DLL scheme.

*EC Habitats Directive
Conservation of Habitats and Species Regulations
ODPM Circular 06/2005*

The UK implemented the EC Directive in the Conservation (natural habitats etc) regulations which contain two layers of protection:

- A licensing system administered by Natural England which repeats the above tests
- A requirement on local planning authorities ("lpas") to have regard to the directive's requirements.

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

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

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

Overriding Public Interest

Given that the application site is allocated for housing under LPS 36, this represents an overriding public interest. The provision of mitigation would assist with the continued presence of Great Crested Newts.

Alternatives

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

- No development on the site

Without any development, all the wider social and economic benefits of the application proposals would not be delivered.

The Council's Nature Conservation Officer advises that entry into Natural England's District Level Licencing scheme is sufficient to maintain the favourable conservation status of the species. Evidence of acceptance onto the scheme has been provided. In the event of approval, a condition is proposed requiring that prior to commencement of development, the consented development be entered into Natural England's DLL scheme for Great Crested Newts.

Ecological Mitigation and Enhancement

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development. In the event of approval, the Council's Nature Conservation Officer recommends an ecological enhancement strategy be conditioned for approval.

Hedgerows

Native hedgerows are a priority habitat and hence a material consideration. The proposed development is likely to result in the loss of two sections of hedgerow to facilitate the site access points. The submitted biodiversity metric anticipates that the retained hedgerows would be enhanced to increase their biodiversity value. The revised metric shows that the development is anticipated to provide a net gain of 13.04% in respect of hedgerow. Therefore, if the loss of sections of hedgerow to facilitate the access roads is considered unavoidable, the Council's Nature Conservation Officer advises that the sufficient replacement planting could be provided to compensate for that lost.

Breeding Birds

If planning consent is granted, a condition to protect nesting/breeding birds is required.

Wildlife sensitive lighting

The Council's Nature Conservation Officer, in the event of approval, recommends a condition that requires the submission/approval of an exterior lighting scheme. This should include dark areas and avoid light spill upon bat roost features, bat commuting and foraging habitat (boundary hedgerows, trees, watercourses etc.) aiming for a maximum of 1lux light spill on those features.

Biodiversity Net Gain (BNG)

Policy SE3(5) of the CELPS requires all developments to aim to positively contribute to the conservation of biodiversity and ENV2 requires developments to achieve a Biodiversity Net Gain.

Policy SE3(5) requires all development proposals to seek to contribute positively to the conservation of biodiversity. In order, to assess the biodiversity losses and gains resulting from the proposed development the applicant has undertaken a calculation using the Biodiversity Metric methodology.

This calculation, as submitted, shows that the proposed development would result in a net gain for biodiversity. Target conditions for the creation of grassland and scrub habitats have been entered as 'good', which may be overly optimistic, however amending the target condition to 'moderate' does not present the development from delivering a net gain.

The delivery of a BNG is however dependent upon woodland planting being undertaken within the blue line land of the application. In the event of approval, the Council's Nature Conservation Officer

recommends a condition be included which requires each Reserved Matters application to be accompanied by a habitat creation method statement, ecological monitoring strategy and a 30-year habitat management plan for retained, enhanced and newly created habitats.

In addition, it is required that the woodland planting proposed within the blue edge (off-site) be delivered as part of the implementation of the first phase of the development.

Schedule 9 Species

The applicant should be aware that Japanese Knotweed is present on the proposed development site. Under the terms of the Wildlife and Countryside act 1981 it is an offence to cause this species to grow in the wild.

Disturbance of soil on the site may result in increased growth of Japanese Knotweed on the site. If the applicant intends to move any soil or waste off site, under the terms of the Environmental Protection Act 1990 any part of the plant or any material contaminated with Japanese Knotweed must be disposed of at a landfill site licensed to accept it and the operator should be made aware of the nature of the waste. An informative to this effect will be added to the decision notice in the event of approval.

Subject to the above-mentioned conditions, the proposed development is deemed to adhere with the requirements of the ecology policies of the development plan and the ecology related requirements of LPS 36.

Amenity

SADPD Policy HOU12 sets out that proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of the proposed development due to: loss of privacy, sunlight and daylight, the overbearing and dominating effect of new buildings, environmental disturbance or pollution or traffic generation, access and parking. Policy HOU13 sets out residential standards.

Policy SE1 of the CELPS states that development should ensure an appropriate level of privacy for new and existing residential properties. Policies ENV12 (Air quality), ENV13 (Aircraft noise), ENV14 (Light pollution) and ENV15 (New development and existing uses) of the SADPD consider environmental amenity matters.

Amenity related requirements of LPS 36 are considered to include the following 'Site Specific Principles of Development':

(h) Provision of additional community facilities.

(q) A minimum of a Phase 1 Preliminary Risk Assessment for contaminated land should be carried out to demonstrate that the sites are, or could be made, suitable for use should they be found to be contaminated. Further work, including a site investigation, may be required at a pre-planning stage, depending on the nature of the sites.

Neighbouring amenity

Any possible issues relating to overlooking, impact on privacy, and overshadowing will be addressed as part of any Reserved Matters application because at this stage, we don't know the layout, scale or appearance of the dwellings and other development proposed. The only adjoining residential properties to the application site are at the north-western corner, the occupiers of Bluebell Barn and the occupiers of Bluebell Farm adjacent. The indicative Masterplan shows a landscaped buffer between 12 and 18 metres between these properties and the proposed 'Residential Zones'. The detail of this would be agreed at Reserved Matters stage. Any reserved matters application will have to consider the relationship between the proposed development and the existing properties.

It is noted that the occupiers of Bluebell Farm have raised concerns about the proximity of the proposed new footpath/pedestrian link to the far north of the site for security reasons. The detail of this would be assessed at Reserved Matters.

Amenity of future occupiers

Whether sufficient private amenity space will be provided for the occupiers of the future development will also be determined at reserved matters stage.

Environmental amenity

These considerations are subsequently broken down into noise, air and land pollution considerations.

Noise pollution

The application site falls within the noise contours of Manchester Airport and subsequently, is subject to Policy ENV13 of the SADPD. Policy ENV13 seeks to protect the amenity of the future occupiers of development from excessive aircraft noise. The application is supported by a Noise Constraints Assessment (August 2023). This has been reviewed by the Council's Environmental Protection Officer who advises that on the whole, they agree with the report that the site can be developed in compliance with the requirements of policy. However, the Council's Environmental Protection Officer does have the following concerns, but also notes that he considers that they can be designed out as part of the future Reserved Matters application.

- Whilst there is mention of the window design in the report there is no mention of the acoustic insulation to the roof which can also be another path for noise from the aircraft. As such, the Council would expect to see some information addressing this issue in the final scheme.
- Care needs to be taken when orientating properties along the roads as this is normally good acoustic design, but this may not be as effective due the aircraft noise which will be present across the site.
- With regards to external aircraft noise in gardens, there is no mention of including additional shelters in the gardens, which the right type of shelter can provide suitable acoustic insulation. Therefore, in the final design the Council expect these to be evaluated to provide a suitable area as per Policy ENV13 of the SADPD.
- With regards to the care home element, the applicant needs to be aware that part 3 of Policy ENV13 would be relevant. This has not been referenced in the acoustic report. This states the following – *Due to the potential for residents of such developments to have difficulties with their*

*hearing and limited mobility, schemes **must** incorporate easily accessible external amenity areas that are subject to noise levels at or below 55 dB LAeq,16hour.*

To ensure that these matters are effectively addressed, in the event of approval, the Council's Environmental Protection Officer recommends the following conditions; that the Reserved Matters be accompanied by an acoustic report demonstrating how the detailed scheme will achieve the requirements for both internal and external noise as set out in Policy ENV13 of the SADPD and prior to occupation and an acoustic validation report to demonstrate that all acoustic measures agreed for the development are providing the predicated level of acoustic insulation for the development.

