

Application No: 23/2129C

Location: HOUSING DEVELOPMENT SITE, LINLEY ROAD, ALSAGER

Proposal: Erection of 70no. affordable homes, with associated access, car parking, landscaping and public open space.

Applicant: Plus Dane Housing Ltd.

Expiry Date: 01-Aug-2024

SUMMARY

The site is located within the Settlement Boundary for Alsager, as such Policy PG9 of the SADPD identifies that within the Settlement Boundary proposals 'will be supported where they are in keeping with the scale, role and function of that settlement and do not conflict with any other relevant policy in the local plan'. The site also forms part of the allocation LPS21. The principle of development within the settlement boundary is therefore accepted. The proposal is also within the target housing figure of around 550 homes as per bullet point 1 under allocation Policy LPS 21.

Whilst the viability of the scheme is not contested the proposal would not mitigate the full impacts of the proposal in terms of education and NHS provision and highway improvement works with the impact of such being felt by the local community and ultimately Cheshire East would be left to fund the shortfall, which is contrary to Policies SD1, SD2, IN1, IN2 of the CELPS and TTS6 of the ANP.

The proposal fails to meet key criteria A, E, F, H within allocation Policy LPS 21

The benefits of the proposal would be the provision of 100% affordable housing and the limited economic benefits during construction. However, the weight to be given to the benefit of affordable housing provision is only moderate given that the Council is meeting and exceeding its affordable housing targets.

The proposal would not provide a suitable mix of housing and would not provide wheelchair adaptable dwellings contrary to SC4 CELPS, SADPD Policy HOU8 and H1 ANP.

The development will not result in harm to living conditions of neighbouring properties and complies with SADPD Policy HOU12. However, the proposal would not provide sufficient size of private garden areas contrary to SADPD Policy HOU13.

The proposal would not cause harm to existing landscape features and complies with CELPS Policies SE5, SADPD ENV6 & NB4E of the ANP.

The proposal would not result in any significant ecological harm and complies with CELPS Policies SE3 AND SADPD ENV1 & ENV 2.

The proposal would cause harm to the character/appearance of the area by reason of poor design contrary to CELPS Policies SE1 & SADPD GEN1, H6 of the ANP and the Design Guide SPD.

The proposal would result in the loss of an existing area of protected open space with no improvements made to the overall open space provision within Alsager contrary to Policy SE6 of the CELPS, REC1 of the SADPD and the guidance within the NPPF.

The development would not have significant drainage/flood risk implications and would be compliant with CELPS SE13 & SADPD ENV16.

The proposal would not result in any severe highway impacts and complies with Policy SD1, CO2 of the CELPS and TTS2, CW3 of the ANP

In conclusion the benefits of the scheme to provide affordable housing and the limited economic benefits, would not outweigh the harm through lack of contributions to mitigate the impacts of the development, harm from a design perspective, lack of suitable housing mix and lack of wheelchair adaptable dwellings and lack of suitable private garden areas.

RECOMMENDATION

REFUSE

REASON FOR REFERRAL

The application is referred to committee as it exceeds the delegated threshold of 20 dwellings.

PROPOSAL

This is a full application for the erection of 68 affordable homes with associated access, car parking, landscaping and public open space.

SITE DESCRIPTION

The application site comprises a parcel of land off Linley Road, Alsager and extends to 2.48 hectares. The area consists of predominantly residential properties to the south and west, railway to the north and Cardway Business Park to the east.

Land levels on the site rise slightly from properties to the south, and the site is also enclosed by planting to the north and eastern boundaries.

The site is located in the Settlement Boundary as per the Local Plan and forms part of allocation LPS21 (Twyfords and Cardway, Alsager).

RELEVANT HISTORY

Various applications for the former commercial use. However, the most relevant to this application are:

16/2229C – Reserved matters application following outline application 11/4109C; for access (off Linley Lane), appearance, landscaping, layout and scale – approved 16-Dec-2016

15/2101C – Outline planning application for a phased development of up to 110 dwellings – approved 6th July 2017

13/4081C – Outline planning application for residential development for up to 110 dwellings – refused 24-Oct-2014

11/4109C – Outline Planning Permission with some Matters Reserved for up to 335 Residential Units and Access off Lawton Road and Linley Lane – approved 15-Nov-2013

11/3575W – Inert and Excavation Waste Recycling Centre with Erection of Site Portacabin – withdrawn 13-Jan-2012

12169/1 – Reclamation of land: 1.07 hectares of landscaped open space, 1.30 hectares residential development and 1.06 hectares allotments – Withdrawn 30-Dec-1980

16497/3 – Reclamation of disused sidings for part residential use, part industrial use, part allotments and walkway – Approved 05-Feb-1985

CY/8/08/0731/OUT – Development of four 464sq m (B1, B2 and B8) units and up to 108 dwellings – Objected to 03-Nov-2008

14431/3 – CHANGE OF USE TO SHOOTING RANGE – approved 26-Oct-1982

PLANNING POLICY

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development. Of particular relevance are paragraphs:

- 11. Presumption in favour of sustainable development.
- 59. Delivering a Sufficient Supply of Homes
- 124-132. Achieving well-designed places
- 170-177 Conserving and enhancing the natural environment

Cheshire East Local Plan Strategy – (CELPS)

- MP1 – Presumption in Favour of Sustainable Development
- SD1 – Sustainable Development in Cheshire East
- SD2 – Sustainable Development Principles
- SE1 – Design

SE2 – Efficient Use of Land
SE3 – Biodiversity and Geodiversity
SE4 – The Landscape
SE5 – Trees, Hedgerows and Woodland
SE6 – Green Infrastructure
SE9 – Energy Efficient Development,
SE12 – Pollution, Land Contamination and Land Instability
SE13 – Flood Risk and Water Management
PG1 – Overall Development Strategy
PG2 – Settlement Hierarchy
PG6 – Open Countryside
PG7 – Spatial Distribution
SC4 – Residential Mix
IN2 – Developer Contributions
CO1 – Sustainable Travel and Transport
CO4 – Travel Plans and Transport Assessments
SC5 – Affordable Homes
IN1 – Infrastructure
IN2 – Developer Contributions
SC2 – Indoor and Outdoor Sports Facilities
LPS 21 – Twyfords and Cardway, Alsager

Site Allocations and Development Policies Document (SADPD)

PG8 Development at Local Service Centres
PG9 Settlement Boundaries
PG11 Greenbelt Boundaries
GEN 1 Design Principles
ENV 1 Ecological Network
ENV 2 Ecological Implementation
ENV 3 Landscape Character
ENV5 Landscaping
ENV6 Trees, Hedgerows and Woodlands
ENV 7 Climate change
ENV16 Surface Water Management and Flood Risk
HOU1 Housing Mix
HOU3 Self Build and Custom Build Dwellings
HOU 8 Space, accessibility and wheelchair housing standards
HOU10 Backland Development
HOU12 Amenity
HOU13 Residential Standards
HOU14 Housing Densities
HOU16 Small and Medium Sites
INF3 Highways Safety and Access
INF 9 Utilities
REC1 Open Space Protection
REC 2 Indoor sport and recreation implementation
REC 3 Open space implementation

