

Application No: 24/0962M

Location: OAKLANDS, WILMSLOW ROAD, ALDERLEY EDGE, CHESHIRE, SK9 7QW

Proposal: Detailed planning application for the demolition of the existing dwellings and the construction of 14 no. apartments with associated access, parking, landscaping and infrastructure

Applicant: Mr Brian Spencer, North East Cheshire Developments Ltd

Expiry Date: 28-Jun-2024

SUMMARY

The application lies within Alderley Edge, which is identified as a Local Service Centre where the principle of residential development on the site is acceptable. The site is sustainably located and is within walking distance of the town centre, public transport, services and facilities within Wilmslow. The developments accords with Policies SD 1, SD 2, PG 2 and SE 2 of the CELPS in this regard.

The scheme presents an acceptable design that will not unduly harm the character or appearance of the surrounding area, nor with the amenity of existing or future occupants be adversely affected.

The proposals will support the provision of 14 units of accommodation which also contributes to the Councils housing supply and is an efficient use of land.

Economic benefits of the scheme comprise the spending power of future residents in the local shops and services and the short-term economic benefits derived from the creation of construction jobs.

The proposed level of parking would be satisfactory to accommodate the likely demand for parking spaces generated by the development and evidence from the applicant regarding trip generation is accepted and is unlikely to lead to an unacceptable impact on highway safety or through cumulative impacts, lead to congestion on the road network.

The proposals will not result in a loss of biodiversity or harm protected species nor increase flood risk or concerns regarding noise and air pollution. The proposals are considered to have an acceptable impact on trees within and adjacent the site.

The proposal is therefore a sustainable development, and accordingly, the application is recommended for approval subject to a s106 agreement and conditions.

SUMMARY RECOMMENDATION

Approve subject to conditions and subject to a S106 agreement to secure financial contributions towards the provision of play and amenity (POS), outdoor sports (ROS), allotments and green infrastructure (GI) and affordable housing.

REASON FOR REFERRAL

This application has been called-in to the Northern Planning Committee by the local ward member, Councillor Browne, for the following reasons:

“This application is for a significant development proposal at a key gateway site to Alderley Edge and as such, would benefit from further scrutiny and consideration by the members of Northern Planning Committee particularly with respect to:

- *CELPs Policy SC4 (residential housing mix - the proposal is for one and two-bed units only).*
- *SADPD Policy INF3 (highway safety and access arrangements - the proposal is to provide access via an unadopted road).*
- *AENP Policy AE2 (residential housing mix - the proposal is for one and two-bed units only).*
- *AENP Policy AE4 (back garden & back land development - the development proposals represent back land development).*
- *AENP Policy AE14 (sustainable travel routes - there is no safe footway or point of exit onto Wilmslow Road).”*

DESCRIPTION OF SITE AND CONTEXT

The site currently comprises 2no. large, detached dwellings known as Oaklands, Wilmslow Road and The Old Coach House, Horseshoe Lane. The site currently contains separate access points onto Horseshoe Lane and Wilmslow Road. The site is located to the north of the centre of Alderley Edge and is located in a residential area within the settlement boundary, as defined in the Local Plan.

The application site covers approx. 0.2 hectares and is set on an incline with the lowest point onto Wilmslow Road and the highest point along Horseshoe Lane. Oaklands is a Victorian villa which suffered from extensive fire damage in 2022 and has since been derelict and vacant. Internally the building comprises three floors including a basement level. The Old Coach House was constructed in the 1950's and is currently used as a family dwelling with two internal floors.

The site is bounded by two nursing homes, The Belvedere and Cavendish Court with several apartment buildings nearby. Currently the dwellings located on site are centrally positioned within each plot with planted boundaries and mature trees.

DESCRIPTION OF PROPOSAL

This application seeks full planning permission for the demolition of the 2no dwellings on the site and erection of 14no. apartments, car parking and landscaping. Comprising 2 no. 1-bedroom, 10no. 2-bedroom and 2no. 3-bedroom apartments. Access would be taken from Horseshoe Lane to the east of the site with the apartment building located centrally within the plot on the Oaklands side with parking and landscaping to the east.