In consideration of non-aircraft noise matters, it is also recommended in the event of approval that an Environmental Construction Management Plan (CEMP) be conditioned in order to partly control the impact of noise and vibration (as well as dust generation) during construction on neighbouring properties.

Air pollution

In addition to the impact of dust generated by the new development during construction being controlled by the requirement to submit and have approved a CEMP, the Council's Environmental Protection Officer's also recommends a condition requiring the provision of electric charging infrastructure and low emission boilers.

Contaminated Land

With regards to contaminated land, a Phase 1 Preliminary Risk Assessment accompanies the submission, satisfying Site Specific Principle (q).

Upon review of the submitted documentation, the Council's Environmental Protection Officer raises no objections on contaminated land grounds, subject to the following conditions; the submission/approval of a Phase II ground investigation and risk assessment, the submission/approval of a contaminated land verification report, the submission/approval of a soil verification report should any soil or soil forming material be brought onto the site for use in garden areas or soft landscaping and that works should stop should contamination be identified.

Amenity conclusions

The acceptability of any future development on this site with regards to the impact on the neighbouring properties in terms of loss of privacy, light or an overbearing impact and the acceptability of the garden sizes upon the future occupiers and how they would be impacted by their proximity to other aspects of the scheme would all be considered as part of future reserved matters applications.

A number of conditions are proposed in relation to environmental amenity to ensure that the scheme does not detrimentally impact the amenity of neighbouring occupiers of the future occupiers of the proposed development in terms of noise and air pollution and contaminated land. Subject to these conditions, minus the proposed gas boiler condition which is not deemed to be enforceable and minus the electric charging condition which is now a requirement of building regulations, the proposals are deemed acceptable with regards to the amenity policies of the development plan.

The community facility sought by Site Specific Principle (h) is also being provided through the provision of a Local Centre and medical/dental facility as already considered.

Flood Risk and Drainage

Policy SE13 of the CELPS relates to flood risk and water management. It states that all development must integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within the borough and provide opportunities to enhance biodiversity, health and recreation in line with national guidance.

Policy ENV16 of the SADPD seeks to manage surface water drainage effectively and reduce the risk of flooding elsewhere. Policy ENV17 of the SADPD seeks to protect water resources.

According to the Environment Agency flood risk maps, the site falls entirely within a Flood Zone 1, the lowest of the flood risk categories and means that the land has less than a 1 in 1,000 annual probability of river flooding. There is no requirement to undertake a sequential test given that the application is for development on an allocated site of which the proposed use is consistent with the allocation.

Notwithstanding the above, as the site exceeds 1ha in size there is a requirement that the application is accompanied by a Flood Risk Assessment (FRA). An FRA dated February 2019 was submitted and due to the passing of time, a Flood Risk and Drainage Strategy Review was submitted in September 2022.

This documentation has been reviewed by the Council's Flood Risk Officer and United Utilities. The Environment Agency have advised that the development does not hit any of the triggers that require them to be consulted and as such, have not commented.

The Council's Flood Risk Officers have raised no objections to the proposed development subject to a condition requiring the submission/approval of a detailed surface water drainage scheme referencing the FRA.

United Utilities have advised that whilst the strategy for the disposal of foul and surface water is acceptable in principle, they cannot support the detail submitted at this stage for various reasons because there are elements of the detailed drainage design that might not be acceptable. However, United Utilities advise that the following conditions be imposed in the event of approval; The prior submission/approval of a surface and foul water drainage scheme and the submission/approval of a drainage a management and maintenance plan.

Subject to a combined condition requiring the submission of a surface and foul water drainage scheme and a separate drainage management and maintenance plan condition, the application proposals are not deemed to create any flood risk or drainage concerns and would adhere with the requirements of the flood risk and drainage policies of the development plan.

Public Rights of Way (PROW)

The Council's PROW Officer has advised that the development does not appear to directly affect a recorded Public Right of Way. Knutsford FP1 runs parallel with the northern boundary of the application site but over 300 metres beyond the red-line boundary. Knutsford FP2 lies on the opposite side of Manchester Road to the northwest and is linked to FP1 by a footpath on Manchester Road itself.

Criterion 5 of LPS36, which relates to the wider site allocation, seeks pedestrian and cycle links to new and existing residential areas, shops, schools and health facilities. Site Specific Principle (j) of LPS 36 details that the wider site allocation should improve connectivity and accessibility into and out of the sites to the town centre and wider local area with the provision of, or contribution to, cycle paths and pedestrian linkages.

On the indicative Masterplan and expanded upon within the Design and Access (D&A) Statement, a series of footpaths and cycle paths are proposed. This includes two footpaths extending northwards that would link into the closest PROW (Knutsford FP1). One of these would run on the development side of Manchester Road, running parallel with the road itself northwards and link into FP1 at its juncture with Manchester Road. The other extends out from the northern edge of the development site, turns eastwards to where it meets Mereheath Lane and then extends northwards parallel with Mereheath Lane where it too, would link into Knutsford FP1. The Council's PROW Officer advises that this creation of a circular route would provide a key health and wellbeing facility.

The Council's PROW Officer advises that this may, unless secured through the planning process, require either a permissive path agreement or a public path creation agreement, which may require decision by the Council's Public Rights of Way Sub Committee should any liabilities fall to the Council. If either agreement is fulfilled, the developer would be required to cover the Council's costs in arranging that, and the developer would be required to install the path and provide future maintenance of the route. To ensure that these are secured, it is proposed that this detail, including surfacing, be secured by condition. The PROW Officer advises that the developer will also be required to install these paths and provide for their future maintenance. This can be secured as part of the S106 Agreement.

The PROW Officer advises that given the proximity of the proposed footpaths to the proposed development and the likely high usage, that the surface of the proposed paths (and FP1) should be designed, constructed and improved to ensure year-round availability e.g. compacted stone.

The developer is also requested to upgrade the path furniture (i.e. stiles/gates) on FP1 to that of the most accessible and least restrictive option, in line with the Council's Structures (path furniture) for Public Rights of Way Policy to maximise the accessibility of the network to and from the site. A gap is currently available where the Footpath meets Mereheath Lane. A stile is currently in place where the Footpath meets Manchester Road and would require removal. An assessment of road safety and visibility may require a bollard or other demarcation of the boundary. In addition, a break in the boundary of the site on the Manchester Road opposite to FP2, as indicated on the Consultation Masterplan, would enable walkers to connect from the site to the wider Public Rights of Way network.

The Council's PROW Officer advise that the most appropriate way to secure this would be through a detailed scheme of path improvements with a subsequent requirement that the developer implement.

This request for these improvements to FP1 which falls within the 'blue edge' of the application, signifying the land's ownership by the applicant, would align with the above-mentioned policy requirements. The agent for the application has agreed to these.

Health

Health related requirements of LPS 36 are considered to include the following Site Specific Principles of Development:

(i) Contributions to health infrastructure

Knutsford Medical Partnership (KMP) is a GP partnership, currently working across 4 sites to deliver care to 22,950 patients of Knutsford and its surrounding areas. The sites are referred to as Toft Road, Manchester Road, Annandale and Town Lane (Mobberley).

