

Application No: 25/0210/OUT
Application Type: Outline Planning
Location: Land At Prestbury Road Macclesfield
Proposal: Outline planning permission (with all matters reserved except site access) for residential development (Use Class C3) comprising of new dwellings, public open space, hard and soft landscaping, and associated infrastructure and works.
Applicant: Toby Hudson, Bloor Homes North West

Expiry Date: 30 September 2025

SUMMARY

The application seeks outline planning permission, along with matters of Access, for the erection of 200 dwellings on this greenfield site within the Green Belt. The site adjoins the town of Macclesfield. The proposals are deemed to fall within one of the exceptions to inappropriate development in the Green Belt, that relating to 'Grey Belt' (para. 155 of the NPPF). It is considered that the application site does represent Grey Belt land, would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan, that there is a demonstrable need for the type of development proposed (housing) and that the application site is in a sustainable location. The 'Golden Rules' for such development are also met. As such, the principle of development is found to be acceptable considering the NPPF and would deliver much needed housing within a sustainable location in one of the principal towns and growth areas of the Borough.

The proposal as shown, would provide scope to secure an acceptable design at reserved matters stage, albeit with changes required to the layout and ensuring heights of buildings are kept more subordinate towards the edges of the development.

The delivery of housing on this site would not be without harm. There would be adverse landscape impacts on the character and appearance of the area due to the urbanising effect of permanent residential development and a consequential impact on the Bollin Valley Local Landscape Designation (LLD) and views from the Riverside Park to the north of the site. However, these impacts could be appropriately managed and limited at the reserved matters stage, when the detailed layout, form and grouping of built form would be determined. Some of this harm would be mitigated by the existing Upton Wood Ancient Woodland to the west, compensated for by securing appropriate landscaping at reserved matters stage, the incorporation of landscape buffers serving as open space, and the delivery of a valuable connection to Riverside Park for both future and existing residents of the west side of Macclesfield.

There would be less than substantial harm to designated heritage assets, identified as Prestbury Road Conservation Area and a nearby Grade II listed building (Upton Hall North, Upton Hall South and Upton Hall Farm). However, the impact would be at the lower end of the scale of harm and would be outweighed by the public benefits of the proposal, including the delivery of market housing and affordable housing (45%) in a sustainable location.

The loss of approximately 10ha of Grade 2 and Grade 3b 'best and most versatile' agricultural land would also carry limited weight against the proposal, but this can be balanced against the prevalence of agricultural land in the borough which would not be affected by this proposal.

There are a range of benefits that weigh in favour of the proposal. The NPPF attaches great importance to housing delivery that meets the needs which the proposal would help address. The construction of up to 200 homes, including 90 affordable units is afforded very substantial weight. The application site is adjacent to the built edge of Macclesfield, which is the second largest settlement in the borough.

The proposal would include improvements to pedestrian routes both to Riverside Park, Abbey Road (which would facilitate walking routes to the local primary school) and the provision of highways contributions to improve bus service provision and sustainable non-car transport modes which is affordable moderate weight.

Sufficient public open space and children's play space would be provided within the site, although some of these details need to be amended at reserved matters stage to address concerns with the locations of quality of play space shown indicatively. Financial contributions to deliver 5.5 pieces of sports equipment at Macclesfield Leisure Centre would offset the impact of the development on sport and recreation.

The Biodiversity Net Gain Assessment indicates that the proposed scheme would result in a 130.3% gain for area-based habitats and a gain of 36.01% for hedgerows. The deficiency in respect of watercourse units would be achieved by further off-site water course units secured by condition. Whilst the Ancient Woodland Assessment needs further detail to inform the buffer with it, this could be secured by requiring one to be carried out prior to submission of the reserved matters. The proposal has been found to be acceptable, with recommendations, with regard to impacts on other species.

The applicants have demonstrated general compliance with national and local guidance in a range of areas including archaeology, trees, contaminated land, highways impact and flooding and drainage.

The development would produce some economic benefits in terms of employment opportunities during the construction phase and direct and indirect benefits associated with additional household expenditure within the local economy.

Officers consider that the proposed development is appropriate development in the Green Belt and there are no other material considerations that would provide a strong reason for refusing or restricting development.

Summary Recommendation

APPROVE subject to S106 Agreement and conditions

1. DESCRIPTION OF SITE AND CONTEXT

1.1. This application relates to a greenfield site lying to the north of Macclesfield on the north side of Prestbury Road. The site measures approximately 15.4 hectares in size and is located within the Green Belt and the 'Bollin Valley Local Landscape Designation' (LLD). Prestbury Road Conservation Area is located to the east of the site.

- 1.2. The site is bound by the River Bollin valley to the north, beyond which is the Macclesfield Riverside Park. The northern boundary is defined by Upton Wood, which is designated as ancient woodland.
- 1.3. To the east, the site wraps around existing residential dwellings forming Bollinbrook, specifically Ashfield Drive, Bollinbarn Drive and Abbey Road. These are made up of predominantly detached two-storey, bungalow and split-level accommodation ranging in size and design.
- 1.4. The site itself comprises agricultural pastureland split between 3 fields. The fields are defined by hedgerows with some sporadic tree specimens within. The topography of the site varies, sloping upwards from the Bollinbrook at the north up to the southern boundary with Prestbury Road. There is a notable drop in levels in the far northeastern corner of the site.

2. DESCRIPTION OF PROPSAL

- 2.1. This application seeks outline planning permission with all matters reserved (except for means of access), for residential development (Use Class C3) comprising of new dwellings (200 indicated), public open space, hard and soft landscaping, and associated infrastructure and works. Access would be via Prestbury Road. While not part of the actual description of development, submitted documents indicate a development of 200 dwellings.

3. RELEVANT PLANNING HISTORY

- 3.1. None

4. NATIONAL PLANNING POLICY

- 4.1. The National Planning Policy Framework (NPPF) was first published by the Government in March 2012 and has since been through several revisions. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF is a material consideration which should be taken into account for the purposes of decision making.

5. DEVELOPMENT PLAN POLICY

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.

5.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS) and Cheshire East Site Allocations and Development Plan Policies Document (SADPD)

1. SADPD Policy PG 11: Green Belt and safeguarded land boundaries
2. SADPD Policy PG 9: Settlement boundaries
3. SADPD Policy GEN 1: Design principles
4. SADPD Policy GEN 4: Recovery of forward funded infrastructure costs
5. SADPD Policy GEN 5: Aerodrome safeguarding
6. SADPD Policy ENV 1: Ecological network
7. SADPD Policy ENV 12: Air quality

- 8.SADPD Policy ENV 14: Light pollution
- 9.SADPD Policy ENV 15: New development and existing uses
- 10.SADPD Policy ENV 16: Surface water management and flood risk
- 11.SADPD Policy ENV 17: Protecting water resources
- 12.SADPD Policy ENV 2: Ecological implementation
- 13.SADPD Policy ENV 3: Landscape character
- 14.SADPD Policy ENV 4: River corridors
- 15.SADPD Policy ENV 5: Landscaping
- 16.SADPD Policy ENV 6: Trees, hedgerows and woodland implementation
- 17.SADPD Policy ENV 7: Climate change
- 18.SADPD Policy HER 1: Heritage assets
- 19.SADPD Policy HER 3: Conservation areas
- 20.SADPD Policy HER 8: Archaeology
- 21.SADPD Policy HOU 1: Housing mix
- 22.SADPD Policy HOU 12: Amenity
- 23.SADPD Policy HOU 13: Residential standards
- 24.SADPD Policy HOU 14: Housing density
- 25.SADPD Policy HOU 15: Housing delivery
- 26.SADPD Policy HOU 8: Space, accessibility and wheelchair housing standards
- 27.SADPD Policy INF 1: Cycleways, bridleways and footpaths
- 28.SADPD Policy INF 3: Highway safety and access
- 29.SADPD Policy INF 6: Protection of existing and proposed infrastructure
- 30.SADPD Policy INF 9: Utilities
- 31.SADPD Policy REC 2: Indoor sport and recreation implementation
- 32.SADPD Policy REC 3: Open space implementation
- 33.CELPS Policy MP 1: Presumption in favour of sustainable development
- 34.CELPS Policy PG 1: Overall development strategy
- 35.CELPS Policy PG 2: Settlement hierarchy
- 36.CELPS Policy PG 3: Green Belt
- 37.CELPS Policy PG 6: Open countryside
- 38.CELPS Policy PG 7: Spatial distribution of development
- 39.CELPS Policy SD 1: Sustainable development in Cheshire East
- 40.CELPS Policy SD 2: Sustainable development principles
- 41.CELPS Policy IN 1: Infrastructure
- 42.CELPS Policy IN 2: Developer contributions
- 43.CELPS Policy SC 2: Indoor and outdoor sports facilities
- 44.CELPS Policy SC 3: Health and well-being
- 45.CELPS Policy SC 4: Residential mix
- 46.CELPS Policy SC 5: Affordable homes
- 47.CELPS Policy SE 1: Design
- 48.CELPS Policy SE 12: Pollution, land contamination and land instability
- 49.CELPS Policy SE 13: Flood risk and water management
50. SE 2: Efficient use of land
51. SE 3: Biodiversity and geodiversity
52. SE 4: The landscape
53. SE 5: Trees, hedgerows and woodland
54. SE 6: Green infrastructure
55. SE 7: The historic environment
56. SE 8: Renewable and low carbon energy
57. SE 9: Energy efficient development
58. CO 1: Sustainable travel and transport
59. CO 3: Digital connections
60. CO 4: Travel plans and transport assessments

5.3. Neighbourhood Plan

There is no Neighbourhood Plan for Macclesfield.