RELEVANT HISTORY

69912P Two Storey Extension (Coach House)
Approved 1992

40289P Change of Use to Private Dwelling (Coach House)
Approved 1985

39738P Change of Use to Private Nursing Home (Oaklands)
Approved 1985

36164P Conversion of Existing Two Storey Outbuilding into Dwellinghouse; Restoration
of Main Property from Four Flats To Single Residence (Oaklands)
Approved 1984

RELEVANT PLANNING POLICY

Cheshire East Local Plan Strategy 2010-2030 (CELPS)

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

PG7 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

SC1 Leisure and Recreation

SC2 Indoor and Outdoor Sports Facilities

SC3 Health and Well-being

SC4 Residential Mix

SC5 Affordable Homes

SE1 Design

SE2 Efficient Use of Land

SE3 Biodiversity and geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE6 Green Infrastructure

SE8 Renewable and Low Carbon Energy

SE12 Pollution, Land contamination and land instability

SE13 Flood risk and water management

CO1 Sustainable Travel and Transport

CO4 Travel Plans and Transport Assessments

Appendix C – Parking standards

Cheshire East Site Allocations and Development Policies Document (SADPD)

PG9 Settlement Boundaries

GEN1 Design principles

ENV2 Ecological implementation

ENV5 Landscaping

ENV6 Trees, hedgerows and woodland implementation

ENV7 Climate Change

ENV12 Air quality

ENV14 Light pollution

ENV15 New development and existing uses

ENV16 Surface water management and flood risk

ENV17 Protecting water resources

HOU1 Housing Mix

HOU 2 Specialist Housing Provision

HOU 6 Accessibility space, accessibility and wheelchair housing standards

HOU12 Amenity

HOU 13 Residential Standards

HOU 12 Housing Density

HOU 15 Housing Delivery

INF1 Cycleways, bridleways and footpaths

INF3 Highways safety and access

INF6 Protection of existing and proposed infrastructure

INF9 Utilities

REC 2 Indoor sport and Recreation Implementation

REC3 Open space implementation

Alderley Edge Neighbourhood Plan 2021-2030

AE1 – Alderley Edge Development Strategy

AE2 – Design, Scale and Type of New Housing

AE3 – Sustainable Housing Design

AE4 – Rear Garden and Backland Development

Other material policy considerations

Housing Supplementary Planning Document July 2022

National Planning Policy Framework (2021)

National Planning Policy Guidance

Cheshire East Design Guide

CONSULTATIONS (External to Planning)

Highways (CEC) – No objections

Environmental Protection (CEC) – No objection subject to conditions regarding contamination, soil importing, EV charging and low emission boilers, contaminated land, submission of travel information pack and informatives regarding hours of construction works, piling, dust management and floor floating.

Local Lead Flood Authority (CEC) – No objection in principle to the proposals subject to condition regarding a revised drainage plan.

Ansa Greenspace: no objections, subject to contributions

Strategic Housing (CEC) – no objections, subject to contributions

Alderley Edge Parish Council – *“The Parish Council recommends refusal on the grounds of overdevelopment and requests that this is called in to Northern Planning for reasons of over development, access and backland development. From the plans it cannot be determined what if any building line shall be observed.”*

OTHER REPRESENTATIONS

Representations have been received from 14 addresses, 13 objections and one letter of support, and are summarised below;

General

- Lack of affordable housing information.

Highway matters

- Concerns regarding safety of highway for construction traffic
- Additional traffic to busy road
- Visitor parking is insufficient
- The additional traffic would have a detrimental impact on the road surface of Horseshoe Lane
- Would lead to increased traffic on Lynton Lane

Design

- Overdevelopment
- Bulk and mass not in keeping with the surrounding area.
- Out of scale

Amenity

- The proposal will cause unacceptable overlooking of existing properties by reason of its overdevelopment.

Other issues

- If consent is issued, would there be maintenance of Horseshoe Road?

Support

- Design looks great.

OFFICER APPRAISAL

Principle of development

Section 5 of the NPPF seeks to significantly boost the supply of homes. Paragraph 70 of the NPPF states that small and medium sized sites can make an important contribution to meeting

the housing requirement of an area and are often built out quickly. To promote the development of a good mix of sites local planning authorities should amongst other things 'support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes'.

Alderley Edge is identified as one of the 'Local Service Centres' in Cheshire East where CELPS Policy PG 2 states that "small scale development to meet needs and priorities will be supported where they contribute to the creation and maintenance of sustainable communities."