The NHS advise that these Practices operate from buildings that do not meet the modern-day healthcare standards and are non-compliant in many areas, with access to some consulting rooms on the upper floors being restricted due to steep staircases and lack of lift access, together with the usable space in the buildings falling well below the recommendations set out in the Department of Health Primary and Community Care Health Building Note 11-01: Facilities for primary and community care services.

The 2019 NHS Long Term Plan and Primary Care Network contract both identify the need for primary and community care providers to work together even more effectively to best support the health and well-being of our population. The Department of Health and Social Care priorities include the development of a social care strategy to address sustainability, quality and fairness. Responding to this challenge, NHS Cheshire CCG and KMP are working with partners to develop a place-based care model to provide more proactive, better coordinated care with expanded and integrated primary and community services, focused on promoting wellbeing throughout life.

The NHS Officer advises that patients are currently limited in terms of their accessibility to the building and the services that are available to them, since the existing buildings are working at full capacity, so with a growing population in this geographical area, the future accommodation for developing healthcare, will be unsustainable. By investing in a new, fit for purpose, Health Centre, this would not only improve the primary care services provided for patients in this area, but would also start to meet the Regional and National NHS Policies, as well as also meeting local aims and objectives.

The Practices are now working as a successful partnership, but within the confines of unsuitable accommodation, so the purpose of this is to highlight the key constraints in respect of the current premises, in order to provide further justification as to why the consolidation of these Practices into an Integrated Primary and Community Care setting, is essential, in order to facilitate the effective delivery enhanced patient services, at scale, for the patients within this locality.

The existing premises occupied by Knutsford Medical Partnership have been documented as being unable to support the current and future provision of services by the GP Practices therein. The condition of the various GP premises involved requires significant improvement, as there are numerous aspects of the premises that are noncompliant with modern regulatory requirements, and the available space is restricting the amount and type of services that can be provided. The Lease of one of the existing premises is also due to expire in 2026 with no options to extend.

The national and regional drive is now for new Primary Care developments to be publicly owned assets that are free at the point of use for operators. This removes the circular payment process, reduces the increasing revenue cost for GP Premises, negates the need for rent reviews, and keeps

the long-term ownership of the facility in public ownership. Annandale is one of the four sites occupied by KMP. These are leased premises with the current property lease due to expire in July 2024 with no opportunity for an extension to the lease terms with the landlord. This will be a significant fixed milestone point that must be considered in the programme for the development of new premises. The sites at Toft Road, Manchester Road, and Town Lane do not have the same restrictions created by Lease terms but are presenting continued compromises to the provision of services due to a lack of appropriate infrastructure.

The NHS Officer has advised that space utilisation analysis across all three Knutsford GP premises has demonstrated a significant shortfall of space, to adequately provide primary care services to the existing patient population across the locality. Additional growth in patient numbers will add further pressures to the GP Partnership, with an increase in clinical and nonclinical staff required in order to meet these future patient needs. Such an increase in clinical and non-clinical staffing numbers requires expansion and development of suitable accommodation for the three GP practices involved.

Building size estimates have been provided based on using the NHS Project Appraisal Unit Primary Care Consulting/Examination and Treatment Room Estimator Tool, however further space analysis will be undertaken with the GP's should this new build development gain approval, as it is anticipated that there may be some areas for economies of scale within the new building.

The NHS Officer advises any further development in Knutsford will significantly compound the overall capacity and the ability to provide good quality care/appointments to newly registered patients in the area. An outline business case is in development surrounding the reprovision of Healthcare services in Knutsford and its been identified works to the existing sites will not be sufficient to support this, and other developments identified within the Local Plan. To support this, the NHS are requesting Section 106 monies under the following stipulations:

- Necessary - the existing GP practice infrastructure within Knutsford will struggle to accommodate additional patients as a result of the development proposals.
- Directly related to the development - the impact will affect GP and community services as a direct consequence of the development.
- Reasonable - the request is deemed to be fair and reasonable, with Section 106 health funding calculations based on guidance provided to other CCG areas by NHS Property Services.

In order to determine the required contribution to offset the impact of the development upon local health infrastructure, and existing formula is used as per below.

Size of Residential Unit	Developer contribution per unit at April 2023
Health Infrastructure - 1 bed unit	£713.00 per 1 bed unit
Health infrastructure - 2 bed unit	£1,019.00 per 2 bed unit
Health infrastructure - 3 bed unit	£1,426.50 per 3 bed unit
Health infrastructure - 4 bed unit	£1,783.00 per 4 bed unit
Health infrastructure - 5 bed unit	£2,445.50 per 5 bed unit

As the housing mix is not yet identified at this outline stage, it is proposed to include the above table to determine the ultimate figure required to offset the impact of the development upon local health provision. This will relate to both C2 (care home) and the C3 dwellings. As such, should the full allocation be built out to one of the following scenario's, below provides an indication of the required contributions. This will be influenced by the size of the dwellings eventually proposed.

- 250 C3 dwellings with no C2 care home - £ 391,975
- 250 C3 dwellings plus a 25-bed C2 care home - £365,525
- 225 C3 dwellings plus a 50-bed C2 care home - £353,912.50

The applicant has confirmed that they are satisfied with the proposed contribution requirements.

Education

Education related requirements of LPS 36 are considered to include;

The wider strategic site delivery of:

- *Appropriate contributions towards educational facilities;*

The development of 250 dwellings is expected to generate:

73 - Primary children (250 x 0.29)

35 - Secondary children (250 x 0.14)

7 – Special Educational Needs (SEN) children (250 x 0.60 x 0.047)

A housing impact assessment has been carried out and it has been concluded that no contribution is required for Primary or Secondary pupil places. This is due to there being sufficient school capacity, in the locality, to accommodate the expected children coming from the development.

Special Education provision within Cheshire East Council currently has a shortage of places available with at present over 47% of pupils educated outside of the Borough. The service acknowledges that this is an existing concern, however the 7 children expected from the Tatton Bluebell Village, Land East of Manchester Road, Knutsford, WA16 0NS will exacerbate the shortfall. As such, to alleviate forecast SEN pressures, a contribution will also be required.

Overall, the following contribution would be required:

$$7 \times \text{£}74,920 / 1.08695622 = \text{£}482,484.93 \text{ (SEN)}$$

Without the contribution the Council's Children's Services raise an objection to this application.

Given that the final number of dwellings is yet to be determined, in the event of approval, it is proposed to include the formula used to establish the contribution amount for education to ensure an accurate contribution is secured based on the final scheme.

The applicant has advised that they are agreeable to the requirement which would be secured as part of a S106 Agreement.

Affordable Housing

Policy SC5 of the CELPS states in Settlements with a population of 3,000 or more the percentage for affordable housing for all allocated sites will be a minimum of 30%, in accordance with the recommendations of the Strategic Housing Market Assessment carried out in 2013. This percentage relates to the provision of both social rented and/or intermediate housing, as appropriate. A ratio of 65/35 between social rented and intermediate housing is required.

Affordable housing related requirements of LPS 36 include the following Site Specific Principles of Development:

(p) The Local Plan Strategy site is expected to provide affordable housing in line with the policy requirements set out in Policy SC 5 'Affordable Homes'.

This application triggers the requirement to provide 30% on-site affordable housing with a 65%/35% split for rental/intermediate.

As the specific details of the proposed care home are unknown at this stage, it is unknown whether this element of the proposal would also be subject to affordable housing requirements.

Paragraph 8.12 of the Housing Supplementary Planning Document (SPD) details that reference to 'dwellings' in policy is not only confined to C3 uses (termed 'dwelling houses' in the UCO) in applying affordable housing requirements. Policy SC5 of the CELPS refers to affordable housing requirements applying to 'residential developments' and this reference can include class C2 (residential institutions) and class C3 (dwelling houses) uses.