6. Relevant supplementary planning documents or guidance

6.1. Supplementary Planning Documents and Guidance do not form part of the Development Plan but may be a material consideration in decision making. The following documents are considered of particular relevance to this application:

Green Belt National Planning Practice Guidance (NPPG)
Cheshire East Council Design Guide SPD

7. CONSULTATIONS (External to Planning)

7.1. **Cadent Gas** – No objection.

7.2. **Education** – No objection subject to a total education contribution of £1,144,162.00 towards secondary and special education needs (SEN) provision.

7.3. **Environmental Protection Unit (EPU)** - No objection subject to conditions / informatives relating to contaminated land, noise mitigation, scheme for piling, dust management plan, floor floating operations, construction hours and the provision of electric vehicle charging points.

7.4. **Environment Agency (EA)** – No objection subject to conditions requiring submission of a landscape and ecological management plan, a 15 metre buffer with the River Bollin and a method statement for removing invasive species (Himalayan Balsam).

7.5. **CEC Leisure Services** – No objection subject to a financial contribution of £35,748.44 towards Macclesfield Leisure Centre.

7.6. **Head of Strategic Transport** – No objection subject to financial contributions of £600,000 towards public transport provision (details of routing to be agreed in the S106) and £200,000 for a pedestrian link to Abbey Road.

7.7. **Lead Local Flood Authority (LLFA)** – No objection subject to condition requiring submission of a drainage strategy.

7.8. **NHS** – No objection subject to a s106 commuted sum of £228,800 towards Waters Green Medical Centre to increase capacity.

7.9. **Public Rights of Way (PROW)** – No objection subject to the develop providing the footpath link to Riverside Park and a financial contribution (tbc) towards enhancements to the path and provision of a bridge in the park itself.

7.10. **Strategic Housing** – No objection subject 45% of the units being affordable with a tenure split of 65% social or affordable rent and 35% affordable intermediate housing to help meet identified housing needs.

7.11. **United Utilities (UU)** – No objection subject to conditions requiring details of a sustainable surface water drainage scheme and a foul water drainage scheme to be submitted and approved.

7.12. **Macclesfield Town Council (MTC)** – MTC object for the following reasons:

- That it does not pass the test of allowing building development on a green belt site due to very special circumstances (Policy PG3)
- Due to the impact on local amenities (hospital, doctors, dentists, schools) and additional traffic concerns
- Due to this not being in the Local Plan Strategy 2010-2030
- Some merit was given for the level of affordable housing

8. REPRESENTATIONS

8.1. Representations have been received from over 470 addresses (including Local Councillor Judy Snowball, Councillor David Edwardes and MP Tim Roca, 2 residents groups and the CPRE – Countryside Charity) over the two periods of consultation. 13 representations are written in support of the proposals with the remaining objecting or neutral. The points made are summarised as follows:

- Protection of the Green Belt - the Green Belt should not be built on
- Proposal will result in the merger of Macclesfield and Prestbury
- Grey belt - disagreement that the site meets the definition of grey belt or the subsewunt tests within the NPPF
- Availability of brownfield land - undeveloped brownfield sites in the town centre should be prioritised for development.
- Local Plan designation - the site is not allocated for development within the current Local Plan for the area.
- Loss of actively used agricultural land - development of the site would result in a loss of farmland
- More homes are not needed in Macclesfield and has 5.7 year supply with the rest of the borough having a 3.8 year supply
- The developer has overly relied on the benefits of the scheme to promote the development and in their planning balance
- The provision of 200 homes is not significant considering the size of the borough
- Premature and outside the Plan-Led Process
- Economic benefits are limited and what would be expected as are obligations towards education, healthcare and bus services
- The landscape and biodiversity enhancements are negatives
- Proposal will harm the Local Landscape Designation
- Harm to the landscape, loss of agricultural land and openness of the Green Belt
- Proposal does not meet do not meet planning caselaw examples
- There are no very special circumstances to outweigh harm to the Green Belt
- Properties will tower over those on Bollinbarn Drive resulting in loss of light and loss of privacy
- Site does not require a children's park to be built
- No evidence has been provided of alternative preferable sites
- There is a surplus of parking in Macclesfield Town Centre which suggest brownfield land is available
- The site makes a strong contribution to protection against urban sprawl, encroachment and the setting of a historic town
- The proposal would impact on Upton Halls and the Prestbury Road Conservation area
- The revisions to the scheme to not address previous objections
- Owner of Upton Wood has endured trespassing and vandalism which would be made worse by the proposal and is a safety concern, particularly for children
- Concern that the developer is trying to render support from social media

- Loss of recreational space - existing residents live in the area to enjoy the green spaces and the site is used informally by local residents for recreation, including dog walking.
- Visual impacts - loss of visual amenity. The green and open character of the area attracts visitors from outside the area.
- Access - proposed access from Prestbury Road is considered unsafe and potentially hazardous for current residents.
- The 5-metre easement with adjoining properties is not enough
- Existing infrastructure cannot cope with this development
- Infrastructure - strain on local services, namely on GP's, schools, and other public services
- Waiting times at the hospital are unsustainable
- The contributions lack clarity
- Highways - insufficient road capacity to support the increase in users generated from the additional homes
- Dangerous and substandard access arrangements, which pose serious highway safety risks
- The submitted Transport Assessment is inadequate
- A Transport Statement has also been submitted by an objector.
- Access onto Prestbury Road is unsafe as is its relationship with Ashfield Drive
- The cumulative effect of this development, combined with other recent proposals, will exacerbate traffic congestion
- Prestbury Road has become notably more busy since the building of the new King's School
- Visibility at the access will be poor and hindered by retained trees
- Vehicles often speed along Prestbury Road and adding more houses will make it more unsafe
- Request for site visit to be made so that the impact of traffic from the development can be viewed in the context of children and pedestrians crossing Prestbury Road
- There are numerous records of accidents in the area
- The introduction of a bus layby exacerbates the already challenging site lines
- The addition of 2 extra pedestrian crossings in such close proximity to the existing crossing will cause even further traffic chaos
- It is a steeply sloping site which they have stated they will resolve without the use of retaining walls but fail to demonstrate how they will achieve this.
- Impact on wildlife and protected species - the development would impact existing wildlife in the area, namely badgers, hedgehogs, deer and birds.
- The proposal would result in the irreplaceable loss of habitats, impact on veteran trees, Upton Wood and Riverside Park
- The claimed biodiversity net gain is reliant on offsite credits rather than local mitigation
- Climate impact - construction work in the countryside negatively impacts the environment and contributes to climate change
- Flood Risk - developing the site will increase the risk of flooding because of paving over green spaces.
- The site is within Flood Zones 2 and 3
- The existing pooling of water within the site will be made worse
- The surface permeability at neighbouring properties is poor and some properties struggle with insurers near to marshy land
- Drainage - developing the site will worsen drainage in the area and put pressure on the sewerage system.

9. OFFICER APPRAISAL

Principle of the Development

- 9.1. The application site lies within the Green Belt. The Government attaches great importance to Green Belts, and national and local policies are intended to reflect this. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The two essential characteristics of Green Belts are their openness and their permanence (paragraph 142 NPPF).
- 9.2. Green Belts serve the following five purposes (paragraph 143 NPPF):
- a) to check the unrestricted sprawl of large built-up areas;
 - b) to prevent neighbouring towns merging into one another;
 - c) to assist in safeguarding the countryside from encroachment;
 - d) to preserve the setting and special character of historic towns; and
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 9.3. Policy PG3 of the CELPS states that planning permission will not be granted for inappropriate development in the Green Belt, except in very special circumstances (VSC's), in accordance with National Policy.
- 9.4. Policy PG3 then goes onto a list a number of exceptions to inappropriate development in the Green Belt. These largely reflect those listed within the version of the NPPF that existed at the time the CELPS was first published in 2017. The NPPF has been updated numerous times since that date, most recently in December 2024 (tweaked in February 2025). This is a material consideration.
- 9.5. Whilst the application proposals do not fall into any of the exceptions to inappropriate development in the Green Belt within Policy PG3 of the CELPS, consideration needs to be given to Paragraph 155 of the NPPF, which introduces a new exception to inappropriate development.
- 9.6. Paragraph 155 states that *'The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:*
- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.*
 - b. There is a demonstrable unmet need for the type of development proposed.*
 - c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and*
 - d. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.'*
- 9.7. The glossary to the NPPF defines grey belt as: "land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development." Therefore, to determine whether the development qualifies as an exception to inappropriate development in the Green Belt under paragraph 155, it is first necessary to consider whether the land is grey belt.

Is the land subject to the application proposals accepted Grey Belt? (NPPF par 155 (a))

9.8. The question in relation to whether the Council accept that the site is classed as 'grey belt', is underpinned by whether the Council considers that the site does not strongly contribute to either purpose (a), (b) or (d) of the Green Belt as defined by paragraph 143 of the NPPF.

- Purpose (a) is – 'to check the unrestricted sprawl of large built-up areas'.
- Purpose (b) is – 'to prevent neighbouring towns merging into one another'
- Purpose (d) is – 'to preserve the setting and special character of historic towns'

Does Green Belt land on the site strongly contribute to Green Belt purposes a), b) or d) as set out in NPPF paragraph 143

9.9. The council carried out a Green Belt Assessment Update to support the preparation of the Local Plan Strategy. The Update was carried out by Arup on the council's behalf and published in 2015. The application site broadly follows the extent of assessment parcel 'MF15' within the Arup report. Parcel 'MF15' is modestly larger than the application site because it includes a number of properties to the east of Prestbury Road and an area of land at the eastern side of the site adjacent to the River Bollin. The report found that the parcel made a significant contribution to the five Green Belt purposes, taken together. However, only three of the purposes are relevant in determining whether the application site is grey belt and the extent to which the site performs against each of these needs to be looked at afresh in the light of the recently published NPPG advice in relation to Green Belt.