Alsager Neighbourhood Development Plan (ANDP) made 15 April 2020

H1 Type and mix of new housing
H2 Climate change and housing
H3 Infrastructure and sustainable development
H4 Size, scale and density of new housing developments
H5 Affordable housing
H6 Housing design
BE1 Open space and recreation
NBE2 Local landscape quality, countryside and open views
NBE3 Alsager's wildlife corridors
NBE4 Woodlands, trees and hedgerows
NBE5 Wildlife and housing
CW2 Health and leisure facilities
CW3 Safe and accessible routes
TTS1 Promoting sustainable transport
TTS2 Congestion and highway safety
TTS3 Car parking and electric charging points
TTS4 Accessibility
TTS6 Infrastructure
TTS9 Drainage Sustainable Urban Drainage Systems (SUDS) design and management
TTS10 Surface water

CONSULTATIONS

CEC Highways: No objection subject to condition requiring a plan which shows pedestrian connections to the adjacent site to the east and for the applicant to enter into a s106 Agreement in the amount of £110,000 for highways improvements in the Alsager area. The applicant will be required to enter into a s38 Agreement regarding the construction and future adoption of the internal road layout.

CEC Environmental Health: No objection subject to conditions/informatives offered in all other regards such as working hours, electric vehicle charging, noise mitigation, piling, dust, floor floating and contaminated land.

CEC Flood Risk: Further information required.

CEC Housing: No objection subject to the rented accommodation being agreed upon before entering into a S106.

CEC Education: No objection subject to contribution of £241,612.28 towards secondary education and SEN.

CEC Public Open Space: Further information required.

CEC PROW: No objection.

Cadent Gas: No objection but informative notes offered to the applicant.

NHS: No objection subject to contribution of £81,122 to support Cedars Medical Centre and Merepark Medical Centre.

United Utilities: No objection subject to conditions requiring compliance with the FRA.

Network Rail: Suggest condition to protect railway and embankment.

VIEWS OF THE PARISH/TOWN COUNCIL

Alsager Town Council – Following comments made:

- The junction to the secondary entrance needs to be widened to improve visibility.
- There should be a contribution to local primary education, please note Excaliber would be the local school in walking distance.
- There should be a contribution to the medical centres in Alsager.
- Walking and cycling routes should be a condition to improve traffic and to provide connectivity to the station and town centre.
- There should be a bus route to Leighton Hospital considered.
- There is a strong concern that there will be a significant increase on an already busy road. The Town Council strongly advises that a traffic mitigation assessment is carried out on Talke Road.
- Removal of Japanese knotweed must be a condition prior to construction.

REPRESENTATIONS

49 letters of objection to initial scheme and 15 letters of objection to the revised scheme which raise the following issues;

- Pressure on school and GP places
- Traffic/highway safety impacts
- Loss of existing green space used for dog walking
- Ecological impacts
- Drainage/flooding/sewage issues
- Lack of notification
- Contamination
- Units would not actually be affordable
- Damage to existing road network would be made worse
- Gardens are too small
- Harm to character/appearance
- Lack of housing mix
- Structural stability of the site
- No heritage assessment
- Error in FRA
- Want a contribution for improved bus service
- Overlooking to 135, 167 Talke Road
- Loss of service road for informal parking
- Impact to existing allotments
- Too high density

- Los of trees
- Noise from construction
- Impact on house value
- Alsager already at capacity

1 letter of support

- Good public transport options
- Will provide much needed affordable housing

APPRAISAL

Principle of Development

The site is located within the Settlement Boundary for Alsager, as such Policy PG9 of the SADPD identifies that within the Settlement Boundary proposals 'will be supported where they are in keeping with the scale, role and function of that settlement and do not conflict with any other relevant policy in the local plan'.

The site is also allocated for development under CELPS Policy LPS 21 (Twyfords and Cardway, Alsager), which advises that development over the Local Plan Strategy period will be achieved through:

1. The delivery of around 550 new homes.
2. Retention of existing office development (approximately 3,000 square metres).
3. Incorporation of green infrastructure.
4. An appropriate level of amenity open space and children's play space.
5. Potential to include:
 - i. An extra care development providing housing for the older population.
 - ii. Appropriate retail provision to meet local needs.
6. Pedestrian and cycle links to new and existing residential areas, shops, schools and health facilities, including improved pedestrian links to the town centre, the railway station and Talke Road.
7. Open space provision to accommodate the need for enhanced or new indoor and outdoor sports facilities to accommodate the additional demand from the housing. Provision should be in accordance with an adopted up to date and robust Playing Pitch Strategy and Indoor Sports Strategy.

The current proposal seeks to provide 68 affordable homes. The site to the north of the railway, which also forms part of the allocation, received outline consent under ref 11/4109C for up to 335 dwellings. However, the reserved matters application approved under ref 16/2229C was for just 268 dwellings and this is largely built out.

15/2101C for the Cardway Business Park site also granted permission for up to 100 dwellings. However, no reserved matters application has been received so this permission now appears to have expired.

Therefore, the total number of dwellings across the allocation would total 336 which is within the target figure. Even if the Cardway site was included this would still only total 446. As such the proposal complies with bullet point 1 and is acceptable from a land use perspective under allocation Policy LPS 21.

The issue in question is whether there are other material considerations associated with this proposal, which are a sufficient material consideration to outweigh the policy support including compliance with other bullet points within the allocation.

Affordable Housing

Policy SC5 of the CELPS and H5 of the ANP advise that in residential developments affordable housing will be provided as follows:

- i. In developments of 15 or more dwellings (or 0.4 hectares) in the Principal Towns and Key Service Centres at least 30% of all units are to be affordable;
- ii. In developments of 11 or more dwellings (or have a maximum combined gross floorspace of more than 1,000 sq.m) in Local Service Centres and all other locations at least 30% of all units are to be affordable

Threshold

This is a proposed development of 68 affordable dwellings in the Key Service Centre of Alsager, therefore, in order to meet the Cheshire East Local Plan Strategy Policy (CELPS) SC5 on Affordable Housing there is a requirement for 21 dwellings to be provided as affordable homes if this was to be a market housing led application. In this instance, this application is being made via a Registered Provider (RP) and all 68 dwellings are confirmed to be Rented and Shared Ownership and so this is meeting and exceeding the requirement for the provision of Affordable Housing.

Tenure mix

The mix of tenures proposed is to be 38 rented dwellings and 30 intermediate dwellings. This mix has been deemed acceptable by the Councils Housing Officer.

Rented Dwellings

The Affordable Housing Statement in section 7.39 states that the units would be for Affordable Rent but later in the same statement in section 7.40 advises that the applicant is willing to discuss the rental units before entering into a S106 as this is yet to be determined. The Councils Housing officer has no objection in agreeing to the detail further into the planning application. He would like to see the rental units comply with the Housing Supplementary Planning Document (HSPD), paragraph 6.18 (see below).