As a windfall site, CELPS Policy SE 2 states that development should;

- Consider the landscape and townscape character of the surrounding area when determining the character and density of development
- Build upon existing concentrations of activities and existing infrastructure
- Not require major investment in new infrastructure
- Consider the consequences of the proposal for sustainable development having regard to Policies SD 1 and SD 2.

Policy SC4 of the Cheshire East Local Plan states 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.*" AENP policy AE2 repeats this aim with the additional statement that "*Development must contribute towards a mix of house types, sizes and tenures and meet local housing needs as identified in the most up to date local housing needs assessment. Proposals must demonstrate how they have sought to deliver the necessary housing mix which, for sites of sufficient size, should include the provision of*

- *35% 1-2 bedrooms*
- *60% 3 bedrooms*
- *5% 4 + bedrooms*".

The mix and type of one, two and three bed apartments located within a residential area here would contribute to the mix of housing sizes and types and would complement the existing provision within the area. The proposal does not meet the specific percentage of dwelling sizes set out in the policy, but it does clearly provide smaller house types which appears to be the preference of the policy.

In accordance with these policies, there is no objection in principle to new residential development in this location, subject to compliance with the other relevant development plan policies.

Affordable Housing

Policy SC 5 of the CELPS sets out the thresholds for affordable housing in the borough. 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;
- i. In developments of 11 or more dwellings (or have a maximum combined gross floorspace of more than 1,000 sqm) in Local Service Centres and all other locations at least 30% of all units are to be affordable;

- ii. In future, where Cheshire East Council evidence, such as housing needs studies or housing market assessments, indicate a change in the borough's housing need the above thresholds and percentage requirements may be varied;

The CELPS states in the justification text of Policy SC5 that the Housing Development Study shows that there is the objectively assessed need for affordable housing for a minimum of 7,100 dwellings over the plan period, which equates to an average of 355 dwellings per year across the borough. This figure should be taken as a minimum.

In developments of 11 or more dwellings in Local Service Centres at least 30% of all units are to be affordable; This is a proposed development of 14 apartments in a Local Service Centre, therefore, in order to meet the Council's Policy on Affordable Housing there is a requirement for 5 (4.2) dwellings to be provided as affordable homes.

Point 3 of policy SC5 notes that the affordable homes provided must be of a tenure, size and type to help meet identified housing needs and contribute to the creation of mixed, balanced and inclusive communities where people can live independently longer. Policy SC5 confirms that the Council would currently expect a ratio of 65/35 between social rented and intermediate affordable housing. On this basis, 3 units should be provided as affordable/social rent and 2 units as intermediate tenure.

Policy SC5 of the CELPS requires affordable housing to be provided on-site, however, in exceptional circumstances, where it can be proven that on-site delivery is not possible, as a first alternative, off-site provision of affordable housing will be accepted; as a second alternative a financial contribution may be accepted, where justified, and on a site-by-site basis, in lieu of on-site provision. This provision is viewed under the policy as a last resort option, as opposed to an alternative method of affordable housing. The desire to have all affordable provision on-site is in line with government guidance to encourage the development of mixed and balanced communities.

Where a financial contribution is offered, the amount of such contribution will normally be expected to reflect the cost necessary to facilitate an equivalent amount of affordable housing as would have been provided on-site.

Consultation between the agent and Registered Providers (RPs) within the locale confirmed that there would be little interest from RPs in the units on site due to the leasehold status and the additional charges which would render the affordable units 'unaffordable'.

Following this, in line with CELP Policy SC 5, point 8, there were no alternate sites for off-site provision, hence a commuted sum in-lieu of the affordable units was proposed.

In line with CEC policy, the commuted sum amount was determined by obtaining open market values for the units and offers from RP's. As per policy, the difference between the combined open market values and the combined RP offer provides the commuted sum amount of £246,500. This amount has been accepted by Strategic Housing at CEC, who raises no objections to the proposal. The proposal is therefore considered to comply with policy SC5.

Public Open Space

Policy SC2 of the CELPS requires major residential development to contribute to sport facilities where the development will increase demand and/or there is a recognized shortage in the locality that would be exacerbated. Policy SE6 of the Cheshire East Local Plan requires 65 square meters per dwelling for the provision of public open space contributions to outdoor sport facilities in line with SC2.

It appears that this cannot be provided on site, due to the space available, and therefore financial contributions would be required for offsite provision in line with policy SE6 of the Cheshire East Local Plan.