(a) to check the unrestricted sprawl of large built-up areas

9.10. With regards to Purpose A (sprawl), paragraph 005 of the NPPG identifies the features that weaken the contribution that land can make to the Green Belt, albeit they are not exhaustive.

9.11. The site abuts the Macclesfield settlement boundary, and the proposal would extend development beyond it into the Green Belt. Macclesfield is a large built-up area. However, the site is contained by development extending northwards along the eastern side of Prestbury Road and a significant and well-established woodland belt, incorporating ancient woodland, between Prestbury Road and the River Bollin. To the north of the site is the River Bollin and the railway line that runs from Macclesfield into Greater Manchester. Beyond these is the built-up area of Tytherington which extends further north than the site and forms part of the town of Macclesfield.

9.12. Following an assessment using paragraph 005 of the NPPG, it is not considered that the site 'strongly contributes' to Purpose A given that the site is contained by development on 3 sides, to the east, south and partially to the west meaning that there are physical features that would contain the development. These features take the form of existing residential development as well as dense woodland planting forming the ancient woodland. Furthermore, it is not considered that the development of this parcel of land would result in an incongruous pattern of development as the development as shown indicatively would amount to a rounding off of the part of Macclesfield that it would adjoin. It would not result in a finger of development being created and it is considered that any contribution the site makes to containing sprawl is 'moderate' at most.

9.13. In addition, the proposed development would provide new open space and green infrastructure that would wrap around the site between the ancient woodland and the River Bollin. This new edge would have an important role in limiting sprawl, in both physical and perceptual terms, by providing a strongly defined and durable boundary edge. The use and dedication as open space would serve to restrict the extent of sprawl to the north and provide a defensible boundary and would be protected in perpetuity from future development through a S106 agreement. Having regard to these factors, and the advice in the NPPG, the site does not strongly contribute to purpose (a) of NPPF paragraph 143.

(b) to prevent neighbouring towns merging into one another

9.14. The site is located in the area of Green Belt that sits between Macclesfield and Prestbury to the north. With regards to Purpose B (towns merging), the PPG notes that this purpose relates to the merging of towns and not villages. Neither the Framework nor PPG provide guidance on how to determine whether a settlement is a town or not. In many instances it will be plainly evident whether a settlement is a town or village. However, there may be instances where it is not as clear. Judgements will need to have regard to relevant factors such as how the settlement is defined and described in the Development Plan and elsewhere, its scale and its function. The 2015 Green Belt Study is not always helpful in this regard since its assessment of land parcels against purpose (B) was not limited to towns. Instead, it considered a broader range of settlements, including villages.

9.15. Macclesfield is clearly a town. Prestbury, however, is referred to in everyday language as a village. It is defined in the Local Plan Strategy as a Local Service Centre which comprise the third tier of the four-tier settlement hierarchy established through the Plan. CELPS paragraph 2.77 describes Local Service Centres as ‘...small towns or large villages which provide a range of services and facilities.’ The reasoning for the placement of particular settlements, including Prestbury, within the four tiers of the LPS settlement hierarchy is set out in the LDF Background Report: Determining the Settlement Hierarchy (November 2010) which formed part of the council’s submitted evidence for the LPS. It found that Prestbury fell within the category of Local Service Centre against all analysed factors except for its community facilities role. The analysis placed it squarely in this third tier of the settlement hierarchy. Prestbury is also described as a village in the Prestbury Settlement Report published in 2020, which formed part the council’s submitted evidence for the Site Allocations and Development Policies Document. The report highlighted that the village had a 2018 mid-year population estimate of 3,400 people.

9.16. The assessment of the broadly equivalent land parcel in the Arup report under Site MF15 found that it made only a ‘contribution’ to this purpose, describing it as forming ‘part of the less essential gap between Macclesfield and Prestbury to the north whereby development of the parcel would not result in the merging of settlements.’ This suggests that even if this purpose was engaged, the site would not strongly contribute to it. Because the site falls within the area of Green Belt between the town of Macclesfield and the village of Prestbury, purpose (B) of NPPF paragraph 143 is not engaged.

9.17. Even if Prestbury were to be considered a town (a worst-case scenario), it is considered that the development of the site for residential use with regards to the merging of towns would be ‘Moderate’ having regard to the advice of para 005 of the NPPG. This is because the site includes features that weaken its contribution, such as it being partially enclosed by existing development meaning that new development would not result in an incongruous pattern of development and the presence of woodland, the River Bollin and Railway line described above.

(d) to preserve the setting and special character of historic town

9.18. Neither the NPPF nor the PPG provide any guidance about how a town qualifies as a historic town under this purpose. This is therefore a matter of planning judgement. The Arup report says that Macclesfield is a historic town. It notes that Macclesfield is mentioned in the Domesday Book and contains a number of conservation areas. It also highlights that the Prestbury Road Conservation Area is located to the south of the assessment parcel and adjoins its southern edge. The application site has the same relationship to this Conservation Area. The Arup report concludes that the parcel makes a ‘Major Contribution’ to this green

Belt purpose. This is the highest contribution level in the reports four-tier contribution scale (‘No contribution’ – ‘Contribution’ – ‘Significant Contribution’ – ‘Major Contribution’).

9.19. The applicant, in their accompanying Planning Statement claim that the site makes no contribution, noting that the site is located some distance from the historic core of Macclesfield, separated by extensive areas of modern development, with no intervisibility. Although the applicant's conclusion is that the site makes no contribution to this purpose, they are acknowledging that Macclesfield is a historic town, meaning that this purpose is engaged.

9.20. In consideration of Purpose D (character), it is considered that the contribution that the land subject to the application makes to the special character of historic towns is ‘Moderate’. This is because although the site forms part of the setting of the town, and is near to the boundary with the Prestbury Road Conservation area, it's separated from the historic aspects by existing development and the proposed illustrative layout has included a generous green buffer at the mouth of the development where it interacts with the closest views in and out of the conservation area. As such the proposal would not undermine purpose d.

9.21. As such, the application proposals are deemed to meet this key test as to whether a site represents Grey Belt in that the site is not considered to strongly contribute to either purposes a, b or d.

Would the application of non-Green Belt NPPF footnote 7 policies to the scheme proposed on the Green Belt part of the site provide a strong reason for refusing development?

9.22. A further aspect of the Grey Belt definition which could impact whether the application site meets this definition is whether the proposed site includes land relating to the areas or assets in footnote 7 in the NPPF. If it does, and one of those areas provides a strong reason for refusing or restricting development, the application proposals would not meet the grey belt definition.

9.23. Upon review of footnote 7, the only possible relevant consideration is whether the site is within an area at risk of flooding and whether this would provide a strong reason for refusing or restricting development. However, as detailed later in this report, it has been demonstrated that the housing can be located on land within Flood Zone 1 only, an area with only a 0.1% annual chance of flooding attracting no objection from the Lead Local Flood Authority or the Environment Agency.

9.24. The subsequent test of paragraph 155(a) of the NPPF is whether the development would utilise grey belt land ‘...and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.’

9.25. The Green Belt NPPG paragraph 008 provides some more guidance. It states that this assessment should be considered in the context of the remaining Green Belt across the plan area as a whole. Given its scale and location, the proposed development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. It is not deemed that land subject to development (as shown indicatively) would impede this test.

Is there an unmet need for the type of development? (NPPF para 155 (b))

9.26. The application proposes the erection of 200 dwellings (indicatively). The Cheshire East Local Plan Strategy (CELPs) was adopted on the 27th July 2017 and forms part of the statutory Development Plan. The plan sets out the overall strategy for the pattern, scale and quality of

development, and makes sufficient provision for housing (36,000 new dwellings over the plan period, equating to 1,800 dwellings per annum) to meet the objectively assessed needs of the area.

9.27. As the plan is more than five years old, deliverable housing land supply is measured using the local housing need figure (plus 5% buffer), which is currently 2,603 dwellings per year rather than the CELPS figure of 1,800 dwellings per year.

9.28. The National Planning Policy Framework (NPPF) identifies the circumstances in which relevant development plan policies should be considered out-of-date. These include:

- Where a local planning authority cannot demonstrate a five-year supply of deliverable housing sites (with appropriate buffer) or:
- Where the Housing Delivery Test Measurement indicates that the delivery of housing was substantially below (less than 75% of) the housing required over the previous three years.

9.29. In accordance with the NPPF, the council produces an annual update of housing delivery and housing land supply. The council's most recent Housing Monitoring Update (base date 31 March 2024) was published in April 2025. The published report identifies a deliverable five-year housing land supply of 10,011 dwellings which equates to a **3.8-year supply** measured against the five-year local housing need figure of 13,015 dwellings.

9.30. The 2023 Housing Delivery Test Result was published by the Department for Levelling Up, Housing & Communities on the 12 December 2024 and this confirms a Housing Delivery Test Result of 262%. Housing delivery over the past three years (7,392 dwellings) has exceeded the number of homes required (2,820). The publication of the HDT result affirms that the appropriate buffer to be applied to the calculation of housing land supply in Cheshire East is 5%.

9.31. As such, the proposals would be acceptable under paragraph 155 (b) as the type of development proposed is housing, and there currently is an unmet need for housing in Cheshire East.

Sustainable Location? (NPPF para 155 (c))

9.32. Paragraph 155 (c) sets out that the development should be in a sustainable location. It states that particular reference should be made to paragraphs 110 and 115 of the NPPF.

9.33. Paragraph 110 of the NPPF states that significant development should be focused in locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport nodes.