As this is an outline application, the true make-up of the type of care home accommodation is yet to be determined. As such, it is proposed that the S106 be worded carefully to ensure that it picks-up any such requirements should the care home be deemed subject to contributions.

The Council's Housing Officer advises that due to current rental need in the Knutsford Area, they would ask for consideration for the provision of 1-bed homes and a 4-bed property on the site. The final number of dwellings that would be subject to an affordable housing contribution will not become apparent until reserved matters stage. The agent has confirmed a commitment to providing the policy required provision and this would be secured via a S106 Agreement in the event of approval.

An Affordable Housing Statement is required. This will include details such as; the number of affordable to be provided on site, the mix, how the scheme adheres with affordable housing policy, a plan showing the distribution of the affordable housing with an explanation, the trigger for when it needs to be delivered by and design details. This information should tie-in with the Reserved Matters applications of the various phases which is the time the details become clear. This will be conditioned in the event of approval.

Subject to 30% of the eligible housing being delivered being affordable and secured through a S106 Agreement and a condition requiring the submission/approval of an Affordable Housing Statement, the proposals would adhere with the requirements of policy SE5 of the CELPS and the LPS36 requirements.

Public Open Space (POS)

The proposed development will be subject to the Open Space requirements of the development plan and the specific requirements of the Strategic Site Allocation.

Policy SE6 of the CELPS requires all developments to protect and enhance existing open spaces and recreation facilities, encourage improvements in their quality and provide adequate open space. Policy REC3 of the SADPD sets out that there is an expectation that all open space provision be provided on site. It details that a contribution towards off-site provision maybe acceptable in limited instances. The policy specifies that management of the open space should be in perpetuity and the applicant should demonstrate this.

Policy SL1 of the KNP details that Open Space is required in line with the CELPS. It details that for all new development, the open space should be of high-quality design and provide improvements in the connection between people and nature and should meet the 10 principles of Active Design set out by Sport England or other relevant guidance.

For new residential development in particular, proposals should demonstrate how they will complement existing spaces and facilities within the Town in line with Policy SL3. It details that all proposals should demonstrate how these spaces will be maintained and managed in the long term and retained in public use in perpetuity.

Open Space related requirements of LPS 36 are considered to include;

The wider strategic site delivery of:

- *Appropriate provision of open space, and provision of / contributions toward sports and leisure facilities*
- *Appropriate Incorporation of green infrastructure where required, including Allotments; and Community orchard or community gardens*
- *The existing sports grounds situated between Mereheath Lane and Manchester Road to the south of LPS 36(C) are identified as protected open space within LPS 36 and will be retained in their entirety as such, and enhanced if possible.*
- *The existing allotment gardens to the east of Mereheath Lane remain in the Green Belt as protected open space.*

Open Space related requirements of LPS 36 are considered to include the following ‘Site Specific Principles of Development’:

(g) Any replacement and/or new sports provision should be in accordance with an adopted up to date and robust Playing Pitch Strategy and Indoor Sports Strategy and with Policy SC 2 ‘Indoor and Outdoor Sports Facilities’.

(k) Creation of a network of green infrastructure and accommodation of SuDS requirements.

And within (u):

- *provide for the long-term future management of the informal open space and landscaped belts.*

General Open Space in new developments (SE6, REC3 and SL1)

Policy SE6 of the CELPS requires all developments to protect and enhance existing open spaces and recreation facilities, encourage improvements in their quality and provide adequate open space. Policy REC3 of the SADPD sets out that there is an expectation that all open space provision be provided on site. It details that a contribution towards off-site provision maybe acceptable in limited instances. The policy specifies that management of the open space should be in perpetuity and the applicant should demonstrate this.

Policy SL1 of the KNP details that Open Space is required in line with the CELPS. It details that for all new development, the open space should be of high-quality design and provide improvements in the connection between people and nature and should meet the 10 principles of Active Design set out by Sport England or other relevant guidance.

For new residential development in particular, proposals should demonstrate how they will complement existing spaces and facilities within the Town in line with Policy SL3. It details that all proposals should demonstrate how these spaces will be maintained and managed in the long term and retained in public use in perpetuity.

On-site provision

In order to assess the adequacy of the open space proposed by the application, table (13.1) is provided within the subtext of Policy SE6 which sets out open space standards.

	Children's Play Space	Amenity Green Space	Allotments	Outdoor Sports Facilities	Green Infrastructure Connectivity
Quantity (per 1,000 population)	0.8ha	0.8ha	0.2ha	Developer Contribution	0.8ha
Quantity (per family home)	20m ²	20m ²	5m ²	Developer Contribution	20m ²

Table 13.1 Open Space Standards

It should be noted that a 'family dwelling' referred to in this table is defined as being of 2 bedrooms or more within the recently adopted 'Developer Contributions' SPD (March 2024).

The above table sets out that for every 'family home', 20m² of Children's Play Space (CPS), 20m² of Amenity Green Space (AGS), 5m² of Allotments and 20m² of Green Infrastructure (GI) Connectivity should be provided, along with a developer contribution towards Outdoor Sports Facilities.

As it is unknown until reserved matters stage what the total amount of C3 dwellings will be on this site and what the make-up of these dwellings will be and therefore the number of 'family dwellings', it is not yet known what the numerical required amount of Open Space will yet be.

As the possible 25-50 bed, C2 care home would not be classified as a 'family dwelling' and based on the event that all 250 dwellings will be provided and the unlikely scenario that all 250 would be classified as 'family homes', therefore a worst-case scenario, this would equate to a requirement to provide 5,000sqm of CPS, 5,000sqm of AGS, 1,250m² of 'Allotments' and 5,000sqm of GI. Total 'worst-case' requirement for on-site open space would be 16,250sqm.

Upon review of the LPS 36 (c) allocation, two parcels of Open Space are identified. A large portion of the allocation (to the south and east) is defined as 'Protected Open Space' and another, smaller parcel to the north-east, is identified as 'informal protected open space'. Criterion 6 of LPS 36 refers to the 'Protected Open Space.' It clarifies that the existing sports grounds situated between Mereheath Lane and Manchester Road to the south of LPS 36 (c) are removed from the Green Belt and will be '*...retained in their entirety as such, and enhanced if possible.*' All of this parcel of land is excluded from the application proposals.

With regards to the identified 'informal protected open space' to the north-east, this does fall within the scope of the application proposals. Site Specific Principle (u) details that this space should '*comprise informal open space incorporating landscaped belts.*'

The indicative Masterplan shows that this space would include x2, minimum 'Approx 15m' belts, one on the eastern boundary with Mereheath Lane and one of the western boundary with the developable part of the application site. Site Specific Principle (u) also details that development should '*provide for the long-term future management of the informal open space and landscaped belts.*'

Site Specific Principle (u) is clear that within this space there should be '*no built development*'.

Paragraph 15.447 of the CELPS which forms the subtext to LPS 36 details that the presence of the identified informal protected open space '*...enables new built development to be set back from Mereheath Lane and allows for appropriate landscaping, in the interests of protecting the setting of, and approach to, Tatton Park. The informal open space and landscaped belts could accommodate sustainable drainage features and they provide an opportunity to create new ecological habitats to provide net gains in biodiversity for the allocated site as a whole.*'

There is no definition within the development plan as to what constitutes 'informal protected open space'. However, there is an assumption that this parcel of land be used for its primary purpose to provide a buffer between the proposed development and Tatton Park to the east. However, it could also be used to form Open Space such as Green Infrastructure.