ANSA have advised a financial contribution of £95,241.44 would be required comprising £61,017.18 towards improved off-site amenity and play improvements and £21,903.56 towards off-site sports facilities. The contribution will be used to make additions, improvements and enhancements of the play and amenity facilities in Alderley Park, just a short walk from the site.

In the absence of onsite allotment provision, a commuted sum of £4,106.90 will be required for offsite provision, on commencement of development. The sum will be used on the Alderley allotments to make improvements, additions and enhancements.

The application includes the provision of onsite private amenity space but does not include green infrastructure (GI). As such a com sum of £8,213.80 will be required on commencement of development to be used on GI projects in Alderley Edge.

The policy requirement for such contributions is set out within policies SC2, SE6 and SD1 of the CELPS and the contribution amount has been calculated using a formula within the councils adopted SPD on Developer Contributions

Character and Design

Paragraph 130 of the NPPF seeks to ensure that developments function well and add to the overall quality of the area, be visually attractive as a result of good architecture, layout and landscaping; are sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change; establish or maintain a strong sense of place, and create attractive and distinctive places to live, work and visit. The potential of a site should be optimised to accommodate an appropriate mix and amount of development whilst creating safe, inclusive and accessible places with a high standard of amenity for existing and future users.

Paragraph 134 notes that permission should be refused for development that is not well designed.

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

Amongst other criteria, Policy SD 2 of the CELPS also expects all development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of height, scale, massing, form and grouping in addition to the relationship to neighbouring properties, materials, design features and green infrastructure. SADPD Policy GEN 1 requires proposals to create high quality development reflecting local character and design. SADPD policy HOU 14 advises that in determining appropriate density for a site, the character of the surrounding site and area, along with the mix and type of development, nature setting, and scale, amenity, availability and capacity of local services and viability should be taken into account.

AENP Policy AE2 requires new housing development to deliver high quality design through meeting the following key principles:

- A. Respect the grain and character of adjoining areas;
- B. Use architectural detailing that contributes to the character of the village;
- C. Use materials relevant to the particular area as set out in the Design Codes; and
- D. Follow the movement principles and hierarchy set out in the Design Codes.

Objections have been received on the grounds of non-compliance with AENP policy AE4 which seeks to prevent residential development in rear gardens and backlands where there would be an unacceptable impact on the character of the local area in terms of loss of openness, mature trees, hedges and shrubbery, and a substantial increase in the density of built form. Although this development would fill a much greater proportion of the plots that the dwellings occupy, this is an amalgamation of plots to create apartment living with communal garden and seeks to retain some open garden space, mature trees and landscaping.

Wilmslow Road displays a variety of sizes and styles of properties with the two adjoining properties comprising large residential buildings. The property to the north, The Oaks, is a large apartment building with the two adjoining properties to the south, The Belvadere and Cavendish Court, both large residential care homes.

The proposal seeks the erection of an apartment block displaying 5 storeys from the Wilmslow Road elevation and 4 storeys from the Horseshoe Lane elevation arranged in a single rectangular block. The footprint of the block is considerably larger than the two dwellings it replaces. The building is positioned in line with the existing front building lines of the buildings along Wilmslow Road with a large setback from Horseshoe Lane.

During discussions with the Council's Design Officer concerns were raised with regard to the scale of the development. However, the height of the proposal would bridge the heights of the adjoining properties when viewed from both Horseshoe Lane and Wilmslow Road, being lower than The Belvadere and Cavendish to the south and taller than The Oaks to the north and would therefore appear at an appropriate scale within the street scene. It is demonstrated within the contextual street scene submitted that the proposals provide for an appropriate transition between the two large blocks of apartments on either side, by stepping down in scale.

To the rear the opposite side of Horseshoe Lane contains a smaller residential scale than Wilmslow Road, which is characterised by large villas in large plots. The large setback of the building from Horseshoe Lane would reduce the prominence of the development from this angle and the natural screening to Wilmslow Road would also reduce the prominence of the proposed building from Wilmslow Road.

The proposed development makes efficient use of land by providing a density of 70 dwellings per hectare where currently the density is 5 dwellings per hectare. Furthermore, the development proposes to regenerate a derelict, dangerous site in a prominent location.

The proposal provides for large landscaped communal gardens and the application is supported by a comprehensive hard and soft landscaping scheme.