9.34. Paragraph 115 of the NPPF states that a) sustainable transport modes are prioritised, b) safe and suitable access can be achieved c) the design of the scheme should meet national guidance and d) any highways impact mitigated.

9.35. At council-wide level, within the subtext of Policy SD2 of the CELPS is a table that provides a guide to the appropriate distances for access to services and amenities. This is informed by the North West Sustainability Checklist (now revoked). These distances are actual distances using public highways and footpaths. The distances are considered appropriate for the region and have been used for the purpose of informing the Sustainability Appraisal and the accessibility of proposed developments. This is used to assist in determining how locationally sustainable the site is.

9.36. Being situated on the edge of Macclesfield, one of the principal Towns in the borough, the site is locationally sustainable. There are some amenities that are not within the ideal standards set within the toolkit. However, all the services and amenities listed are accommodated within Macclesfield. Owing to its location on the edge of the settlement, it is accepted that there are some amenities and facilities that will not be as close to the development as existing dwellings which are more centrally positioned. Indeed, this is not untypical for suburban dwellings. However, the majority of the amenities and facilities are accessible to the proposed development on foot. Added to this, the proposal will facilitate better connectivity through the provision of footpath connections to Abbey Road, which will improve walking times to Abbey Road Primary School and there will also be the provision of better bus service provision (covered later in this report). NPPF para 155 (c) is met.

Golden Rules (NPPF para 155 (d))

9.37. NPPF Paragraph 155 (d), states that *'Where applicable, the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156 and 157 below.'*

9.38. Paragraph 156 states:

Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review, or on sites in the Green Belt subject to a planning application, the following contributions ("Golden Rules") should be made:

- a. affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;*
- b. necessary improvements to local or national infrastructure; and*
- c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.'*

9.39. As this application is a 'major' development, the Golden Rules apply as follows:

- a. In accordance with NPPF paras 156-157, "the affordable housing contribution required to satisfy the Golden Rules is 15 percentage points above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of 50%". To meet para 156 (a), the development is required to deliver 45% of the dwellings as affordable. The applicant has agreed to these terms and so this Golden Rule is met.
- b. The application would mitigate the impact that the development would have on the necessary infrastructure requirements including education, healthcare, highways and open space as considered and detailed later in this report. This Golden Rule is met
- c. The proposal includes generous onsite open space provision and green infrastructure including connectivity into the existing open space provision at Riverside Park to the north, which is a key benefit of the scheme. The proposed development would therefore provide a wide range of new accessible green spaces for existing and future residents of this part of Macclesfield. The quantum of open space exceeds the require standards. This Golden Rule is met

9.40. Having regard to the above, the proposal complies with all of the 'golden rules' set out within paragraphs 156 and 157 of the NPPF. Paragraph 158 of the NPPF states that "a development

which complies with the Golden Rules should be given significant weight in favour of the grant of permission”.

Overall Green Belt Conclusions

9.41. The application site is accepted as representing ‘grey belt’ and adhering with the requirements of paragraph 155 of the NPPF. The proposal is appropriate development in the Green Belt and therefore in accordance with Paragraph 158 of the NPPF, significant weight should be given in favour of approving the proposed development, subject to other material considerations.

Design

9.42. The NPPF paragraph 135 and local plan Policy SE 1 emphasises the importance of securing high quality design appropriate to its context.

9.43. Policy SD 2 of the CELPS expects all development to “Contribute positively to an area’s character and identity, creating or reinforcing local distinctiveness in terms of:

- a. Height, scale, form and grouping;
- b. Choice of materials;
- c. External design features;
- d. Massing of development - the balance between built form and green/public spaces;
- e. Green infrastructure; and
- f. Relationship to neighbouring properties, street scene and the wider neighbourhood;”

9.44. Policy GEN1 of the SADPD relates to Design principles. Criterion 1 requires that development proposals should create high quality, beautiful and sustainable buildings and places avoiding the imposition of standardised and/or generic designs. Whilst criterion 9 details that developments should be accessible and inclusive for all.

9.45. The proposed is an outline application for residential development between Prestbury Road and Riverside Park in Macclesfield. As this is an outline application with matters relating to layout, scale and appearance reserved for approval at a later stage, this information is not submitted in detail for consideration at this stage. An indicative layout has been submitted with the application to show how the site (amongst other requirements) could be developed to deliver around 200 new dwellings.

9.46. The proposal would be served by a singular vehicular access taken directly from Prestbury Road which would run through an area of open space described as the ‘Prestbury Road Gateway’ character area. The design approach is based on four broad character areas, although the built development is shown in two main blocks with green infrastructure separating them midway through the development. Generous green buffers are shown to the west described as the ‘Upton Wood Edge Character Area’ to create a positive interface with the adjacent Ancient Woodland and create a softer edge to development and the wider Green Belt.

Connections

9.47. Pedestrian and cyclist connectivity through the site is generally well-considered, with a dedicated route provided along the landscaped edge to the North connecting through to Riverside Park. There are, however, questions regarding this route as whilst the ‘zigzagging’ path helps to navigate the topographical changes in an accessible way, in terms of practical usage this could encourage pedestrians and cyclists to follow a more direct route along the road. There are additional questions with the route in terms of materiality, safety, and

maintenance - particularly when considering the incline - though this does not form part of the design comments at this stage and would be secured at reserved matters stage.

9.48. Whilst the proposed connection through to Riverside Park is positive in principle, further information regarding how this functions both in terms of safety and legibility is important as this could improve the connectivity of the wider area if well considered. Lengthy discussions have taken place between the applicant and the Council with regard to the delivery of a further connection of the site to Abbey Road for pedestrians. Following this, there is a commitment to deliver a further connection or to make sure one can be delivered as part of the future reserved matters application/s. This is an additional benefit of the scheme.

Walking, Cycling and Public Transport

9.49. The site lacks close access to public transport, though there are multiple bus stops around 400 metres from the site entrance – serving routes between Macclesfield, Prestbury, Altrincham, and Manchester Airport. Whilst this provides a degree of connectivity, the site itself sits around 2km from the town centre where access to additional bus and rail services are provided. As such, the proposed is not considered to be within a highly sustainable location in design terms – though the design & access statement does indicate the potential for a new bus stop to be provided at the primary access point from Prestbury Road.

9.50. Traffic calming measures have been included within the scheme, helping to improve pedestrian safety and encourage active travel. There is, however, a question regarding whether a dedicated cycle route through the site could help to further encourage active travel – though it is noted that there is no existing cycle infrastructure to link to along Prestbury Road. Regardless, a more direct and legible route through the site could be of benefit – particularly as the proposed cycle route runs along the periphery and requires navigation of the ‘zigzagging’ path. Whilst this is at the outline stage, further information on this route and the capacity for both pedestrians and cyclists should be provided at the reserved matters stage. The use of shared surfaces, ramps, and shared drives helps to maintain pedestrian legibility and indicate pedestrian crossing locations again as a matter for approval at a later stage.

Facilities and Services

9.51. There are a couple of small shops within 500m of the site entrance, though these are somewhat limited in their offering. Whilst there are some smaller businesses, residential uses make up most of the surroundings. The provision of a new bus stop would allow for improved accessibility to a range of facilities and services. Whilst detailed plans haven’t been provided at this stage, opportunities to incorporate places for seating within the landscaping should be explored to ensure those with mobility difficulties can walk more easily between places.

Homes for Everyone

9.52. The applicant has indicated that the development will be tenure neutral, in line with local and national guidance. The primary concern at this stage is ensuring that where there are long lines of dwellings, such as those along the Eastern edge of the site, there is enough variety to reduce the feeling of monotony which could harm the sense of place.

Context

9.53. The retention of existing hedgerows, habitats, and landscaping is positive – helping to retain some of the positive characteristics of the existing site. The positioning of bungalows along the primary avenue responds well to the scale of the existing dwellings along Bollinbarn Drive, and the rear gardens are in line with *Building for a Healthy Life*. There are questions regarding the proposed levels of the site and potential implications on both the existing houses and wider

views, therefore it is recommended that a series of site sections at key points within the site are provided at the reserved matters stage to ensure the impacts on the surrounding context are well-understood. It is noted that there are currently clear views of the site and the ancient woodland from Bollinbarn Drive, therefore visuals of key viewpoints should be provided at the reserved matters stage to understand the potential impact not just on the existing dwellings but also their relationship with the proposals, the ancient woodland, and the edge of settlement.

9.54. It is noted that the site entrance has been revised to reduce the feeling of a formal approach from Prestbury Road. One of the key characteristics of the existing site is the informal, open view from the entrance through to the hills in the distance and the trees and pylons which follow the Bollin Valley. Whilst the Council's Design Officer has expressed concern regarding the positioning of the four dwellings at the southeast corner of the site as these could interrupt these views, these views are considered as part of the reserved matters application. There is also a balance to be struck in terms of ensuring this key view (from a design perspective) terminates on an active frontage and not the rear boundaries of the properties on Bollinbarn Drive, which is the present situation. This could be achieved by ensuring the scale of these properties are modest in terms of height.

9.55. The Council's Design Officer has commented that the southern portion of the site is well-considered in terms of the level of development and positioning of dwellings, particularly when looking at the density of Bollinbrook to the East. However, it is noted that this side of Prestbury Road is characterised by lower density housing and the site is the first hint of the countryside at the edge of the settlement. It is noted that the extent of development within the northern portion of the site extends beyond the established pattern of development formed by Abbey Road to the East, although this incursion is not significant and could be pulled back when layout is detailed at reserved matters stage.

Character

9.56. There are no major design observations at this stage, though ensuring the landscaping plays an integral role in the design coding is essential.