Upon review of the submitted latest indicative Masterplan, the 'Protected Open Space' would not be impacted by the proposed development.

The indicative Masterplan shows that within the application site, two parcels of non-descript, larger areas of open space are proposed within the residential zones as well as one smaller parcel on the Manchester Road site frontage. In addition, the 'informal protected open space' to the far north-east is identified to be 'new informal open space'. This is shown to be the largest single area of open space proposed.

The applicant has provided figures regarding the sizes of these parcels of land on their indicative Masterplan. These equate to a total of approximately 27,800sqm. This is well in excess of the 16,250sqm minimum, worst-case scenario requirement. This suggests that the application site can accommodate the required on-site open space provision.

However, given that LPS 36 restricts any built form within the larger, informal open space to the north-east, this leaves the indicative two parcels of open space within the residential zones as the only realistic areas which can provide the 5,000sqm of Childrens Play Space (CPS) as this will require built form and the more formal aspects of the total 5,000sqm of AGS e.g. useable, manicured areas. The strip of open space on the Manchester Road frontage is deemed too narrow to represent a realistic option for the CPS.

The indicative Masterplan shows that these two parcels of land will contain retained existing water bodies and possible SuDS infrastructure. One of the parcels would also include a retained tree. The scale of some of these features is unknown at this time.

Combined, the indicative Masterplan shows that these two parcels equate to 7,300sqm. As such, it is not clear whether there is scope to provide the full provision of the CPS and a decent proportion of useable Amenity Green Space as well as retaining existing water bodies, a tree and providing SuDS infrastructure, within these two indicative parcels.

The Council's ANSA Greenspace Officer advises that both CPS and AGS should be provided within the development parcels in order to best serve the local community, be accessible and convenient, have good surveillance, be close to walking routes and convenient to use, especially when considering the needs of toddlers and young families. The locations for the necessary level and mix of play and amenity green space should be an integral part of any evolving design and layout process for the entire site.

Whilst the indicative Masterplan does not show this to be achievable, the layout is not fixed and because there is scope to increase the density of the development on parts of the site e.g. through the provision of apartments, smaller units, flats above shops etc, which in turn would also reduce the on-site Open Space requirement, overall it is deemed that the application site can accommodate the proposed quantum of development alongside the required quantum of CPS and formal, useable AGS within the development parcels. In the event of approval, the quantum of the required amount of CPS, AGS & GI will be secured by S106 Agreement.

An Open Space Strategy will also be required which would need to be submitted with the first Reserved Matters application. The Open Space Strategy would identify how all the SE6 open space requirements can be met and when in relation to the phasing of the development (if applicable). It should identify the design concepts for the various areas of provision, the quality of materials,

opportunities for bespoke elements and interpretation to enhance sense of place and character development and how this works in relation to wider landscape requirements, active travel, public realm. This should identify the location of and mix of play provision within development parcels in line with SE6 with detailed schemes for each. This should consider and include LAP's LEAPS and NEAPS where appropriate to meet best practice in terms of quantity of play and including amenity green space including, pocket parks and landscape features. All play and amenity green space should be provided prior to the occupation of any adjoining unit. This can be secured by condition in the event of approval. The management and maintenance of the Open Space and a requirement for a private management company to be established to undertake this will be secured by S106 Agreement.

The remaining requirement to provide 1,250m² of 'Allotments' is addressed later in this section.

The 10 principles of active design referred to in Policy SL1 of the KNP include; Activity for all, walkable communities, connected walking and cycling routes, co-location of community facilities, network of multi-functional open space, high quality streets and spaces, appropriate infrastructure and active buildings.

In response, the scheme will include a variety of open space types for all to enjoy. It will include recreational footpaths, will provide pedestrian & cycle linkages and it would group community facilities (Local Centre). Matters in relation to the quality of streets and spaces and active buildings would be considered at Reserved Matters stage. As such, the first set of requirements of Policy SL1, which relates to all new development are deemed to have been satisfied for the purposes of this outline application.

Off-site provision

Allotments:

With regards to allotment provision, 250 dwellings (if that is what is eventually delivered) would require the provision of 1,250sqm of allotments. Criterion 4 of LPS 36 details that the site allocation should incorporate green infrastructure where required, including allotments and community orchard or community gardens.

The Council's ANSA Greenspace Officer advises that the formal allotment provision, in this case, will be best achieved by way of an offsite commuted sum for use at Mereheath Lane Allotments for works of enhancement, improvement and addition in order to increase capacity and opportunity. This allotment site is within easy walking distance of the application site. The commuted sum will be calculated at a rate of £586.70 per family dwelling or £293.35 per apartment. This will be spent over a 20-year period. This will be secured via a S106 Agreement in the event of approval.

Outdoor Sport:

With regards to a contribution towards off-site outdoor sports facilities as required by Policy SE6 of the CELPS, in terms of calculating the level of commuted sums and identifying the uses, a Sports Needs Assessment is required. This is required in line with the Developer Contributions SPD as the development could potentially impact on existing sports facilities and with the involvement of Sport England as a non-statutory consultee. This will use the newly adopted Playing Pitch and Outdoor Sports Strategy and Sports England Sports Facility and Playing Pitch Calculators to

identify need arising from the development for which sports and how this need can be met. This will help address Sport England's non-statutory concerns.

Sport England, in the event of approval, in their role as a statutory consultee (because the site lies immediately adjacent playing pitches), recommend a condition that a noise assessment be submitted/approved including any mitigation measures to ensure future residents occupying the new housing do not have unreasonable risk of noise and disturbance from the use of the adjacent fields. In addition, a condition is required that a ball trajectory impact assessment report be submitted and approved to ensure future residents have no unreasonable risk of ball strike from use of the adjacent playing fields.

In their role as a non-statutory consultee, Sport England as well as the recommendation that an updated Sports Strategy be provided, also recommend a condition requiring the submission/approval of an Active Environment Strategy which will provide details of pedestrian and cycle networks to be provided through the site.

Indoor Sport:

In relation to indoor sport, Policies SC1 and SC2 of the CELPS provide a clear development plan policy basis to require developments to provide or contribute towards both outdoor and indoor recreation where development will increase demand and/or there is a recognised shortage in the locality that would be exacerbated by the increase in demand arising from the development.

The Cheshire East Indoor Built Facilities Strategy has shown there is a shortfall in indoor sports provision in Knutsford and that any that commuted sums arising from this development should be used to make improvements to the health and fitness stations at Knutsford Leisure Centre. Previously comments also highlighted the possibility that any commuted sums could be used to improve indoor sports opportunities adjacent to the site.

As detailed above, the applicant is required to prepare and submit a Sports Needs Assessment to address outdoor sports concerns and identify level of com sums capital and revenue and how and where this should be spent in Knutsford. This will be developed in line with the Playing Pitch and Outdoor Sports Strategy and in consultation with Sport England and the NGB's. Similarly, the SNA should address indoor sports and identify any opportunities should they be relevant local to the application site alongside those at Knutsford Leisure Centre.

The level of commuted sums required are, based on the full 250 dwellings being built out would be £65,000. The commuted sums are required on commencement of development, will be used at Knutsford Leisure Centre, in line with the Indoor Built Facilities strategy and/or the SNA produced for the site by the applicant where other sites are indicated. The spend period is 20 years.

The final number of dwellings that would be subject to this contribution will not become apparent until reserved matters stage. However, subject to the required contribution being secured based on the number of dwellings, through a S106 Agreement, the proposals would adhere with the requirements of Policy SE6 of the CELPS.