A landscaped parking area would be located to the rear fronting onto Horseshoe Lane and relatively modest communal garden area at the front. The parking area would benefit from more tree planting to soften and screen the development and a condition will be included for an updated landscaping scheme to be submitted.

The increased scale of the proposed development would not be to the detriment of the character and appearance of the street scene. Overall, it is considered that the proposals would contribute positively to the character of the area. As such the proposals comply with Section 12 of the NPPF, policies SE1 and SD2 of the CELPS, the requirements of AENP policy AE2 and SADPD policies GEN 1 and HOU 14.

Living conditions

CELPS policy SE1 seeks to ensure appropriate levels of privacy for new and existing residential properties. Policy SD 2 also expects all development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of its relationship to neighbouring properties.

SADPD policy HOU 12 seeks to ensure development does 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.

SADPD Policy HOU 13 (table 8.2) and the Cheshire East Design Guide set out the standards for space between buildings and advises for a three-storey building that 18m is required between principal habitable windows front to front, and 21m between principal habitable windows back to back. For a habitable room facing a non-habitable room this reduces to 16.5m.

This is required to maintain an adequate standard of privacy and amenity between residential properties.

All of the apartments meet the Nationally Described Space Standard in terms of internal accommodation provided.

The adjoining properties do not contain habitable windows facing onto the application site and there is good boundary screening between the properties to ensure there would be no conflict with the neighbours in terms of privacy.

The front and rear proposed balconies would not cause significant overlooking issues due to the positioning of the building, slightly forward of the adjoining buildings to the front and further back than The Oaks to the rear with only the car park to this property within view. The position of the building in relation to Cavendish Court ensures no habitable windows would be visible from the rear balconies.

The building is close to neighbouring development and will be appreciably higher than the existing properties. However, existing planting, which could be supplemented through additional landscaping, would reduce the increased presence of the building.

Residents are also concerned about the increase in the number of units on site and the increase in noise and activity as a result. However, the site is within the settlement boundary and close to busy roads and on street parking bays where noise and activity is expected. Additional comings and goings to the site are acceptable in a residential environment such as this one.

The proposals are considered to comply with the provisions of CELPS local plan policies SD2 and SE1, SADPD policies HOU 12 and HOU 13 and advice within the Cheshire East design guide, which all seek to safeguard residential amenity.

Highways/Accessibility

CELPS Policy CO 1 deals with sustainable travel and transport. It supports a shift from car travel to public transport and seeks to guide development to sustainable and accessible locations. Policy CO2 of the CELPS details that for new residential development, where there is a clear and compelling justification that it is necessary to manage the road network, proposals should adhere to the current adopted Cheshire East Parking Standards for Cars and Bicycles set out in Appendix C (Parking Standards). Policy SD1 of the CELPS refers to sustainable development and point 7 advises that development should, wherever possible provide sufficient car parking in accordance with adopted highways standards. Policy AE17 of the AENP requires that applications demonstrate they have met parking standards as per CELPS appendix C and that parking should avoid impacting or protruding onto surrounding streets. SADPD policy INF3 requires that amongst other things, proposals 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. Development traffic should be satisfactorily assimilated into the operation of the existing highway network so that it would not have an unacceptable impact on highway safety, incorporating measures to assist access to, from and within the site by pedestrians, cyclists and public transport users and meets the needs of people with disabilities.

Appendix C of the CELPS sets out the parking standards for the area which will only apply where there is clear and compelling justification that it is necessary to manage the road network. It indicates that the standards can be varied on a site-by-site basis with reference to evidence obtained locally or from a suitable data source (e.g. TRICS).

As a Local service centre, it is accepted that Alderley Edge is a suitably accessible location for additional housing. The village centre is within 400m of the site which is considered to be within a sustainable location. Based on the proposals for 14 dwellings comprising of 2 no. 1-bedroom, 10no. 2-bedroom and 2no. 3-bedroom units, appendix C of the CELPS recommends the on-site parking requirement would be 29 spaces (for a C3 use) which is met by the proposal.

Access to the site will be taken from Horseshoe Lane. Bin stores are located within the building.

Concerns have been raised by the Town Council and residents regarding the suitability of the site access and the additional pressures on the local highway network. However, the CEC Highway officer has confirmed that there are no objections to the proposals and raise no concerns in this regard. Having regard to the evidence outlined above, adequate parking is considered to be provided to serve the proposed development.