“6.18 There is a clear need to ensure that rented affordable dwellings can be let at rent levels which are truly affordable. Whilst housing schemes across the borough have previously been let at social rent or affordable rent (up to 80% of market rent), Cheshire East Council have an ambition and are now seeking to support rent levels which do not exceed either the Local Housing Allowance (LHA) for the area, or Regulator for Social Housing target rent amounts – whichever is lowest. This total rent amount is inclusive of additional service charges which are added to rent schedules. LHA rates are subject to change throughout the lifetime of this document; therefore it is recommended that the most recent figures are obtained and observed when providers are securing housing schemes. The purpose of the change to LHA or target rental rates is to ensure that rented accommodation remains truly affordable, across the borough, for those in housing need. A clear viability justification will be

required where applicants seek to demonstrate that LHA rates are not deliverable for a scheme, but it is deliverable at 80% of market rent”.

Local Need in Alsager

The current number of those on the Cheshire Homechoice waiting list with Alsager as their first choice is 463.

From this data there is a shown need for 1-, 2-, 3-, and 4- bedroom dwellings as rented accommodation.

There is also still a need for Intermediate units that will cater for those who cannot buy on the open market.

The proposed housing will assist in meeting the local need in Alsager.

House Types

The RP has provided the below table of the bedroom types and tenures proposed for this application.

	Sqm	Rented	Intermediate
Flats	All flats	11	0
2 bed house	80	11	12
2 bed house	81	4	4
3 bed house	104	11	11
4 bed house	121	2	3
4 bed house	127	1	0
		40	30

The flats mentioned are to be 1- bedroom 2 person dwellings and 2-bedroom 3 person dwellings.

All the proposed house types are meeting or exceeding the NDSS standards and so are meeting that required under policy HOU 8 of the SADPD.

Conclusion

The Councils Housing Officer raises no objection subject to the rented accommodation being agreed which can be resolved as part of the Section 106.

The proposal therefore complies with Policy SC5 of the CELPS and H5 of the ANP.

However, the weight to be given to the benefit of affordable housing in excess of that required by Policy is considered moderate in this instance given that the Council are meeting and exceeding its yearly housing target set in the Annual Monitoring Report.

Education

The development of 68 applicable dwellings is expected to generate:

- 12 - Primary children (68 x 0.19) – 1 SEN child
- 10 - Secondary children (68 x 0.15)
- 1 – SEN child (38 x 0.51 x 0.023)

The development is expected to impact on primary and secondary school places in the locality. Contributions which have been negotiated on other developments are factored into the forecasts both in terms of the increased pupil numbers and the increased capacity at primary and secondary schools in the area because of agreed financial contributions. The analysis undertaken has identified that a shortfall of secondary school places remains.

The Education Service acknowledges that this is an existing concern, however the 10 secondary age children expected from the development will exacerbate the shortfall.

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 1 child expected from the development will exacerbate the shortfall.

To alleviate forecast pressures, the following contributions would be required:

- 12 x £17,959 x 0.91 = £196,112.28 (Secondary)
- 1 x £50,000.00 x 0.91 = £45,500.00 (SEN)

Total education contribution: £241,612.28

These contributions would be secured as part of a S106 Agreement.

Health

The NHS have been consulted who advise that the GP Practices most directly affected by this large-scale housing development are Cedars Medical Centre and Merepark Medical Centre. Overall, patient list sizes in the area have continued to increase without necessary provision to support the infrastructure of the Health Centres that service the population. The table below clearly demonstrates the considerable strain in relation to capacity of premises the GP Practices are facing:

Practice	Patient List	GIA	NHSE Guidance	Shortfall
Cedars Medical Centre	10,794	1298.0m2	1500	14%
Ashfields Primary Care Centre	27,192	1690m2	2300	27%
Haslington Surgery	5,710	301.0m2	500	40%
Waters Edge Medical Centre	4,728	372.0m2	450	18%
Oaklands Medical Centre	11,229	351.0m2	850	59%
Greenmoss Surgery	4,712	947.0m2	-	0%
Merepark Medical Centre	6,991	1227.0m2	-	0%

Therefore, increases in housing in and around the surrounding areas have a direct detrimental impact and therefore in order to mitigate the impact of this development a contribution has been requested based on the formula 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

The proposal seeks the below mix:

1 beds – 4 (flats)	£713 x 4 = £2,852
2 beds – 36 (7 of which are flats)	£1019 x 36 = £36,546
3 beds – 23	£1426.50 x 23 = £32,809
4* beds – 5	£1783 x 5 = £8,915
	Total £81,122

As a result the required contribution is £81,122, which is considered to be both reasonable and necessary and should be secured by way of section 106 agreement.

Open Space/Protected Open Space

Policy SE6 requires major developments (10 or more) to provide open space in line with Table 13.1 of this policy, which requires 65m² per dwelling consisting of children's play space, amenity green space, food growth and green infrastructure connectivity to be provided on site in the first instance. However also advises that in some cases, commuted sums generally may be more appropriate for improvement of other open spaces and green infrastructure connectivity.

Policy REC 1 advises that development proposals that involve the loss of open space, as defined in Criterion 2 below, will not be permitted unless:

- i. an assessment has been undertaken that has clearly shown the open space is surplus to requirements; or
- ii. it would be replaced by equivalent or better open space in terms of quantity and quality and it is in a suitable location; or
- iii. the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss.

The indicative layout shows that the development would provide a main area of open space to the centre of the site.

The site forms part of a protected area of open space as per Policy REC1. It also forms part of an allocation within the Local Plan under Policy LPS21. The site specific principles within this allocation include:

“b. The existing open space on the Cardway site will be substantially retained or improvements made to the overall open space provision in Alsager”.

Therefore there are three elements to this application 1) to substantially retain the existing open space or improve overall open space in Alsager as per LPS 21, 2) to show the existing open space is surplus to requirements or would be replaced by equivalent or better quality in terms of quantity and quality in line with Policy REC1 and 3) to provide open space in line with Policy SE6 as per any major (10 or more) development

If the proposal was considered in isolation the quantum of open space required by Policy SE6 as a minimum in terms of combined amenity and play is just over 500m² short. However, the G.I Connectivity element is above the minimum requirement.

In reference to the two elements which form this application.

- 1) to substantially retain the existing open space or improve overall open space in Alsager.

The existing open space on site which would be lost totals approximately 13,845m². The open space proposed totals 6,252m². As such the from a pure quantitative perspective the proposal results in a significant loss of open space by over half which would not substantially retain the existing open space and is contrary to the allocation. The viability of the scheme means that no contributions would be provide for provision elsewhere in Alsager.

- 2) to show the existing open space is surplus to requirements or would be replaced by equivalent or better quality

No assessment has been provided to demonstrate the site is surplus to requirements. As noted above the proposal would result in the loss of over half of the existing protected open space therefore given the significant reduction in existing open space the Council Open Space Officer does not consider the proposal would be replaced by equivalent or better quality given the sheer loss of open space. Indeed the open space provided simply provides the minimum area required for a standard site. This does not compensate for the loss of the whole site.

3) to provide open space in line with Policy SE6 as per any major (10 or more) development.

Although there is a small under provision in terms of quantum, the Councils Open Space Officer considers effort has been made in terms of quality which outweigh the slight shortfall. Therefore, quality space has been delivered in line with Policy SE6 for the site viewed in isolation.