Streets and spaces

9.57. No major design observations at this stage. General approach to outward facing perimeter blocks is supported.

Wayfinding

9.58. A greater focus on the landscaping of the primary avenue through the site could help to define a focal point of the scheme which improves wayfinding within the scheme. There is potential to retain the framed view of the hills in the distance from the site entrance. More intentional landscaped spaces within the development could help to better define the spaces and, combined with landmark buildings, capitalise on wayfinding opportunities whilst creating a sense of place.

Healthy Streets

9.59. There is potential here for a linear park/green corridor along the primary avenue which incorporates pedestrian/cyclist infrastructure in addition to a variety of landscaped spaces. This could provide places to sit, SuDS features, growing spaces, and generally contribute to the sense of place whilst addressing concerns regarding the need for a greater emphasis on landscaping within the development. The positioning of raised shared surfaces helps to slow traffic and provide some pedestrian legibility.

Cycle and Car Parking

9.60. There are no major design observations at this stage, though there are some questions regarding the indicative positioning of parking close to the LEAP at the entrance of the site and whether this could be accommodated elsewhere to reduce the potential impact on views from the entrance of the site.

Green and Blue Infrastructure

9.61. In addition to concerns regarding the indicated approach to landscaping primarily at the periphery of the scheme, there are concerns regarding the dependence on orchard planting at both the entrance and northern edge of the site. Whilst the provision of fruit trees could be positive, their grouping and positioning result in a lack of legibility of ownership. Incorporating fruit trees and growing spaces within the landscaped streets could allow for a greater feeling of ownership for future residents and contribute to the sense of place more widely, whilst creating a more natural landscaped approach at the entrance of the site.

Design Conclusion

9.62. Whilst there are no design concerns regarding the development of parts of the site, there are concerns regarding the extent of development when considering the edge of settlement location, the existing patterns of development, and the site's constraints. This is particularly of concern towards the north of the site where dwellings encroach towards the ancient woodland and beyond the pattern of development formed by Bollinbrook to the Southeast. Whilst not a matter for the outline application, it is also considered that a stronger landscape focus within the streets and particularly along the primary avenue could allow for a more contextual scheme with a better balance between built form and landscaping.

9.63. At this stage, there are design concerns regarding the potential to accommodate the proposed level of development whilst maintaining a positive relationship between built form and landscaping – noting the site's positioning at the edge of settlement and within the greenbelt. Reducing the proposed number of units could resolve a number of these concerns subject to layout changes at the reserved matters stage.

Heritage Assets

9.64. The proposed development has the potential to affect the Prestbury Road (Macclesfield) Conservation area, and Upton Hall North, Upton Hall South and Upton Hall Farm, a Grade II Listed Building. To that end, the applicant has undertaken a Heritage Statement.

9.65. The Heritage Statement acknowledges that there will be a degree caused to the significance of the identified heritage assets because of change within their setting. That level of harm is concluded to be 'less than substantial' in NPPF terms. Paragraph 215 of the NPPF requires that, where less than substantial harm is identified, this should be weighed against the public benefits of the proposal.

9.66. The northern extent of the Prestbury Road Macclesfield Conservation Area lies to the south of Ashfield Drive and across Prestbury Road and up to the field access into the site. The proposed illustrative layout has included a generous green buffer at the mouth of the development where it interacts with the closest views in and out of the conservation area. It is of no doubt that the proposed development will result in changes to views from Prestbury Road. However, the retention of existing trees and vegetation as well as setting the built form back from the road to create what is described as the 'Prestbury Road Gateway' character area will reduce visual impact and preserve local views. This generous buffer will serve to

soften and retain open aspect views when experienced from the nearest boundary of the conservation area along Ashfield Drive. The precise impact from the design of any built form would be considered and managed at reserved matters stage.

9.67. With regard to the Grade II listed Upton Hall North, Upton Hall South and Upton Hall Farm, this is located some distance to the west beyond existing properties and with the Upton Wood ancient woodland situated in between. The proposal would have limited harm to how listed building would be experienced in terms of its setting and therefore the impact would be minor.

9.68. Whilst there would be less than substantial harm to the heritage assets, the benefits of delivering housing within a sustainable location would outweigh this and therefore the harm to heritage assets is given limited weight.

Landscape

9.69. Policy SE 4 of the CELPS expects all development to incorporate appropriate landscaping which reflects the character of the area through appropriate design and management; where appropriate, provide suitable and appropriate mitigation for the restoration of damaged landscape areas; preserve and promote local distinctiveness and diversity; avoid the loss of habitats of significant landscape importance, and; protect and / or conserve the historical and ecological qualities of an area.

9.70. The site is located within the 'Bollin' Local Landscape Designation (LLD). SADPD Policy ENV 3 advises that 'any development that is likely to have an adverse effect on their special qualities as described in the Cheshire East Local Landscape Designation Review (2018) should be avoided'. CELPS Policy SE 4 states that 'where development is considered to be acceptable in principle; measures will be sought to integrate it into the landscape character of the area by:

- i. Protecting, restoring and enhancing the character and appearance of the local area through suitable planting, landscape and / or woodland;
- ii. Making suitable provision for better public access to, and enjoyment of, the Local Landscape Designation Areas;

9.71. As part of the submission a Landscape Visual Impact Assessment (LVIA) has been submitted. The LVIA acknowledges that the site is 'representative of some of the Special Qualities of the Bollin Valley Local Landscape Designation but confirms that it makes limited contribution to these qualities and is influenced by the adjacent settlement edge and railway line'. As explained earlier, this report when considering whether the land comprises of grey belt, it is not considered that the development of this parcel of land would result in an incongruous pattern of development as shown indicatively as it would effectively amount to a rounding off of the part of Macclesfield that it would adjoin.

9.72. Further, the northeastern parcel of the site, which demonstrates more of the identified special qualities is proposed to be retained as Public Open Space and would not be subject to built development.

9.73. One key benefit of bringing the site forward for development is that it would present the opportunity to connect into the Riverside Park as well as the introduction of new public open space to extend the publicly accessible areas of parkland. The detailed design of these areas would be developed through reserved matters applications and approval of the design and delivery. Subject to this, these areas of the site would make a positive contribution to the special qualities of the Bollin Valley, which aligns with criterion ii of CELPS Policy SE 4.

- 9.74. The Council's Landscape Officer has expressed concern that due to the application being in outline form, it is difficult to be assured that an adequate masterplan could offset concerns regarding impact on the Bollin LLD at this stage. The indicative plan shows areas of proposed housing which seem pushed to the site boundaries with little provision of buffer zones (eastern edge). However, this is where the site abuts the rear of the existing residential development and there is merit in continuing the built form to provide appropriate buffers elsewhere within the development. The applicant has indicated that these areas would be limited to single storey 1.5 storey dwellings to reduce visual impact and assimilate the development in with existing land features and including adjoining development.
- 9.75. The Council's Landscape Officer acknowledges that the scheme's connection to Riverside Park could become a major addition to the Park, but at this stage, details are vague. Similarly to the Council's Design Officer, the detail regarding how to adequately integrate this space so that a more creative and connected approach is secured would be able to be achieved at reserved matters stage as would comments in relation to securing a more integrated landscape through the street scenes.
- 9.76. The proposed access point will no doubt have visual splays and thus a degree of boundary hedgerow removal which will thus offer wider views into the site. Some of the proposed housing due to its location and lack of buffer planting would therefore be visible, having a slight adverse, urbanising effect upon the viewpoints along Prestbury Road. Whilst concerns have been expressed regarding this impact, and the proposed development will result in changes to views from Prestbury Road, the retention of existing trees and vegetation where possible, as well as setting the built form back from the road creating the 'Prestbury Road Gateway' character area will reduce visual impact and preserve local views. Any hedgerow loss required to facilitate the vehicular access would be mitigated and offset by replacement planting elsewhere within the development.
- 9.77. What must be acknowledged is that in order to meet the Council's housing land supply requirement, suitable and sustainable sites outside of the settlement boundaries and those meeting the definition of grey belt may need to be released for housing. With such release, there will be an inevitable impact on considerations such as landscape as a parcel of land free from development compared to one with development will result in visual receptors being impacted and consequential change to the character of an area. However, with the provision of the landscape buffers (shown illustratively at this stage), the presence of the ancient woodland to the north and west of the site and containment of development, officers afford limited weight to the any perceived conflict with LPS Policy SE4 and SADPD Policy ENV3. Landscape impacts will be reduced once the landscaping strategy has become established. The concerns raised by the Council's Landscape Officer are not considered sufficient to sustain a reason for refusal.

Public Rights of Way (PROW)

- 9.78. The proposed development does not directly affect a recorded Public Right of Way according to the Definitive Map, the legal record of Public Rights of Way. Please note the Definitive Map and Statement is a minimum record of Public Rights of Way and does not preclude the possibility that Public Rights of Way exist which have not been recorded. The proposed development does include proposed links to, within and through the Macclesfield Riverside Park, part of the Local Landscape Designation, and a site owned and managed by the Council as a Countryside Park.
- 9.79. Public Rights of Way are recognised as contributing to the active travel, leisure, health and wellbeing and visitor economy agendas. As such, national and local policy and guidance refers to the importance of protecting and enhancing Public Rights of Way. Proposed developments should therefore deliver and improve walking, wheeling*, cycling and

equestrian facilities for transport and leisure purposes, both within the proposed development site and in providing access to local facilities for education, employment, health etc.

9.80. CELPS Policy SE 6 (Green Infrastructure) states that:

“The “network of green infrastructure assets should be safeguarded, retained and enhanced”.