As such it is considered that the proposals are in accordance with SD1 and CO2 of the CELPS, SADPD Policy INF3, policy AE17 of the AENP and Appendix C of the CELPS in this regard.

Trees

CELPS Policy SE5 seeks to ensure the sustainable management of trees, woodland and hedgerows including provision of new planting to provide local distinctiveness within the landscape, enable climate adaptation resilience, and support biodiversity. Furthermore, the planting and sustainable growth of large trees within new development as part of a structured landscape scheme is encouraged in order to retain and improve tree canopy cover within the borough as a whole. Similarly, SADPD policy ENV 6 requires proposals to retain and protect trees, woodland and hedgerows. Proposals should include measures to secure the long-term maintenance of newly planted trees.

Tree Preservation Orders and Conservation Area

Trees within and immediately adjacent to the site are not currently protected by a Tree Preservation Order. The site does not lie within a designated Conservation Area. Trees are a matter of planning policy and therefore a material consideration.

Veteran Trees

The Woodland Trust maintains an inventory of trees which includes records of some ancient and veteran trees. The database currently shows there are no records of ancient or veteran trees on the site.

Arboricultural Impact Assessment (AIA)

In accordance with Policy ENV6 (SADPD) the application is supported by an Arboricultural Impact Assessment which has identified four individual trees, three tree groups and one hedgerow, within and immediately adjacent to the site. Two individual trees and two groups have been assessed as Moderate (B) category specimens. The remaining trees are deemed to be low (C) category and are not regarded as principal landscape assets or contribute significantly to the wider amenity of the area.

Tree Removals

The AIA identifies one individual moderate (B) category tree will require removal to accommodate the centralising of the access from Horseshoe Lane. A further two moderate (B) category groups and one low (C) category group are proposed for removal for the apartments and associated car parking.

It is noted that the AIA does not provide a comment on the impact of the tree removals both visually and on the wider landscape and character of the area. It is however evident that the visual amenity afforded by the trees is restricted to the site and immediate surroundings. Consequently, it is considered that the loss of these trees will not have a significant adverse impact on the wider amenity of the area.

Root Protection Areas (RPA)

The proposed building and car parking encroaches within the root protection area of an offsite Ash tree (T2). The extent of encroachment has not been assessed by the AIA but the draft protection drawing suggest encroachment is minimal and the use of geotextiles is not required. This appears to conflict with Table 1 of the AIA that implies the use of geotextiles construction methodologies for the provision of new hard surfacing affecting tree T2.

If planning consent is granted it is recommended a condition be included to include provision for a method statement for construction of the car park as part of the tree protection scheme

Mitigation

Where adverse impacts on trees that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area are unavoidable such impacts must satisfactorily demonstrate a net environmental gain by appropriate mitigation, compensation or offsetting.

Para 7.1 (Table 1) of the AIA states compensation for the loss of trees can be provided by replacement planting as part of a detailed landscape scheme. The AIA at para 5.3 suggests that the proposed areas for landscaping in terms of canopy cover will be broadly neutral. However as noted by the Council's Nature Conservation Officer, the applicant has submitted a report of an assessment undertaken using the Defra biodiversity 'metric' methodology on the losses and gains to biodiversity which concludes in a net gain for area-based habitats and hedgerows.

A proposed landscape scheme has been provided in support of this application which provides for the planting of six trees (comprising of Rowan and Oak) located within the landscaped area to the west of the site. Although a further landscape plan will be conditioned to include additional planting to the rear it is considered that the proposed planting provides the required compensation for under Policy SE 5.

Overall, having regard to the above details, the proposals are considered to comply with the requirements of CELPS policy SE5 and SADPD policy ENV 6 in this regard.

Ecology and Biodiversity

Section 15 of the NPPF considers the conservation and enhancement of the natural environment. Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. AENP policy AE3 supports proposals which conserve, protect and, where possible, enhance wildlife and biodiversity. SADPD policy ENV 2 requires all development to demonstrate a net gain in biodiversity.

The submitted ecological survey suggested that bat activity surveys are undertaken to establish the presence/absence of roosting bats. Following further bat surveys, no evidence was found of roosting bats and the site was considered not to have suitable foraging or commuting habitat for bats. The Council's ecologist considers that no further bat surveys are required.

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with local plan policy. The Council's

ecologist recommends that an ecological enhancement strategy is requested via condition, and avoidance of bird nesting season.