The agent has confirmed a commitment to providing the policy required provision and this would be secured via a S106 Agreement in the event of approval.

LPS 36 requirements

In response to these policy requirements, subject to a S106, appropriate provision of on-site open space, its management and off-site contributions in line with policy and the Council's sports strategies, will be achieved.

Open Space conclusions

Overall, subject to the detail being secured by S106 Agreement, the proposed open space provision as detailed on the submitted plans is deemed to adhere with the requirements of policies SE6 of the CELPS, REC3 of the SADPD and SL1 of the KNP.

Manchester Airport

SADPD policy GEN5 of the SADPD sets out that development which would adversely affect the operational integrity or safety of Manchester Airport or Manchester Radar will not be permitted. The Safeguarding Authority for Manchester Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria.

The Safeguarding Authority for Manchester Airport advise that they do have some concerns regarding this development. However, they advise that they will not object providing that a number of conditions are imposed in the event of approval. These conditions are; the submission/approval of measures to minimise and manage the creation of dust during construction works; that the Safeguarding Authority be re-consulted if any buildings are proposed with a flat roof design; the submission/approval of a SuDS scheme; that any exterior lighting be capped at the horizontal with no upward light spill and that no solar thermal or solar photovoltaic equipment be installed without prior approval. A number of informatives are also proposed.

Other matters

The Cheshire Brine Board have commented on the application proposals and advised that the application site is within an area which has previously been affected by brine subsidence and the possibility of future ground movements cannot be completely discounted. As such, in the event of approval, it is proposed that a condition be imposed that structural precautions be utilised in all infrastructure such as foundations, services and superstructures. It is recommended that this be included as an informative in the event of approval.

Heads of Terms

If the application is approved, a Section 106 Agreement will be required to secure the following:

- Contribution of £1.3 million to active travel scheme along the A50 King Edward Road and link into the new roundabout scheme being delivered at the Canute Place roundabout.
- Contribution towards offset the impact of the proposed development upon the NHS
- Contribution towards offsetting the impact of the development upon Special Educational Needs children
- Provision of 30% affordable housing provided entirely on-site
- Secure appropriate on-site Open Space
- Management and maintenance of Open Space, off-site landscape buffers and footpaths

- Contribution towards off-site Allotment enhancement, improvement and addition
- Submission/approval of a Sports Need Assessment & associated contribution towards mitigating the increased demand upon Outdoor Sport
- Contribution towards Indoor sport

Levy (CIL) Regulations

Policy IN2 of the CELPS details that developer contributions will be sought to make sure that the necessary physical, social public real, economic and green infrastructure is in place to deliver development. The policy continues, to say that contributions will be used to mitigate the adverse impacts of the development (including any cumulative impact).

Paragraph 57 of the NPPF clarifies that Planning Obligations must only be sought where they meet all of the following tests as set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010:

- 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.

Highways

- Contribution of £1.3 million to active travel scheme along the A50 King Edward Road and link into the new roundabout scheme being delivered at the Canute Place roundabout.

With regards to the development's impact, when this application was last assessed, conditions were imposed that required the delivery of mitigation works at various junctions within Knutsford (Hollow Ln/ Brook St, Adams Hill/ Toft Road. However, in the intervening period there has been further considerations on the type of improvement required at these junctions to improve traffic flows. In addition, there has been further S106 receipts for the proposed works at these junctions.

It is now considered that additional contributions are no longer required at the junctions referred to in the previously proposed conditions but the development should contribute to the active travel scheme along the A50 King Edward Road and link into the new roundabout scheme being delivered at the Canute Place roundabout.

It is accepted that the contribution is necessary to mitigate the additional traffic impact that would be generated by the development. It would directly relate to the development as the scheme would commence on the opposing side of Longridge to the proposed development and it is deemed to be reasonably related in scale and kind.

Health

- Contribution towards offset the impact of the proposed development upon the NHS

Knutsford Medical Partnership (KMP) is a GP partnership, currently working across 4 sites to deliver high quality care to 22,950 patients of Knutsford and its surrounding areas. The sites are referred to as Toft Road, Manchester Road, Annandale and Town Lane (Mobberley). The NHS have advised that these Practices operate from buildings that do not meet the modern-day healthcare standards and are non-compliant in many areas, with access to some consulting rooms on the upper floors being restricted due to steep staircases and lack of lift access, together with the usable space in the

buildings falling well below the recommendations set out in the Department of Health Primary and Community Care Health Building Note 11-01: Facilities for primary and community care services. Space utilisation analysis across all three Knutsford GP premises (Toft Road, Manchester Road and Annadale) has demonstrated a significant shortfall of space, to adequately provide primary care services to the existing patient population across the locality. Additional growth in patient numbers will add further pressures to the GP Partnership, with an increase in clinical and nonclinical staff required in order to meet these future patient needs. Such an increase in clinical and non-clinical staffing numbers requires expansion and development of suitable accommodation for the three GP practices involved.

For the above reasons, the NHS have advised that the existing GP practice infrastructure within Knutsford will '*struggle to accommodate additional patients.*' They have advised that a contribution request would be directly related to the proposed development as the impact of the application scheme would affect GP and community services. It is deemed that the contribution request is fairly and reasonably related in scale and kind to the development because the funding calculations are based on a set formula.

As the final number of the proposed dwellings is yet to be identified until Reserved Matters stage, it is proposed that the NHS contribution requirements be added to a S106 Agreement based on the set formula used to establish the contribution amount for Health to ensure an accurate contribution is secured based on the final scheme.

Education

- Contribution towards offsetting the impact of the development upon Special Educational Needs (SEN) children.

It has been calculated by the Council's Children's Services that the proposal to construct 250 dwellings is expected to generate 73 primary school children, 35 secondary school children and 7 Special Educational Needs (SEN) children. The Council's Children's Services have advised that a housing impact assessment has been carried out and it has been concluded that no contribution is required for primary or secondary pupil places, but there is a shortage of SEN places available within Cheshire East with 47% of SEN children currently educated outside of the borough. Whilst this is an overall issue for Cheshire East, the Council's Children's Services advises that the additional 7 SEN children that would be generated by the proposed development would exacerbate this issue. As such, a commuted sum is required to offset this impact.

For this reason, this sought contribution is deemed to directly relate to the development and mitigate the impact of the proposed development upon local SEN provision, it is deemed that it is indeed necessary to make the development acceptable, directly related and fairly and reasonably related in scale and kind.

As the final number of the proposed dwellings is yet to be identified until Reserved Matters stage, it is proposed that the Council's Children's Services contribution requirements be added to a S106 Agreement based on the set formula used to establish the contribution amount for education to ensure an accurate contribution is secured based on the final scheme.

Affordable Housing

- Provision of 30% affordable housing provided entirely on-site.

The proposed development triggers the requirement to provide 30% affordable housing provision (Policy SC5 of the CELPS). The amount of affordable housing required will be determined by the amount dwellings that ultimately benefit from Reserved Matters approval and what amount of the C2 provision (if any) would be subject to the requirement.

The latest published Cheshire East Annual Monitoring Report (AMR) 2022/2023, reports on the number of completed affordable dwellings each year up to the end of the 2022/2023 reporting period. It details that since 2010/2011, 23,183 (net) dwellings have been completed. Based on the net number of dwellings, the average number of dwellings built each year between 2010/11 and 2022/23 is 1,783.

It goes on to detail that in 2022/23 20% of the total number of dwellings built were affordable and that the average proportion over the last 5 years is 21%.

Despite high delivery to date, the LPA are still short of 1,222 affordable dwellings based on the latest published figures.