However, whilst the proposal would deliver the policy required open space for the site in isolation, the proposal does not deliver sufficient quantum or quality of open space to mitigate the loss of the existing open space on site with no ability to provide this elsewhere off site. The proposal is also unable to deliver the policy requirement of £103,259.64 for outdoor sport contribution in line with the Council's Playing Pitch and Outdoor Sports Strategy and Policy SE6.

Therefore the proposal is considered to be contrary to Policy SE6.

Location of the site

Both policies SD1 and SD2 of the CELPS refer to supporting development in sustainable locations. Within the justification text of Policy SD2 is a sustainable development location checklist.

In this instance the supporting statement has provided a brief appraisal of the nearby amenities/facilities which advises that there is a shop and public house off Talke Road, health centre 850m away and school 0.5km from the site entrance and high school 2.2km away to the north-west. Based on the D and G Bus website there is a bus stop located outside the site off Talke Road to the south which is served by the number 317 bus which has 4 services Monday to Friday. Whilst this service is considered to be limited the bus stop can be reached within the target walking distance of 500m as noted in Policy SD2.

Alsager Railway Station is also located 700m to the west with services to Crewe, Kidsgrove, Stoke and beyond.

In addition, as the site has been allocated for residential development, the site has already been deemed locationally sustainable.

As a result, on balance the site would appear to be locational sustainability.

Housing Mix

Policy SC4 advises that new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.

Policy HOU1 In line with LPS Policy SC 4 'Residential mix', housing developments should deliver a range and mix of house types, sizes and tenures, which are spread throughout the site and that reflect and respond to identified housing needs and demand. In particular it suggests a recommended mix as below as a starting point:

	Market housing	Intermediate housing	Affordable housing for rent
1 bedroom	5%	14%	26%
2 bedroom	23%	53%	42%
3 bedroom	53%	28%	20%
4 bedroom	15%	4%	10%
5+ bedroom	3%	1%	3%

Policy H1 of the ANP New homes on developments of 10 or more should comprise a mix of house types, with one third being detached two and three storey properties, the remainder being flats, bungalows, terraced and semi-detached properties unless other material considerations support a robust justification for a different mix. This mix of house types must support a sustainable neighbourhood and meet the needs of a diverse range of household types and incomes and foster community cohesion.

The proposal seeks to provide 68 units broke down as follows:

- 1 beds – 4 (flats) this equates to 6% FAIL
- 2 beds – 36 (7 of which are flats) this equates to 53% COMPLIES
- 3 beds – 23 this equates to 33% COMPLIES
- 4* beds – 5 this equates to 7% FAIL

The proposed housing mix therefore fails to provide sufficient mix of 1 bedroom units and is contrary to Policy SC4 of the CELPS and HOU1 of the SADPD and H1 of the ANP.

Residential Amenity

With regards to neighbouring amenity, Policy HOU12 advises development 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:

1. loss of privacy;
2. loss of sunlight and daylight;
3. the overbearing and dominating effect of new buildings;
4. environmental disturbance or pollution; or
5. traffic generation, access and parking.

Policy HOU13 sets standards for spacing between windows of 18m between front elevations, 21m between rear elevations or 14m between habitable to non-habitable rooms. For differences in land levels, it suggests an additional 2.5m for levels exceed 2m

The main residential properties affected by this development are properties 167-129 (odd only) off Talke Road and 1 Linley Road and 1-17 Linley Grove.

The site plan suggests that the majority of the proposed properties would exceed the required 14/21m interface distances to existing residential properties.

Plot D1 located to the south-eastern boundary would have its front elevation windows located just 15.5m to the side elevation of No.1 Linley Road, this serves 2 ground floor and 1st floor window. It has not been possible to identify what room these windows serve. However, they are likely to be secondary or non-habitable room windows. This would comply with 14m interface required by Policy HOU13 assuming the window does not serve a habitable room or if habitable it would be shy of the 18m interface required between windows serving hittable rooms. This interface would not be direct given the orientation between properties, the proposed intervening planting which would provide an element of screening, and as such it is not considered that this interface would result in significant harm through loss of privacy.

Plot D1 would also be sited approximately 9m to the boundary shared with No.1 and 3 Linley Grove. Whilst ideally 10m distance should be achieved, the interface between the properties would not be direct, therefore the proposed interface would not result in significant harm through overlooking of the garden area of the neighbouring property.

Environmental Protection have also raised no objections subject to conditions regarding piling, dust, travel plan, electric vehicle charging points and contaminated land. They have also suggested conditions to deal with road noise and that from nearby commercial use.

As a result, the layout suggests that the proposal could be provided without significant harm to living conditions of neighbouring properties.

Amenity to proposed occupants

39 out of the 68 plots appear capable of providing at least the recommended minimum garden area of 50sqm as noted in the SPG. However, 32 plots (47%) are shy of this standard with plots providing between 48sqm and 31sqm. Of these 29 substandard plots 16 (24%) are below 40sqm, 16 (24%) are below 50.

Whilst Policy HOU13 does not provide a set size of garden area it does advise that properties should include an appropriate quantity and quality of outdoor private amenity space, having regard to the type and size of the proposed development.

Given the significant number of plots providing less than the figure in the SPD it is not considered that plots would be provided with sufficient size of garden areas to provide a high-quality living environment.

Therefore, the proposal conflicts with Policy HOU12.

Space standards/Wheelchair access

Policy HOU8 of the SADPD states that in order to meet the needs of the Borough's residents and to deliver dwellings that are capable of meeting people's changing circumstances over their lifetime, the following accessibility and wheelchair standard will be applied to major developments;

a) At least 30% of the dwellings in housing developments should comply with the requirements of M4(2) Category 2 of the Building Regulations regarding accessible and adaptable dwellings; and

b) At least 6% of the dwellings in housing developments should comply with the requirement m4 (3)(2)(a) Category 3 of the Building Regulations regarding wheelchair adaptable dwellings.

Policy HOU8 also requires compliance with requires that new housing developments comply with the Nationally Described Space Standards (NDSS)

The planning statement confirm that 100% of the properties are M(42) accessible and adaptable. The proposal does not deliver 6% M4(3) wheelchair adaptable. Whilst his needs to be balanced with the 100% provision of M(42) this does not provide the mix required for access for all. The Policy also notes that this would not be required if demonstrated that step free access is not viable, however this has not been demonstrated.

The supporting statement confirm that all dwellings comply with the NDSS.

Whilst the proposal complies with the NDSS it does not provide 6% wheelchair adaptable dwellings and conflicts with Policy HOU8.

Contaminated Land

The application is for new residential properties which are a sensitive end use and could be affected by any contamination present. As such Environmental Health Officers have requested conditions dealing with contaminated land.

Air Quality

Policy SE12 of the CELPS states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality.

Environmental Health Officers have been consulted who advise should the application be recommended for approval, condition relating to electric vehicle charging points would be necessary to ensure that local air quality is not adversely impacted for existing and future residents.

Subject to conditions the proposal would comply with Policy SE12.

Highways

Policy INF3 advises proposal should comply with the relevant Highway Authority's and other highway design guidance and provide safe access to and from the site for all highway users and incorporate safe internal movement in the site to meet the requirements of servicing and emergency vehicles.

Sustainable access

The site is a short walk to the railway station to the west, to nearby bus services, and to the centre of Alsager and the range of shops and amenities located here.