Subject to appropriate conditions, the proposals are considered to be in accordance with CELPS policy SE3, AENP Policy AE3 and SADPD policy ENV 2 in this regard.

Contaminated Land / Air Quality

Environmental Health have not raised any issue with the proposals and suggest conditions which require submission of additional information to demonstrate that the site is free of contaminants, and soil importing and that an EV charging scheme is provided. It is considered that an EV charging scheme, travel plan and low emission boiler conditions are not reasonably required for this development as other legislation covers this and the site is considered in a sustainable location for residential development, very close to the village centre.

It is therefore considered that subject to such conditions the proposed development would comply with Policy SE12 of CELP and the NPPF in this regard.

Flood Risk and Drainage

Policy SE13 of the CELPS states that developments 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.

The site is located within Flood Zone 1, indicating that the site is not at risk from fluvial or tidal sources according to the Flood Map for Planning.

The Lead Local Flood Authority have commented on the application and raised no objections to the proposals subject to conditions relating to detailed drainage design. No objections have been received from United Utilities.

It is considered that conditions could appropriately deal with drainage design and management at the site and that the proposals accord with policy SE13 of the CELPS and the NPPF in this regard.

Heads of Terms

In the event of approval, a S106 agreement will be required to secure the following:

- A financial contribution of £95,241.44 for the provision of play and amenity (POS), outdoor sports (ROS), allotments and green infrastructure (GI);
- A financial contribution of £246,500 to be spent towards the provision of off-site affordable housing.

Community Infrastructure Levy (CIL) Regulations

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

(a) necessary to make the development acceptable in planning terms;

- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The scheme, via planning policy triggers the requirement to provide 5 affordable units and a financial contribution for the provision of play and amenity (POS), outdoor sports (ROS), allotments and green infrastructure (GI).

As these provisions relate to either policy provision and / or identified need, it is considered that these requirements are necessary, fair and reasonable in relation to the development. The S106 recommendation is therefore considered to be compliant with the CIL Regulations 2010.

CONCLUSIONS

The application lies within Alderley Edge, which is identified as a Local Service Centre where the principle of residential development on the site is acceptable. The site is sustainably located and is within walking distance of the town centre, public transport, services and facilities within Alderley Edge. The developments accords with Policies SD 1, SD 2, PG 2 and SE 2 of the CELPS in this regard.

The scheme presents an acceptable design that will not unduly harm the character or appearance of the surrounding area, and the amenity of existing or future occupants will not be adversely affected.

The proposals will support the provision of 14 units of accommodation which also contributes to the Council's housing supply and is an efficient use of land.

Economic benefits of the scheme comprise the spending power of future residents in the local shops and services and the short-term economic benefits derived from the creation of construction jobs.

The proposed level of parking would be satisfactory to accommodate the likely demand for parking spaces generated by the development and evidence from the applicant regarding trip generation is accepted and is unlikely to lead to an unacceptable impact on highway safety or through cumulative impacts, lead to congestion on the road network.

The proposals will not result in a loss of biodiversity or harm protected species nor increase flood risk or concerns regarding noise and air pollution. The proposals are considered to have an acceptable impact on trees within and adjacent the site.

The proposal is therefore a sustainable development, and accordingly, the application is recommended for approval subject to a s106 agreement and conditions.

Recommendation:

Approve subject to a S106 agreement to secure:

- A financial contribution of £95,241.44 for the provision of play and amenity (POS), outdoor sports (ROS), allotments and green infrastructure (GI);

- A financial contribution of £246,500 be spent towards the provision of off-site affordable housing.

And the following conditions:

1. 3-year Time Limit
1. Development in accord with approved plans
2. Material samples to be submitted
3. Construction Management Plan (highways) to be submitted
4. Method statement required for construction of car park (trees)
5. Submission of existing and proposed levels
6. Bird nesting season avoidance
7. Biodiversity enhancement scheme to be submitted
8. Materials to be stored on pallets for the protection of hedgehogs
9. Landscaping scheme to be submitted
10. Landscaping details and maintenance to be submitted
11. Boundary treatment plan to be submitted
12. Drainage scheme to be submitted prior to commencement
13. Contamination risk assessments to be submitted
14. Verification and remediation (contamination) to be submitted
15. Testing of soil to be imported
16. Reporting of unexpected contamination

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add Conditions and/or Informatives or reasons for approval prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chair of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.



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