3. *“ The strategic green infrastructure assets identified in Cheshire East” include ... v. Public rights of way, cycle routes and greenways”.*
- 4 *Promote linkages between new development and surrounding recreational networks, communities and facilities.”*

9.81. SADPD Policy INF1: (Cycleways, bridleways and footpaths) states that:

1. *Development proposals that would lead to the loss or degradation of a public right of way (such as a footpath, cycleway or bridleway) or a permissive path (such as a canal towpath) will not be permitted.*
2. *Development proposals that involve the diversion of cycleways, footpaths or bridleways will only be permitted where the diversion is no less convenient than the existing route.*
3. *Development proposals should seek to contribute positively to:*
 - i. the Cheshire East Cycling Strategy;*
 - ii. the Cheshire East Rights of Way Improvement Plan Strategy and Implementation Plans;*
 - and*
 - iii. the walking, cycling and public transport objectives of the Cheshire East Local Transport Plan.*
4. *Development proposals should seek, where feasible, to provide links to national cycle routes, long-distance footpaths, canal towpaths and rights of way networks.*
5. *Design and access statements must be accompanied by maps showing links to community facilities and existing public rights of way as per the Active Design guide principle in the Cheshire East Borough Design Guide supplementary planning document.*

9.82. The Local Plan Developer Contributions Supplementary Planning Document states that *“Public Rights of Way (PROW) are an essential network of connections that enable healthy and active lifestyles and reduce the need to travel by private car, therefore reducing impact on the wider network. In order to identify weaknesses in the local PROW network, and the ‘walking and wheeling’ network, opportunities to improve, enhance and expand these networks should be explored early in the design process”* (para. 13.43).

9.83. It continues to state that *“contributions may be sought to ensure that development successfully connects into such infrastructure”, that being the networks of “national cycle routes, long distance footpaths, canal towpaths and rights of way”* (para. 13.42).

9.84. The application proposes a path connection in the far northeastern corner of the site that would connect through to Macclesfield Riverside Park. For this to be delivered to a suitable standard and maintained for appropriate for use, the requirements from any consent would be as follows:

a) Specification of Path

Any reserved matters application should require the developer to submit the specification for the path connection between the application site and Macclesfield Riverside Park and within the Park for approval by the Council. For the route to be considered as an active travel route for walkers, wheelers and cyclists, the provision of a hard surface would be required to appropriate national guidance surface specification and width. The PROW team have

requested the provision of a bridge. However, this would not meet the test of being reasonable for a development of this size and having regard to the fact that the developer would be providing a connection to Riverside Park in any event.

b) Heads of Terms of s106 agreement to construct the path within Macclesfield Riverside Park

The developer would be required to construct under licence that part of the path connection, within Macclesfield Riverside Park ready for use by the public prior to first occupation of the site. Given the outline stage of the application and therefore lack of path specification, it is not possible at this time to accurately determine the level of contribution that would be required to be provided from the developer to the Council for the Council to undertake such works. Further, prior to detailed design and surveys the exact location of the proposed connection cannot be assumed to be that indicated within the available plans.

c) Heads of Terms of s106 for commuted sum for maintenance the path within Macclesfield Riverside Park

A sum calculated by the Council to cover the ongoing management and maintenance of the path for a period of at least 20 years from the date of construction based on the actual costs of the management and maintenance tasks required to be carried out would be required.

9.85. The developer has put forward the concept of the northern parcel of land, the public open space area, to be transferred to the Council as an addition to Riverside Park. There are benefits to that concept and the Council may be willing to enter into discussions on the matter under Local Plan Policy SE6 in consideration of the strategic green infrastructure of the area.

9.86. The legal status, maintenance and specification of the proposed paths in the public open space of the site would need the agreement of the Council as the Highway Authority. If the routes are not adopted as public highway or Public Right of Way with the provision of a commuted maintenance sum, the route would need to be maintained for use under the arrangements for the management of the open space of the site.

9.87. The developer should be required to provide new residents with information about local walking, wheeling and cycling routes for both leisure and travel purposes, with key routes signposted (wheeling referring to the use of prams, pushchairs, rollators, manual and powered wheelchairs and mobility scooters). This would be secured by condition.

Loss of Agricultural Land

9.88. CELPS Policy SD2 and SADPY Policy RUR 5 require all development to avoid the permanent loss of agricultural land quality of grade 1, 2 or 3a Best and Most Versatile (BMV) unless the benefits of the development clearly outweigh the impacts of the loss of the economic and other benefits of the land.

9.89. The Agricultural Land Classification Report submitted with the application confirms that the Site contains around 10ha of Grade 2 – very good quality agricultural land (63% of the Site), with the remainder being either non-agricultural (22% of the Site) or Grade 3B – moderate quality (16% of the Site).

9.90. It is important to note that the area of farmable land is reduced somewhat by the topography of the land particularly the northern extent of the site where it runs down to the beginning of the River Bollin valley. The proposed development will result in the loss of much of the Grade 2 agricultural land. However, this would not amount to a significant amount (10ha) having regard to the presence of a substantial amount of BMV land across the borough. Further, due to its limited size and the existing site constraints (i.e. surrounded on some sides by residential development, the River Bollin and Riverside Park and separated from the larger open fields),

the land is isolated relative to wider agricultural holdings. This weakens its contribution to the high-quality agricultural land in the area.

9.91. Whilst the proposal would result in the loss of Grade 2 and 3B agricultural land, the loss would not be 'significant' and would not outweigh the benefits that would come from delivering this development and assisting with the Council's housing land supply situation helping to relieve pressure on less sustainable Greenfield sites elsewhere. Limited weight is therefore attached to the loss of BMV agricultural land.

Trees

9.92. Policy SE 5 of the CELPS and ENV6 of the SADPD relate to trees, hedgerows and woodland. The objective of the policies is to protect trees that provide a significant contribution to the amenity, biodiversity, landscape or historic character of the surrounding area.

9.93. The constraints of the site include (but not limited to) existing protected trees, the presence of ancient woodland and existing ecological features.

9.94. The Macclesfield Borough Council (Macclesfield – the Prestbury, Bollinbrook & Victoria Roads) Tree Preservation Order 1975 affords protection to groups of trees scheduled as G26, G27 and G28, that comprise of six Sycamore located to the eastern boundary section of the site and along rear garden boundaries of Bollinbarn Drive.

9.95. The Council's Principal Arboricultural Officer has advised that trees protected by the Tree Preservation Order do not appear to be significantly affected by the proposal as shown indicatively.

9.96. The northern extent of the Prestbury Road Macclesfield Conservation Area lies to the south of Ashfield Drive and across Prestbury Road and up to the field access into the site. The application is supported by an Arboricultural Impact Assessment (AIA), Method Statement (AMS) and Tree Works and Protection Plan. The Assessment has been produced with regard to the submitted illustrative plan and Landscape Strategy Plan.

9.97. The Assessment has recorded some 96 individual trees, 13 groups of trees and three woodlands within the site. Four individual trees (2 moderate B category and 2 low C category trees) would require removal to accommodate the proposals indicated on the Illustrative Master Plan. Two of the trees (T1 and T2) require removal to accommodate the proposed access of Prestbury Road (referred to below), the remaining two individual trees; a Sycamore (T31) and Sycamore (T59) require removal to accommodate the internal road network and a new footpath cycleway and attenuation pond. A further two groups and part of groups would also require removal, the majority of which are identified as low (C) category scrub. None of the trees proposed for removal are currently protected by a Tree Preservation Order. The Council's Principal Arboricultural Officer has advised that the removal of these trees will not impact significantly on the wider visual amenity of the area and their loss can be adequately mitigated within open space provision within the site.

9.98. The access is a matter for approval and will comprise of a T junction from Prestbury Road with a width of 6.7 metres; 2 metre flanking footways and a 2.4 x 43 metre visibility splay. The access will require the removal of two trees located on the Prestbury Road frontage: a moderate (B) category Sycamore (T1) and low (C) category Ash (T2). The trees are not formally protected by a Tree Preservation Order nor lie within the designated Conservation Area. It is accepted that the removal of these two trees will have only a minor adverse impact on the visual amenity of the area that is restricted to the site and immediate surroundings. These tree losses would be appropriately mitigated within the site.

9.99. The north flanking footpath of the proposed access is shown close to the Root Protection Area of a mature Beech (T3) a High (A) category tree. The tree is described in the AIA as a notable tree in a prominent position on the Prestbury Road frontage. Although the proposed footpath appears outside the RPA of this tree, the submitted Tree Protection Plan identifies that roots are likely to be encountered, and measures may be required to mitigate for any possible damage. The Council's Principal Arboricultural Officer has advised that where there is flexibility to move the access further southward and/or delete the requirement for the north flanking footpath then this should be explored to reduce impacts on the rooting environment of the Beech tree. Following a revision, the footpath has been reduced to limit conflict.

9.100. As this is an outline application to establish the principle of development, the impact on Root Protection Areas (RPA) of retained trees would not normally be considered in detail. The Illustrative layout suggests some encroachment within the RPA of retained trees for the proposed access (referred to above) and the provision of connecting footpaths/cycleways around the periphery of the site. However, it is noted that due to the undulating nature of the site, impacts on the rooting environment of retained trees may arise in order to accommodate road and finished floor levels. In addition, a proposed attenuation pond is proposed to the north of the site. Where such level changes are proposed, detailed cross sections will need to be provided to demonstrate that the rooting environment of retained trees will be unaffected. Where possible RPA encroachment should be avoided, but where there is no reasonable alternative, a method statement for a 'no-dig' engineering solution should be provided as part of any future reserved matters application. This could be secured by condition.