To summarise, there is a policy requirement for the provision of 30% affordable housing triggered by Policy SC5 of the CELPS due to the number of dwellings sought. Despite the latest published evidence showing a strong delivery of affordable housing in the borough, their still remains a need. Furthermore, not many residential strategic sites have not yet been developed in Knutsford itself, suggesting that the strong delivery of affordable housing in Cheshire East to date has been achieved elsewhere in the borough.

For a combination of the above reasons, the proposed 30% on-site affordable housing requirement is deemed necessary, directly related to the application scheme and fairly and reasonably related in scale and kind.

Open Space

- Secure appropriate on-site Open Space
- Management and maintenance of Open Space, off-site landscape buffers and footpaths
- Contribution towards off-site Allotment enhancement, improvement and addition
- Submission/approval of a Sports Need Assessment & associated contribution towards mitigating the increased demand upon Outdoor Sport
- Contribution towards Indoor Sport

The submitted indicative Masterplan demonstrates that the required on-site open space requirements as detailed within policies SE6, REC3, SL1 and LPS36 of the development plan are achievable. Securing the required provision would be achieved through the S106 Agreement.

A requirement to provide a management and maintenance plan for all open space, including off-site landscape buffers and footpaths and to establish a private management company to manage and maintain the open space in perpetuity is also necessary to make the development acceptable, directly related and fairly and reasonably related in scale and kind. Without such a regime, the open space could fall into disrepair and result in unusable open space.

The securing the requirement to provide a commuted sum towards the enhancement, improvement and addition to the nearby existing allotments necessary to make the development acceptable in

order to meet the policy requirements of SE6. It too would be directly related to the development and reasonably related in scale and kind.

The trigger to provide a Sports Need Assessment within the Cheshire East Developer Contributions SPD is 300 dwellings or more *or* where a smaller development would have an impact on existing sports facilities. Although the quantum of development falls short of this figure, the Council's Open Space Officer advises that because the development could potentially impact on existing Sports Facilities, a concern also raised by Sport England in their non-statutory role, this should be a requirement in this case. This will determine the level of commuted sums required and identify the uses. For this reason, it is deemed necessary in this case in order to make the development acceptable and would be directly related to the development and reasonably related in scale and kind.

The requirement for a commuted sum towards indoor sports would be required to mitigate the impact of the development upon local provision and adhere with relevant development plan policy. It would be directly related to the development as it would assist in alleviating the impact on this local provision by the additional people that would move into the area. It would also be reasonably related in scale and kind.

Conclusions

The application seeks outline planning permission, with all matters reserved, for residential-led development of up to 275 residential units (Use Class C2 and C3) of which no more than 250 shall fall within C3 Use Class. C2 units to no more than 50. In addition, a 'Local Centre' is proposed which will provide for small retail, café, professional services, takeaway(s) as well as a larger medical/dental facility.

The wider LPS36 site is allocated to provide around 500 dwellings with this site in particular earmarked to provide 250. As up to the full allocation of the Local Plan policy is being sought for permission, the principle of this aspect of the scheme is deemed acceptable.

The application also proposes upto a 50-bed C2 care home and a 'Local Centre'. Neither of these are express requirements of the site allocation. However, as part of LPS36, Criterion 2 supports *'appropriate retail provision to meet local needs'*. In addition, within the Site Specific Principles of LPS sets out that the site should achieve *'a mix of housing types, sizes and tenures'* and the *'Provision of additional community facilities'*. It is deemed that the provision of the 'Local Centre' would provide appropriate retail provision to meet local needs (subject to controls) and a cumulatively, would provide a community facility, as would the medical/dentist facility. Any C2 care home that may come forward would contribute to the mix of housing types, sizes and tenures. It has been calculated that there is sufficient space within the site to provide these additional provisions.

Although matters of 'Access' are not sought for approval at this stage, the Council's Highways Officer raises no objections to the proposed development in principle, subject to a commuted sum which will contribute to an active travel scheme to assist in alleviating the impact of the development on surrounding roads. In the event of approval, it is proposed that this commuted sum be secured via S106 Agreement.

With regards to heritage and design, as all matters are reserved, there is little to consider with this application. In order to ensure that a high-quality scheme comes forward at Reserved Matters stage,

a condition is proposed ensuring that a design code comes forward for each phase. This will also require the eastern edge of the development to have a lower density for heritage reasons. A condition requiring an initial programme of non-invasive archaeological investigation is also required.

In consideration of landscaping and trees, subject to the required landscape buffers being secured by condition and the conditions proposed by the Council's Tree and Landscape Officer's being included, no issues in relation to these matters are raised.

With regards to Ecology, the proposals will result in a Biodiversity Net Gain and subject to conditions, no objections are raised.

No issues in relation to neighbouring amenity, the amenity of future occupiers or environmental amenity are raised, subject to conditions.

The site lies within a Flood Zone 1, the lowest of the flood categories in England. Both the Council's Flood Risk Officer's and United Utilities have no express objections, subject to the inclusion of conditions in the event of approval.

The Council's Public Right of Way Officer advises that the development should not directly impact any Public Right of Way and the additional indicative footpaths proposed offer health and wellbeing benefits. Subject to conditions to ensure these are provided & maintained along with the submission of a scheme of improvements for the existing closest PROW (Knutsford FP1), no objections are raised.

Contributions based on set formulas are required towards mitigating the development's impact upon local health facilities and schools. The health contribution would be pooled with other contributions with the intention that it would help part fund a desired larger medical hub in Knutsford in the future.

It is calculated that there is sufficient local school capacity for primary and secondary education however, a there is a shortage of SEN provision. The education contribution would go towards SEN only.

The minimum required quantum of affordable housing (30%) is proposed and this will be secured as part of the S106 Agreement in line with a required Affordable Housing Statement which will sets out the detail along with triggers for provision.

There is sufficient space within the site to deliver the minimum required quantum of open space provision, including children's play. This will be secured through the S106 Agreement. The S106 Agreement will also secure the management and maintenance of this space, a commuted sum towards off-site Allotment enhancements/improvements/additions as well as a commuted sum towards off-site indoor sport provision. A Sports Needs Assessment is required to determine the level of contribution required towards outdoor sport in the area along with where that money is most needed. This too would be secured by the S106.

Subject to the above requirements being secured by S106, along with planning conditions, the application proposals are recommended for approval.

RECOMMENDATIONS

APPROVE subject to a S106 Agreement to secure:

S106	Amount	Trigger
Highways – Contribute to the active travel scheme along the A50 King Edward Road and link into the new roundabout scheme being delivered at the Canute Place roundabout.	Commuted sum of £1.3 million pounds	Prior to occupation
Health – Commuted sum	Amount to be determined based on standard formula and by number of dwellings that ultimately gain approval. Index linked.	Prior to commencement
Education – Commuted sum	Amount to be determined based on standard formula and by number of dwellings that ultimately gain approval.	Prior to commencement
Affordable Housing - On-site provision	30% of total number of dwellings (rounded-up) shall be affordable.	In accordance with triggers detailed within required Affordable Housing Statement
Open Space & sport <ul style="list-style-type: none"> • Open Space – on-site provision • Open Space - Management • Commuted Sum – Allotments 	<p>Secure the required on-site open space requirements.</p> <p>Submission/approval of a Management and maintenance plan (incl off-site landscape buffers & footpaths)</p> <p>Establishment of a private management company</p> <p>Contribution towards off-site Allotments - £586.70 per</p>	All - Prior to occupation