Safe and suitable access

The site will have two access points off Talke Road in the same location as the previous approval. Both will be built to adoptable standards, have pedestrian access and sufficient visibility and therefore do not raise a highways safety concern.

The site is within the urban area of Alsager and existing footway access is available to the wider area, where vehicle access is available via Talke Road and Linley Road which have a width of approximately 5.5m and whilst on-street parking does occur the majority of properties have parking available within their driveways. The development would typically generate 35 to 40 vehicle trips during a peak hour and in addition would generate trips from pedestrians, cyclists, and public transport users. The previous approval on this site obtained contributions towards public transport and highways improvements, reflecting Local Plan requirements. To mitigate its own impact upon the highway this current development should also contribute on a level reflecting the previous one, adjusted for inflation. In total, this equates to £110,000.

Layout

The carriageway widths within the site are acceptable and will be to adoptable requirements and there will be adequate turning areas for larger vehicles. There is also adequate parking for each unit including cycle parking for the apartments.

The Cardway Cartons site to the east forms part of the Local Plan site and pedestrian connections to this should be safeguarded should this residential site come forward in the future. These connections should therefore be conditioned.

Conclusion

The Councils Highways Engineer therefore raises no objection to the application. The proposal is therefore considered to comply with Policy SD1, CO2 of the CELPS and TTS2, CW3 of the ANP

Trees

Policy SE5 advises that proposals should look to retain existing trees/hedgerows that provide a significant contribution to the area and where lost replacements shall be provided.

Emerging Policy ENV 6 advises that development proposals should seek to retain and protect trees, woodlands and hedgerows.

The site is located to the south of the railway line and comprises of the southern section of strategic site LPS 21 (Twyfords and Cardway Site). The area is extensively colonised by young to semi mature naturally regenerated native species trees, none of which are afforded any statutory protection.

This full application has been supported by an Arboricultural Impact Assessment (JC/354/230328) dated 28th March 2023. The principle of the loss of young to early mature, relatively low-quality tree cover on this site is accepted to accommodate development. However as submitted the report does not quantify the extent of losses for the purpose of evaluating whether adequate mitigation is being offered in the context of proposed landscaping including the enhancement of existing boundaries and the provision of new tree planting in open space areas.

Tree cover along the northern boundary is shown for retention with tree protection and an associated construction methodology to address new surfacing within the RPAs (root protection areas) is proposed. It is noted that the Tree Protection Plan is annotated to indicate that additional works will be required to the south of trees located along the northern boundary (graded slope). The raising of levels should be avoided within the RPAs of retained trees and while it is suggested that the exact detail will be dealt with by condition, it is recommended that a levels condition is applied to demonstrate the feasibility of retaining the trees along the northern boundary.

Given the extent of tree removals it is considered that the retention of the trees along the northern boundary is a priority to maintain some form of screening between the development and the railway line.

The Biodiversity Impact Assessment suggests that tree loss has been accounted for and that the development will deliver BNG in accordance with national and local planning policy irrespective of the extent of vegetation loss proposed.

Subject to confirmation that tree loss has been accurately accounted for within the BNG calculations and that the replacement planting as indicated on the Landscape Plan adequately demonstrates appropriate mitigation for tree losses and accordance with Policy SE5 the Councils Forestry officer raises no objection to the proposal.

The proposal therefore complies with Policies SE5 of the CELPS, ENV6 of the SADPD, NB4 of the ANP.

Design

Policy SE1 advises that development proposals should make a positive contribution to their surroundings in terms of the creating a sense of place, managing design quality, sustainable urban, architectural and landscape design, live and workability and designing in safety. The Cheshire East Design Guide Volumes 1 and 2 give more specific design guidance. Emerging Policy GEN 1 of the SADPD also reflects this advice.

Connections

The scheme makes use of the existing access points from Talke Road.

The access road terminates at the Western edge of the site, where the existing allotment access sits.

To the East of the site, future links through to the Cardway site have been indicated – with a focus on pedestrian/cycle routes to provide better connections to the wider area.

Facilities & services

There are a few smaller shops/restaurants in the surroundings, though further facilities are available closer to the centre of Alsager which is roughly 1km from the site entrance.

Public transport

The entrance to the site is around 600m from Alsager train station, allowing for easy access to public transport and links to the wider region. Additionally, bus stops along Talke Road service bus route 317 between Leighton Hospital, Sandbach, and Alsager.

Housing mix

The scheme is for 68 affordable units, with a mix of detached, semi-detached, terraced and apartment units. There are no design concerns with the proposed mix, and the variety of units is generally supported.

Character

The proposed scheme incorporates modular elements, based on pre-existing house types. It is noted that the modular basis of the design partially necessitates pre-designed units as a baseline, with room to adapt to the context. As such, the question here is whether the modular houses sufficiently reflect the local context and contribute to the sense of place within the development.

The properties at corner plots are predominantly devoid of any windows/features to help properties turn the corner as advocated in Figure iii:01 and Table iv:01 of the Design Guide SPD and results in large expanses of brick work in prominent locations which would not result in an attractive visual appearance.

The layout also fails to provide focal point buildings for long stretches of road/views as advocated in para iii|44 of the Design Guide SPD to frame views and aid legibility.

Perimeter blocks of buildings are also dominated by parking/rear boundary fencing which is contrary to the aims of para ii|29 of the Design Guide SPD which requires the creation well defined urban blocks with clear outward looking public fronts.

Some plot also have their rear boundaries and boundary treatments backing onto the street scene contrary to para ii|151 of the Design Guide SPD.

The internal road design is considered to be over-engineered with footway provision and the lack of shared surfaces.

Context

The scheme results in the loss of the existing green space, though it is noted that the intent behind the design is to provide higher quality green space across the site – with both the green heart and spine contributing to the open space. In design terms this is positive, though there is potential for further improvement. Whilst the revised scheme has extended the size of the 'Green Heart', there is a concern regarding the lack of a legible pedestrian route through the centre of the site. It is noted that there are informal routes across the lawn area to the north, however there is no dedicated route outside of the play area. Whilst the play area technically bridges the gap between the West and East of the site, the gates on either end and the need for safety sit at odds with the need for a legible pedestrian route. Incorporating a separate pedestrian route across this space is necessary to ensure that safe pedestrian access is available.

As part of the landscaping strategy, there is potential for the inclusion of Sustainable Drainage Systems (SuDS) to reduce the impact of surface water runoff. It should be noted that SuDS should be intentionally designed as part of a wider approach to water management, and the inclusion of soft surfaces doesn't make the most of opportunities for SuDS as both placemaking features and effective tools for reducing surface water run-off.

In terms of house design however it is not considered that the proposed design reflects local character or provides any local distinctiveness typical to this section of Alsager or indeed the wider area. As can be seen in the Design Guide SPD in para ii|176 notes the design ques for Alsager being Victorian villas with rows of terraces and features found include single and full height bay windows, ridge detailing and prominent, chimney stacks and properties set back behind low brick walls. These features do not appear to have been utilised here therefore it is not considered that the proposal; responds to local context of provides local distinctiveness.