9.101. The AIA has identified nine notable trees within the application site. Notable trees are usually mature trees that are significant in the local environment because they are large in comparison with other trees around them and can be potential veteran trees. In addition to the notable Beech tree (T3) adjacent to the proposed access, the Assessment has identified that Root Protection Area (RPA) of four of these trees Beech T7; Horse Chestnut T12; Lime T23 and Sycamore T54 will be encroached by a proposed footpath/cycleway and that a 'no dig' solution will be required. Where possible, encroachment within the RPA should be avoided unless it can be demonstrated that there is no alternative. Should this be the case then a detailed method statement/construction specification for the 'no-dig' solution should be provided as part of any reserved matters application.

9.102. With respect to the relationship of trees and development and the needs to have sufficient daylight and sunlight both within and around buildings and to ensure a sustainable relationship to trees, the current indicative layout suggests a satisfactory sustainable relationship to retained trees that should ensure long term retention.

9.103. Turning to the Ancient Woodland, para 193 of the NPPF identifies Ancient Woodland as an irreplaceable habitat. Development resulting in the loss of irreplaceable habitat should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists. The distribution of Ancient Woodland is assessed based on Natural England's Ancient Woodland Inventory for England (AWI). Upton Wood (3.35ha) located to the northwest of the site is identified as Ancient Woodland (ASNW) in the Inventory and provides an important habitat connection to the River Bollin and Riverside Park LNR to the northeast. Natural England and the Forestry Commission have provided joint Standing Advice for Ancient Woodlands and require that the proposal should have a buffer zone of at least 15 metres from the boundary of the woodland to avoid root damage (known as the root protection area). Where assessment shows other impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone. In this case, the proposed 25 metre RPA offset to the ASNW is acceptable from an arboricultural perspective.

- 9.104. With regard to hedgerows, the Assessment has identified the removal of 24 metres of hedgerow (hedgerow H6) to the west and 11 metres to the east to accommodate a proposed footpath/cycleway and 73 linear metres of hedgerow to create the site access. Hedgerows are a priority habitat and where proposed development is likely to result in the loss of existing agricultural hedgerows which are more than 30 years old, they should be assessed against the criteria in the Hedgerow Regulations 1997 in order to ascertain if they qualify as 'Important'. The proposal does not meet the criteria. Should planning consent be granted for this application, any future reserved matters application shall include such an assessment.

Highways and Access

- 9.105. Policy SD 1 of the CELPS refers to sustainable development in Cheshire East. This is a wide-ranging policy which includes the following highways-related considerations; that development should wherever possible, provide safe access and sufficient car parking in accordance with adopted highway standards.
- 9.106. Policy CO1 of the CELPS refers to sustainable travel and transport. The crux of the policy is that development should be directed to sustainable and accessible locations.
- 9.107. Appendix C of the CELPS details the Council's Parking Standards.
- 9.108. Policy INF3 of the SADPD considers highway safety and access. It details that development proposals should comply with the relevant Highway Authority's and other highway design guidance, provide safe access to and from the site, make sure that traffic can be satisfactorily assimilated into the operation of the existing highway network, incorporate measures to assist pedestrians and cyclists and not generate movements of HGV's on unsuitable roads.
- 9.109. The site will have only one main road access, and the proposal is for a priority junction that connects with Prestbury Road. The design indicates a 6.75m carriageway with 2.0m footways on both sides. Speed surveys have been undertaken to determine the required visibility splays at the access, and these have been provided as shown on the submitted access drawing. In addition, the revised access plan has provided a full width lay-by for buses which improves visibility compared with the half width layby previously submitted.
- 9.110. As this application is purely for access, the scheme submitted is indicative only and no comments can be made on the layout. There are no secondary access points to the site for vehicles. The Council's Highways Officer has confirmed that a single point of access is sufficient to provide access for up to 200 units.
- 9.111. Prestbury Road has a footway each side of the road that can connect to the proposed site access junction and two drop crossings are proposed either side of the junction. There is an existing controlled pedestrian crossing on Prestbury Road a short distance south of the site access. As part of the revised access design, a full width bus lay-by and shelter is proposed on the development side of Prestbury Road and a bus stop box on the northbound side. There is an existing bus service 19/19A on Prestbury Road. This is an hourly service between Macclesfield and Prestbury. The applicant has submitted details of the distance to key facilities in the area including the local schools which are accessible by foot from the site.
- 9.112. It is important that pedestrian connections to the site are maximised and a pedestrian/cycle connection to Abbey Road is secured to improve connectivity, sustainability and improve walking to school routes. Discussions between the Council and the applicant have been taking place to secure this link. It is however acknowledged that this requires work on land outside the applicant's ownership. A path can be provided to the site boundary, and the

remaining connection would be provided by the Council subject to a S106 contribution from the applicant.

Development Traffic Impact

- 9.113. The submitted Transport Assessment (TA) has considered the traffic impact on a number of junctions that are likely to be affected by the development.

Junctions along Prestbury Road	Development Trips and % Impact			
	AM		PM	
Bollinbrook Road	40	2.5%	45	3.4%
Kennedy Avenue	46	2.8%	44	3.3%
A537 Cumberland Street	36	1.2%	43	1.5%
Priory Lane (Double Mini Roundabout)	32	1.5%	37	1.9%

- 9.114. The above table shows the number of additional trips and also the percentage impact at those junctions.

- 9.115. The capacity results of Bollinwood Road and Kennedy Avenue work within capacity in 2029 with development traffic added. This would be expected given the minor nature of the junctions. The junction of Priory Lane/Prestbury Road which has been modified into a double mini roundabout will be over capacity with and without development in 2029 in the peak hours. The increase in queue length is expected to be a modest increase and not sufficient to result in a 'severe' impact at the junction.

- 9.116. The applicant was asked to reassess the impact at the A537 Cumberland Street roundabout as this corridor along the A537 has congestion in the peak hours that was not reflected in the Assessment. A Technical Note on this matter has been submitted and concluded that the roundabout would operate within capacity with the development added.

- 9.117. Despite the submitted capacity results, it is clear that Cumberland Street from its junction with Churchill Way to Oxford Road is congested in the peak hours. The stand-alone capacity assessment does not take into account the external factors, such as blocking back from other junctions and delays caused by controlled pedestrian crossings. Additional traffic from this development will increase delays on the A537 corridor and in normal circumstances, the developer would be expected to provide mitigation measures to at least deal with its own traffic impacts. However, there is no identified improvement scheme to increase the capacity at the Cumberland Street/Prestbury Road roundabout due to current land ownership constraints. In these circumstances, the development should improve its accessibility by non-car mode travel and thereby reduce its traffic impact on the local road network.

- 9.118. It is proposed that this development will provide a new circular bus service that connects the site to the town centre which will increase the accessibility of the site and reduce car dependency. The Highways Officer has advised that subject to a S106 public transport contribution for £600,000 (details of routing to be agreed in the S106), and also a contribution of £200,000 for the pedestrian link, there are no objections raised to this proposal on highways grounds. Details of parking would be provided at reserved matter/s stage.

Affordable Housing

9.119. Policy SC 5 of the CELPS requires the provision of 30% affordable housing on all 'windfall' sites of 15 dwellings or more. This relates to both social rented and/or intermediate housing, as appropriate. Normally the Council would expect a ratio of 65/35 between social rented and intermediate housing.

9.120. However, in accordance with NPPF paras 156-157, "the affordable housing contribution required to satisfy the Golden Rules is 15 percentage points above the highest existing affordable housing requirement which would otherwise apply to the development, subject to a cap of 50%". To meet para 156 (a) of the 'Golden Rules', the development is required to deliver 45% of the dwellings as affordable. The applicant has agreed to these terms.

9.121. The precise number, size, location and type of units will be secured at Reserved Matters stage. The Council's Housing Strategy and Needs Manager has no objection and the scheme is in compliance with Local Plan Policy SC 5 and NPPF para 156 (a).

Education

9.122. The Council's Children's Services have advised that the development (based on 200 dwellings) would generate:

- 56 - Primary children (200 x 0.29) excluding two SEN children to avoid double counting
- 26 - Secondary children (200 x 0.14) excluding two SEN children to avoid double counting
- 6 - SEN children (200 x 0.60 x 0.047%)

9.123. The development is expected to impact on 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.

9.124. 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 6 children expected from the Land At Prestbury Road Macclesfield application will exacerbate the shortfall.

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

26 x £26,717.00 = £ 694,642.00 (Secondary)
6 x £74,920.00 = £ 449,520.00 (SEN)

Total education contribution: £1,144,162.00

9.125. The applicant has confirmed acceptance of this requirement.

Healthcare

9.126. The NHS for Cheshire and Merseyside has commented on the application. The NHS has noted that there are six NHS GP practices within Macclesfield, all located within one building at the Waters Green Medical Centre.

9.127. Due to the nature of this proposed development, there would likely be increased demand and capacity issues placed on the GP Practices. Currently, each of the separate GP

Practices do not have capacity to expand their clinical provision. To facilitate this, a financial contribution will be required to offset the impact of this development and support redevelopment of Waters Green Medical Centre, which is based on a calculation consisting of occupancy x number of units in the development.

9.128. Where a planning application has not provided a breakdown of the dwelling unit sizes in the proposed development (as is the case with this outline application), the NHS has assumed mix of 2, 3 and 4 bed houses for costing purpose until such time as the size of the dwelling units are confirmed, at which point a revised and more accurate calculation can be confirmed. For this planning application, the NHS has requested a financial contribution towards health infrastructure via Section 106 of 2 bed unit x 90 = £ 78,750, 3 bed unit x 60 = £73,500, 4 bed unit x 50 = £ 76,550 (Total: £228,800).

9.129. This provides an indication of the contribution required to comply with Policy In 1 of the CELPS. However, a formula-based approach would be utilised in the s106 in order to secure the appropriate contribution once the details of the dwellings / occupancy has been fully detailed at the reserved matters stage.