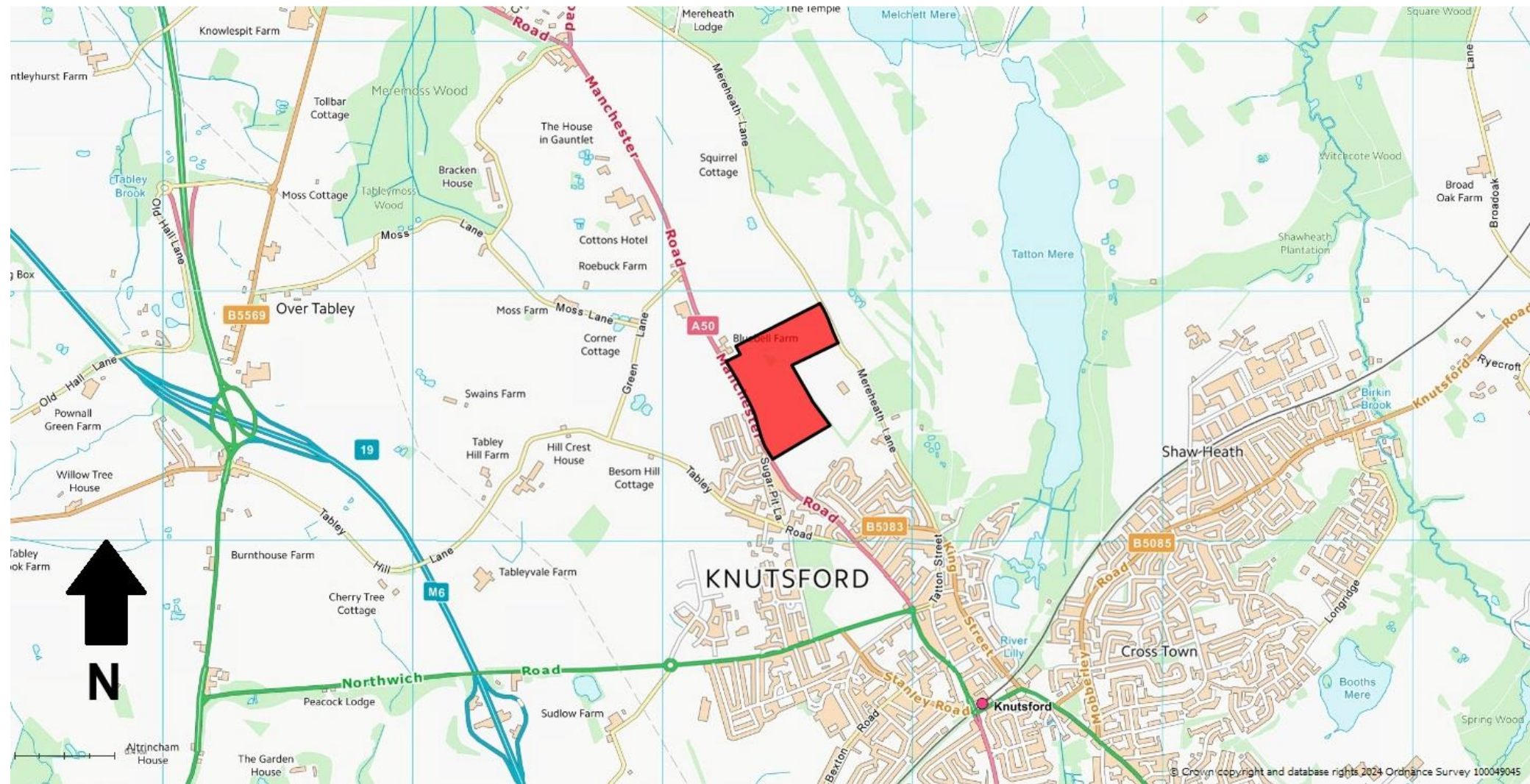
<ul style="list-style-type: none"> • Commuted Sum –Outdoor sport • Commuted Sum – Indoor sport 	<p>family dwelling or £293.35 per apartment</p> <p>Submission/approval of Sports Needs Assessment to determine contribution amount and where it should be spent.</p> <p>Amount to be determined based on standard formula and by number of dwellings that ultimately gain approval.</p>	
--	---	--

And the following conditions:

1. Outline (commencement of development)
2. Requirement to submit Reserved Matters application(s)
3. Time limit on submission of Reserved Matters
4. Approved plan/s
5. Submission/approval of a Phasing Plan
6. The development shall include a total of upto 275 residential units (Use Class C2 and C3) of which no more than 250 shall fall within C3 Use Class. C2 units to be no more than 50.
7. The proposed 'Local Centre' shall comprise of no more than 1,000m² gross of commercial floorspace. No individual unit shall be more than 450m² gross. The convenience goods floorspace in any one retail unit should not exceed 280m² net.
8. 'Local Centre' shall include the following uses only: Class E(a), E(b), E(c), sui generis (takeaway(s)) all within the 1000m², E(e) (800m²) and at first-floor level or above Office (E(gi)) or residential (C3).
9. Submission/approval of an Access Statement including details of; primary access, any secondary/emergency access, a suitable crossing on Manchester Road, & scope for speed restrictions
10. Submission/approval of bespoke Spatial Design Code(s)
11. Submission/approval of a scheme of Archaeological investigation
12. Submission/approval of an updated Landscape & Visual Appraisal
13. Submission/approval of detailed Landscaping Scheme informed by an updated Landscape & Visual Appraisal (*including retention of existing and replacement hedgerow planting*)
14. The landscape buffers as required by LPS36 shall be provided.
15. Submission/approval of existing and proposed ground spot levels and proposed finished floor levels.
16. Submission/approval of Arboricultural Report(s)
17. Submission/approval of a detailed drainage design for the entirety of the outline consent
18. Submission/approval of a drainage management and maintenance plan
19. Submission/approval of Construction Environmental Management Plan(s)
20. Submission/approval of a bat survey should any trees within that phase be identified for removal.

21. Prior to commencement of development, the consented development be entered into Natural England's DLL scheme for Great Crested Newts.
22. Submission/approval of a biodiversity/ecological enhancement strategy
23. Protection of nesting and breeding birds
24. Submission/approval of an external lighting scheme
25. Submission/approval of a habitat creation method statement, ecological monitoring strategy and a 30-year habitat management plan for retained, enhanced and newly created habitats.
26. The woodland planting proposed within the blue edge (off-site) be delivered as part of the implementation of the first phase.
27. Submission/approval of an acoustic report demonstrating how the detailed scheme will achieve the requirements for both internal and external noise.
28. Submission/approval of an acoustic validation report prior to occupation of each phase proposing residential development.
29. Submission/approval of a Phase II ground investigation and risk assessment
30. Submission/approval of a contaminated land verification report
31. Submission/approval of an imported soil verification report
32. Works should stop should contamination be identified.
33. Submission/approval of detail (including surfacing material) of x2 footpath links leading to and linking into Knutsford Footpath 1
34. Submission/approval of a scheme of improvement works to Knutsford Footpath 1
35. Submission/approval of an Affordable Housing Statement
36. Submission/approval of an Open Space Strategy
37. Submission/approval of a noise assessment (incl mitigation) in relation to adjacent playing fields and associated facilities
38. Submission/approval of a ball trajectory risk impact assessment (including mitigation) in relation to adjacent playing fields.
39. Submission/approval of an Active Environment Strategy
40. Any future development proposes a flat-roof design - Manchester Airport should be consulted.
41. Submission/approval of a SUDS scheme
42. Any exterior lighting should be capped at the horizon.
43. No solar thermal or solar PV equipment

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



© Crown copyright and database rights 2024 Ordnance Survey 100049045

OFFICIAL