Streets and spaces

The use of a shared surface to the east is supported, reinforcing the potential of the site for pedestrian/cycle access – particularly with regards to future links to the Cardway site. The green space has pedestrian access along the front of houses and the edge of the road, allowing for better separation between pedestrian and cycle infrastructure – though it isn't clear if either is intended to be a dedicated cycle route.

There is potential for the inclusion of SuDS features such as swales and rain gardens to help define the space whilst reducing surface water runoff. This could positively contribute to the sense of place and tie into the wider landscaping strategy.

However the layout of streets appears very overengineered with large unnecessary areas of roadways and pavements, in some cases footways on both sides of the road where single footway would suffice and area of football towards the rear of cul-de-sacs where it appears unnecessary. The result of which results in an overengineered appearance dominated by large areas of tarmac.

Wayfinding

The landmark buildings positively impact wayfinding across the scheme, and the green spine helps to define the key route through the site.

Corner turning opportunities are somewhat well considered, with some dwellings rotated to address the primary route whilst introducing elements such as bay windows to provide a level of activity across two elevations.

Car parking

The revised scheme has removed two units, allowing for a greater degree of visibility and permeability across the rear parking court to the south. This is further improved by the increased separation distances between the terraced units, helping to further improve the levels of passive surveillance and permeability. Further revisions have moved the parking at the corner of the Signal House.

However many of the streets would be dominated by frontage parking, in particular just off the site entrance. This does not result in very attractive street scenes and is contrary to the aims of para ii|71 of the Design Guide SPD.

Public and private space

The rear of the apartment block has been revised to incorporate further detailing and a climbing plant wall, helping to contribute to the sense of place within the amenity courtyard.

External Storage

Bin stores are indicated on the site plan, with a mix of front and rear storage.

Conclusion

The site appears overengineered with large unnecessary areas of road/footways, street scenes dominated by frontage parking, poor outlook of parking to perimeter blocks, lack of feature buildings on focal points, lack of building suitable for turning corners and rear boundaries prominent in the street scene. Until these issues have been addressed, the proposed is unsupportable from a design perspective.

As such the proposal is considered to be contrary to Policies SD1, SD2 SE1 of the CELPS, GEN1 of the SADPD, H6 of the ANP & the Cheshire East Urban Design Guide.

Ecology

Ecological Network

The application site is located within a Restoration Area of the CEC Ecological Network. SADPD policy ENV1 requires development proposals within Restoration Areas to increase the structural connectivity between stepping-stone sites. As the proposed development would result in the loss of existing habitats on site the Biodiversity Metric as discussed below should be used to determine whether the proposals comply with this requirement by increasing the quality of available habitat.

Other Protected Species

No setts were recorded during the submitted survey. Other protected species are active in this locality. The Councils Ecologist advises that based upon the current status of other protected species on site, the proposed development is likely to result in a minor adverse impact as a result of the loss of occasionally used foraging habitat.

As the status of other protected species on a site can change in a short timescale, The Councils Ecologist recommends that if planning consent is granted a condition should be attached which requires the submission of an updated survey prior to the commencement of development.

Nesting Birds

The Councils Ecologist advises that the application site is likely to support breeding birds, potentially including more widespread priority bird species, which would be a material consideration for planning.

The loss of scrub habitats on site is likely to result in a localised adverse impact upon breeding birds. If planning consent is granted it must be ensured that adequate compensatory habitat is provided for the loss of scrub habitat at this site. This can be determined using the Biodiversity Metric as discussed below. If consent is granted a condition is also required to safeguard nesting birds.

Lighting

Whilst the application site offers limited opportunities for roosting bats, bats are likely to commute and forage around the site to some extent. To avoid any adverse impacts on bats resulting from any lighting associated with the development the Councils Ecologist recommends that if planning permission is granted a condition should be attached requiring any additional lighting to be agreed with the local planning authority.

Biodiversity Net Gain

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity and ENV2 requires developments to achieve a Biodiversity Net Gain. In order to assess the potential losses and gains of biodiversity resulting from the development the applicant has submitted a report of an assessment undertaken using the Defra biodiversity version 4.0 'metric' methodology.

The submitted metric calculation shows a net gain for biodiversity of 12.31 units (3.42%). There is only very limited existing hedgerow habitats are present on site consequently the hedgerows proposed as part of the landscaping scheme for the development therefore delivers a net gain for hedgerows.

The Biodiversity Net Gain metric however shows that the metric 'trading rules' are not satisfied, this occurs when there is failure to replace lost habitats with new habitats of the required type or quality. In this instance this has occurred due to the loss of scrub from the site, which is not being replaced by similar or higher value habitat. Schemes that fail to comply with the trading rules cannot be said to achieve a net gain. The Councils Ecologist therefore recommends that the landscaping scheme and Biodiversity Metric calculation be revised to avoid down-trading errors despite the overall calculation showing a net gain. If this cannot be achieved on site, offsite habitat creation proposals will be required.

If sufficient habitat cannot be provided on-site to deliver a net gain for biodiversity off-site habitat delivery will be required. This could be achieved on land within the control of the applicant or through the purchasing of BNG units from a suitable provider.

The applicant has confirmed that there is no opportunity to make any further enhancements on site and therefore they need to look at either off-site improvements, or the purchase of BNG credits. This has been agreed in principle by the Councils Ecologist as this is the approach to mandatory BNG some a similar approach can be adopted here. Final details will be provided in the update report.

If planning consent is granted a condition will be required requiring the submission of a 30-year management plan to ensure the proposed on-site biodiversity benefits are delivered.

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the development in accordance with Local Plan Policy SE 3.

The Councils Ecologist therefore recommends that the applicant submits an ecological enhancement strategy prior to the determination of the application or if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

Subject to the suggested condition the proposal would appear capable of being provided with significant ecological impact, BNG would need to be secured through either off-site improvements or the purchase of BNG credits which could be secured by condition requiring the applicant to enter into a section 106 agreement to deliver BNG.

Flood Risk

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps with a low probability of flooding from rivers and the sea. However, as the site area is over 1 hectare, a Flood Risk Assessments (FRA) is required.

An FRA has been provided and concludes as follows:

- The proposed drainage network manages surface water run off up to the 100 year plus 45% climate event with no discharge exceeding 10l/s.
- Long term storage is provided within the oversized sewer network and attenuation storage tanks and run off rates are controlled through inclusion of flow controls.
- The proposed drainage network includes SUDS as far as practicable given the nature of the site.
- Through the implementation of the proposed drainage strategy the site does not increase flooding within or downstream of the catchment.
- The proposed drainage network is considered to satisfy the requirement of local and national planning policy.

The LLFA have been consulted who have requested further information regarding the hydraulic calculations, permeable paving areas, updated plan with finish floor levels, private network connections to permeable paving, impermeable area plan and exceedance flow plan. This has been requested from the applicant and when received will be provided in the update report along with formal comments of the LLFA.

United Utilities have been consulted and have raised no objection subject to conditions requiring compliance with the submitted FRA, drainage strategy and SUDS.

As a result, it is not possible to conclude the drainage/flood risk impacts at this time. Further consideration will be provided in the update report.

Viability

The proposal requires the following contributions to off-set the impacts of the development:

- Provision of 30% affordable units on site
- Contribution of £241,612.28 towards secondary education and SEN
- Contribution of £110,000 for highways improvements in the Alsager area
- Contribution of £81,122 towards Cedars Medical Centre and Merepark Medical Centre

- Contribution of £103,259.64 for outdoor sport and recreation

The proposal will provide 100% affordable housing so would provide its affordable housing contribution. However, the application is supported by a Viability Assessment undertaken by Roger Hannah Ltd (RH), which concludes that the proposal is not able to deliver any of the other contributions as noted above.

This Council instructed Keppie Massey (KM) to undertake an independent review of the viability assessment. This resulted in an updated assessment from RH which was re-evaluated by KM. A summary of their findings/conclusion are noted below:

The main area of difference relating to the applicant's viability assessment was the benchmark land value (BLV). The applicant had not addressed the mandatory requirements contained in the RICS Professional Standard Financial viability in planning: conduct and reporting whereby the applicant must confirm the existing use value (EUV), the landowner premium and supporting evidence.

Roger Hannah (RH) confirm that they have adopted an EUV based on agricultural land values at £10,000 per acre. This is applied to the gross site area of 6.13 acres to give an EUV for the site of £61,300. In terms of the landowner premium, they have adopted a figure of £140,000 applied to the gross site area which equates to £858,200. Overall, the BLV is £920,000 which equates to £150,000 per acre or 15 times EUV applied to the overall site area.

It is worth remembering that the viability appraisal acknowledges that the site in its existing use is effectively scrub land. Therefore, it does not have an EUV based on values for prime arable land at £10,000 per acre. The Q4 2023 Carter Jonas Farmland Market update confirms that value for low quality pastureland in the northwest is £6,500 per acre. Given the lack of use, overgrown nature of the land, its quality and also the constraints of the subject site KM would expect a further discount to this figure. Their judgement is that based on these circumstances an EUV in the region of £5,000 per acre would be reasonable in this case.

For a greenfield site the landowner premium is typically based on a multiple of EUV. The premium is also only normally applied to the developable area of the site which in this case is 4.5 acres. A landowner premium of between 10 and 15 times EUV is typically applied to greenfield sites however the PPG is quite clear that the BLV should reflect the implications of abnormal costs and site-specific infrastructure costs. RH have provided no explanation of how abnormal costs have been taken into consideration in their assessment of the landowner premium and BLV. Therefore, KM question whether RH have in fact considered this at all.

The abnormal costs associated with the site are £1,724,522 which equates to £383,227 per net developable acre or £24,636 per plot. This is a significant cost and should rightly be reflected in the BLV assessment. Having regard to the quantum of abnormal costs KM consider a multiplier that is below the typical range would be appropriate and hence taking all factors into consideration KM have adopted a multiplier at 8 x EUV applied to the net developable area. KM assessment of the BLV is therefore as follows:

BLV (applied to developable area)	£5,000 x 8 x 4.5 acres = £180,000
Undevelopable area	£5,000 x 1.63 acres = £8,150

Total BLV = £188,150 which KM have rounded to £190,000.

Absent of a satisfactory explanation of the BLV from the applicant KM adopted a BLV of £1 in their previous advice. Based on this, the appraisal from February demonstrated that the scheme could support a total S106 contribution of £145,405. Having considered the explanation provided by RH as to how they have assessed the BLV, KM conclusion is that a BLV at £920,000 is too high. A realistic assessment of the BLV in this case would be £190,000. KM have therefore prepared a further appraisal to understand the impact on viability and planning contributions of a BLV at £190,000. The appraisal that KM have prepared excludes any planning contributions. The residual land value generated by the appraisal is only £142,729 compared to the BLV of £190,000. This demonstrates that even absent of planning contributions the residual land value generated by the appraisal is less than the BLV.

RH have now provided an explanation of their approach to assessing the BLV. KM consider that there are deficiencies in the approach that they have taken and as a result the BLV is overstated. Taking a more realistic position KM have assessed the BLV to be £190,000. Adopting this BLV KM have prepared a revised appraisal for the application scheme this demonstrates that absent of planning contributions the residual land value generated by the appraisal is £142,729 which is less than the BLV. Therefore, KM conclude that the application scheme is not therefore sufficiently viable to support any planning contributions.

Officer appraisal of viability

Given that the scheme has been found to be financially unviable to deliver any contributions by RH and the independent assessment by KM, the Council have no reason to dispute this and therefore weight shall be attached to this in the overall planning balance.

However, whilst the viability of the scheme is not contested the proposal would not mitigate the full impacts of the proposal in terms of education and NHS provision and highway improvement works with the impact of such being felt by the local community and ultimately Cheshire East would be left to fund the shortfall which is contrary to Policies SD1, SD2, IN1, IN2 of the CELPS and TTS6 of the ANP.

This also needs to be weighed in the planning balance.

Assessment of Policy LPS 21

Policy LPS 21 – Twyfords and Cardway, Alsager, advises that development over the Local Plan Strategy period will be achieved through:

1. The delivery of around 550 new homes;

COMPLIES – the proposal would be under the 550 target taking into account other consented sites

2. Retention of existing office development (approximately 3,000 square metres);

COMPLIES – proposal would not result in the loss of the existing office development.

3. Incorporation of green infrastructure;

COMPLIES – there is sufficient green infrastructure within the site.

4. An appropriate level of amenity open space and children's play space;

COMPLIES – complies for the site when considered in isolation.

5. Potential to include:

- i. An extra care development providing housing for the older population.
- ii. Appropriate retail provision to meet local needs.

NEUTRAL – Does not provide extra care development but does provide some adaptable dwellings. Retail element has been met on the site to the north

6. Pedestrian and cycle links to new and existing residential areas, shops, schools and health facilities, including improved pedestrian links to the town centre, the railway station and Talke Road.

COMPLIES – provides new pedestrian links to Talke Road

7. Open space provision to accommodate the need for enhanced or new indoor and outdoor sports facilities to accommodate the additional demand from the housing. Provision should be in accordance with an adopted up to date and robust Playing Pitch Strategy and Indoor Sports Strategy.

CONFLICITS – the proposal requires a contribution of £103,259.64 for outdoor sport And recreation. However for viability reasons, the scheme is unable to deliver any contributions

Site Specific Principles of Development

- a. Contributions to improvements to town centre accessibility.

CONFLICTS – the proposal would not provide the contribution towards highway improvement/accessibility

- b. The existing open space on the Cardway site will be substantially retained or improvements made to the overall open space provision in Alsager.

CONFLICITS – the proposal would result in the loss of just over half of the existing protected open space and due to viability would not be able to provide provision elsewhere in Alsager to mitigate the loss

- c. Retention and incorporation in any development of the woodland areas to the north and east of the site.

COMPLIES – removes planting but not to site boundaries

- d. Further archaeological investigation on the site shall be carried out in relation to the heritage asset in the north east area of the site.

NEUTRAL – the application site relates to the southern part of the site

- e. Contributions towards or delivery of improvements to junctions within the town, bus services and public transport facilities to and from the site, including bus stops, and a new or extended Alsager town centre bus service to and from the site.

CONFLICTS – the proposal would not provide the contribution towards highway improvement/accessibility

- f. Contributions to education and health infrastructure.

CONFLICTS – the proposal would not provide contributions towards education or health infrastructure

- g. 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'.

COMPLIES – the proposal would provide 100% affordable housing

- h. Contributions towards improvements to the public right of way and informal path to Alsager Railway Station.

NEUTRAL – This was provided as part of the Twyfords Housing site

- i. The site will be developed only where it can be demonstrated that there is no adverse impact on the Midland Meres and Mosses Phase 2 Ramsar and Oakhanger Moss 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 sites.

COMPLIES – no objection raised by the Councils Ecologist. The location of this part of the site means that there is no need to consult Natural England for proposed residential development.

- i. A minimum of a Phase 1 Preliminary Risk Assessment for contaminated land should be carried out to demonstrate that the site is, or could be made, suitable for use should it 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 site.

COMPLIES – A Phase I Preliminary Risk Assessment & A Phase II ground investigation has been provided and deemed to be acceptable by the Councils Contaminated Land Officer in Environmental Protection, further conditions also required.

OTHER

The majority of neighbour responses have been addressed in the report above. The following issues remain which will be addressed below:

- Lack of notification – immediate neighbours were consulted, and site notice was displayed outside the site
- Contamination – to be dealt with by condition
- Units would not actually be affordable – affordability set as part of legal agreement
- Damage to exiting road network would be made worse / junction improvements – contribution requested for highway improvements
- Structural stability of the site – this would be considered with under Building Regulations
- Error in FRA – the descriptive error has no bearing on the remainder of the report
- Want a contribution for improved bus service – no contribution request by the Councils Highways Engineer
- Overlooking to 135, 167 Talke Road – proposal complies with required interface distances to prevent significant harm through overlooking
- Loss of service road for informal parking – no individual right to park on land outside of your property
- Impact to existing allotments – plans show access for allotments remaining
- Noise from construction – informative note for working hours but controlled outside of planning
- Impact on house value – this is not a consideration relevant to the determination of a planning application
- Alsager already at capacity / no heritage assessment – the site is allocated for development in the Local Plan so accepted that the site can accommodate some development
- There should be a bus route to Leighton Hospital considered – this has not been requested from the Councils Highways Engineer
- Removal of Japanese knotweed must be a condition prior to construction – this has not been requested by the Councils Ecologist

PLANNING BALANCE

The site is located within the Settlement Boundary for Alsager, as such Policy PG9 of the SADPD identifies that within the Settlement Boundary proposals 'will be supported where they are in keeping with the scale, role and function of that settlement and do not conflict with any other relevant policy in the local plan'. The site also forms part of the allocation LPS21. The principle of development within the settlement boundary is therefore accepted. The proposal is also within the target housing figure of around 550 homes as per bullet point 1 under allocation Policy LPS 21.

Whilst the viability of the scheme is not contested the proposal would not mitigate the full impacts of the proposal in terms of education and NHS provision and highway improvement works with the impact of such being felt by the local community and ultimately Cheshire East would be left to fund the shortfall, which is contrary to Policies SD1, SD2, IN1, IN2 of the CELPS and TTS6 of the ANP.

The proposal fails to meet key criteria A, E, F, H within allocation Policy LPS 21

The benefits of the proposal would be the provision of 100% affordable housing and the limited economic benefits during construction. However, the weight to be given to the benefit of affordable housing provision is only moderate given that the Council is meeting and exceeding its affordable housing targets.

The proposal would not provide a suitable mix of housing and would not provide wheelchair adaptable dwellings contrary to SC4 CELPS, SADPD Policy HOU8 and H1 ANP.

The development will not result in harm to living conditions of neighbouring properties and complies with SADPD Policy HOU12. However, the proposal would not provide sufficient size of private garden areas contrary to SADPD Policy HOU13.

The proposal would not cause harm to existing landscape features and complies with CELPS Policies SE5, SADPD ENV6 & NB4E of the ANP.

The proposal would not result in any significant ecological harm and complies with CELPS Policies SE3 AND SADPD ENV1 & ENV 2.

The proposal would cause harm to the character/appearance of the area by reason of poor design contrary to CELPS Policies SE1 & SADPD GEN1, H6 of the ANP and the Design Guide SPD.

The proposal would result in the loss of an existing area of protected open space with no improvements made to the overall open space provision within Alsager contrary to Policy SE6 of the CELPS, REC1 of the SADPD, NBE1 of the ANP and the guidance within the NPPF.

The development would not have significant drainage/flood risk implications and would be compliant with CELPS SE13 & SADPD ENV16.

The proposal would not result in any severe highway impacts and complies with Policy SD1, CO2 of the CELPS and TTS2, CW3 of the ANP

In conclusion the benefits of the scheme to provide affordable housing and the limited economic benefits, would not outweigh the harm through lack of contributions to mitigate the impacts of the development, harm from a design perspective, lack of suitable housing mix and lack of wheelchair adaptable dwellings and lack of suitable private garden areas.

RECOMMENDATION:

REFUSE for the following reasons

- 1) The proposal by not providing the policy required financial contributions towards health, education and highway improvements would not mitigate the impacts of the development on the local community. The proposal is therefore contrary to Policies SD1, SD2, IN1, IN2, SC2, SE6, LPS 21 of the CELPS and REC2 of the CELPS, H3, TTS6 of the ANP and the NPPF.**
- 2) The proposal appears cramped as nearly half (47%) of the proposed dwellings have insufficient private amenity space which would not result in the creation of a suitable living environment for future occupiers. The proposed development is contrary to Policies SE1, SD1 and SD2 of the CELPS, GEN1 & HOU13 of the SADPD and the NPPF.**
- 3) The design and layout of the proposed development is considered to be poor and fails to take the opportunities available for improving the character and quality of the area. As a result, the proposal would not make a positive contribution to the area and would be contrary to Policy SD1, SD2, SE1 of the CELPS, The Cheshire East Design Guide SPD, Policy GEN1, HOU10 of the SADPD, H6 of the ANP and the requirements of the NPPF and the requirements of the NPPF**

- 4) The proposal would not provide a suitable mix of property types given the limited number of 1 beds and no justification has been provided for the local need for this mix of housing. The proposal also fails to provide 6% wheel chair adaptable dwellings. As such the proposal is contrary to Policy SC4 of the CELPS, HOU8 of the SADPD, H1 of the ANP and guidance contained within the NPPF.
- 5) The proposal would result in the loss of an existing area of protected open space with no improvements made to the overall open space provision within Alsager. As a result the proposal is contrary to Policy SE6 of the CELPS, REC1 of the SADPD, NBE1 of the ANP and the guidance within the NPPF.

In order to give proper effect to the Board`s/Committee`s intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) 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.

Should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

S106	Amount	Triggers
Affordable Housing	100% on site provision	In accordance with phasing
Education	£241,612.28 towards secondary education and SEN	To be paid prior to the occupation of the 34th dwelling
NHS	£81,122 to support Cedars Medical Centre and Merepark Medical Centre	To be paid prior to the occupation of the 34th dwelling
POS	6,252m ² of combined amenity and play provision on site £103,259.64 for outdoor sport contribution Recreation	To be paid prior to the occupation of the 34th dwelling



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