Residential Amenity

9.130. 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.

9.131. Policy HOU13 sets standards for spacing between windows of 20 metres between front elevations, 24 metres between rear elevations or 14 metres between habitable to non-habitable rooms for three storeys. For differences in land levels and additional storeys, it suggests an additional 2.5m for levels exceed 2 metres.

9.132. This proposal would be four storeys and would therefore require a separation of 22.5 metres front to front, 26.5 metres rear to rear and 16.5 metres between habitable to non-habitable room windows.

9.133. The nearest residential properties are located to the east and southwest of the site. Those to the southwest are located on Prestbury Road and those to the east are those properties forming Bollinbarn Drive and Ashfield Drive. It is important to note that the detailed layout and appearance of the scheme are reserved matters for consideration at a later stage. However, having regard to the indicative layout, it is considered that a scheme of this size could be accommodated on the site, whilst maintaining the required separation distances between neighbouring properties and the proposed dwellings, and between the new dwellings within the development itself. Sufficient private amenity space for each new dwelling could be secured at reserved matters stage. No significant amenity issues are raised at this stage.

Biodiversity and Nature Conservation

9.134. Local Wildlife Site (LWS) Quality Habitats - The Grasslands habitats on site identified by the submitted Ecological Assessment as Grasslands: 1, 2 & 6,3,4,5 all meet the thresholds for selection as a LWS. In addition, two areas of swamp on site are also of LWS

quality. Undesignated sites of LWS quality receive protection through CELPS policy SE3 (6) and priority habitats are a material consideration.

9.135. These areas of important habitat are all retained within the Green Infrastructure and Public Open Space areas shown on the updated Parameters Plan (Revision E).

9.136. Paths are however shown through the habitat areas on the submitted parameters plans. The Council's Nature Conservation Officer (NCO) has advised that the extent of grassland habitat lost to the proposed paths would largely depend upon the specification and design of the paths and their exact location on site. An informal mown path would result in limited impacts whilst the construction of engineered cycle and foot paths would be likely to result in significant disturbance and loss of habitat so must be routed outside of the identified habitat areas. The NCO initially recommended that a specification for the proposed paths be agreed. However, with the submission of an amended indicative layout, the paths have been relocated to avoid Grasslands 1-7 and Swamps 1 & 2, as shown on the Parameter Plan (Rev. E). It is therefore suggested that the routing and specification of the paths is detailed at the Reserved Matters Stage, and secured by condition.

9.137. Measures will be required to ensure that retained areas of habitat are protected during the construction process which will also be secured by condition.

9.138. Biodiversity Net Gain (BNG) - This application is subject to the Mandatory Biodiversity Net Gain. The BNG metric submitted in support of the application estimates that the proposed development would result in a 130.3% gain for area-based habitats and a gain of 36.01% for hedgerows. The application however fails to achieve the required minimum 10% net gain in respect of watercourse units. Further off-site water course units will be needed to achieve the required net gain. This would be dealt with post outline consent through the discharge of the Biodiversity Gain Condition.

9.139. The NCO has advised that the proposed development is likely to achieve the required net gain in accordance with the Biodiversity Gain hierarchy. The applicant's consultant has advised that the scheme would not be delivered in Phases. Assuming this is correct, if outline consent is granted the Biodiversity Gain condition introduced by the Environment Act is required.

9.140. Ancient/priority Woodland - An area of Ancient Priority Woodland (Upton Wood) is located immediate adjacent to the boundary of the application. Ancient woodlands receive specific protection through the NPPF and Local Plan Policy. The proposed development will not result in the direct loss of habitat within the ancient woodland. However, housing developments have the potential to have an adverse impact upon the ancient woodland in a number of well evidenced ways, including:

- The tipping of garden waste from adjacent residential properties.
- Direct loss of habitat due to the unauthorised extension of gardens into the woodlands.
- The introduction of non-native invasive species from adjacent gardens.
- Contamination resulting from garden pesticides and herbicides.
- Disturbance associated with increased road traffic.
- Increased predation from domestic cats.
- Light pollution.
- Disturbance and pollution related impacts occurring during the construction phase.
- Hydrological effects.

- 9.141. Based on current best practice guidance, an undeveloped buffer zone of a minimum of 15m consisting of semi natural habitats/informal open space should be provided adjacent to the ancient woodland to address the potential adverse impact of the development upon ancient woodland. Buffers of this type have been included on the parameters plan, but the width of the buffer is not specified on the plan. The extent of buffer proposed must be informed by a site-specific assessment of the potential impacts of the proposals. The 15m buffer quoted is a minimum requirement if no other impacts are identified during the assessment.
- 9.142. As such, the NCO advises that a further Ancient Woodland Impact Assessment must be undertaken informed by the Forestry Commission/Natural England Assessment Guide. The assessment must include hydrological affects. The completion of this assessment is required to ensure that the application is determined in accordance with FC/Natural England standing advise in respect of ancient woodlands. The width of the proposed ancient woodland buffers must also be annotated on the submitted parameters plan and secured by condition in the event that outline consent is granted.
- 9.143. Riverside Park Local Wildlife Site (LWS) - This non-statutory site is located to the north of the application site. The proposed development is not likely to result in a direct impact upon the LWS, but the submitted Ecological Impact Assessment identifies a potential impact on the LWS accruing as a result of disturbance and pollution during the construction phase. This risk could be mitigated through implementation of a CEMP secured by means of a condition.
- 9.144. The Ecological Impact Assessment also identifies a potential minor impact because of increased recreational pressure resulting from the proposed development. This effect is unlikely to be significant.
- 9.145. Ecological Network - The application site falls within the CEC Ecological network. SADPD Policy ENV1 applies and is considered as part of the BNG assessment. This planning application also provides an opportunity to incorporate features to increase the biodiversity value of the development. These features can be secured through the condition.
- 9.146. Watercourse - The application site is located near a watercourse. In order to protect the watercourse from pollution occurring during the construction phase, a condition requiring a method statement for the safeguarding of the watercourse would need to be imposed.
- 9.147. The submitted Ecological Impact Assessment refers to a 10m undeveloped buffer being provided adjacent to watercourses. If planning consent is granted a condition would be required to secure this recommendation. The width of buffer zones required would also be informed by the Ancient Woodland Impact Assessment.
- 9.148. Hedgerows - Native hedgerows are a priority habitat and hence a material consideration. The proposed development is anticipated to result in the loss of 70m of existing hedgerow and the loss of 40m species rich hedgerow with trees. If this loss is considered unavoidable, whether sufficient compensatory planting is being provided can be assessed through the BNG metric calculation discussed above, which does indicate a likely net gain in respect of hedgerows.
- 9.149. Hedgehogs - There are records of this priority species in the broad locality of the application site and it is consequently likely to occur on the application site to some extent. The proposed development will result in a locally significant adverse impact upon this species due to the loss of suitable habitat and the risk of individuals being harmed during site clearance works. The risk of hedgehogs being harmed can be mitigated through the implementation of measures detailed in the submitted Ecological Impact Assessment.

- 9.150. Bats - The submitted Ecological Impact Assessment states that the application site supports a number of trees that may have potential to support roosting bats. The applicant's ecological consultant has advised that bat surveys of the trees on site are now complete, with no evidence of roosting bats being recorded. As such, the proposed development is not likely to directly affect roosting bats. To avoid any adverse impacts on bats resulting from any lighting associated with the development, a condition should be attached requiring any additional lighting to be agreed with the LPA.
- 9.151. Barn Owl - The applicant's ecologist has confirmed that no evidence of barn owls was recorded during the surveys completed. This species is therefore not reasonable likely to be affected by the proposed development.
- 9.152. Nesting Birds - The trees, hedgerows, scrub and trees on site likely to provide habitat for birds potentially including the more widespread priority species which are a material consideration for planning. The proposed development will be likely to result in an adverse impact on these species due to losses of these habitats. The majority of potential nesting habitat would however be retained. Whether sufficient replacement habitat for that lost is being provided can be assessed as part of the BNG assessment undertaken in respect of the application, which does indicate a net gain in respect of area-based habitats and hedgerows.
- 9.153. Badgers - A potential badger sett has been identified on site as part of the submitted Ecological Impact Assessment (January 2025). The 'Response to consultation comments' prepared by the applicant however refers to three setts being present on site but advises that the scheme has been redesigned to avoid works within 30m of the setts. This approach is supported by the Council's NCO. The status of badgers on site can change in a short timescale. Conditions should be attached which requires an updated badger survey and mitigation strategy to be submitted in support of the application.
- 9.154. Otter - The applicant's ecological consultant has confirmed that an Otter survey was undertaken in June. Evidence of past otter activity was recorded some distance from the application site, but no evidence was recorded along the River Bollin in close proximity to the proposed development. The NCO advises that Otters do use the River Bollin on an occasional basis and are likely to be present on the river in the vicinity of the application site on a transitory basis. However, there is no evidence that features in the vicinity of the application site are used for shelter or protection and therefore the proposed development is unlikely to result in an offence in respect of otters based upon the current status of the species on site. Conditions requiring an updated otter survey to be undertaken and a survey report, impact assessment and mitigation strategy be submitted in support of any future reserved matters application must be added.
- 9.155. Water Vole - As with Otters, the applicant's ecological consultant has confirmed that a Water Vole Survey was undertaken in June and that no evidence of water voles was recorded during this survey. Water Voles were historically present in the Bollin in this vicinity, but no evidence has been recorded for many years. Whilst current best practice usually requires two survey visits to be undertaken, the NCO advises that the survey effort undertaken to date is sufficient in this instance.
- 9.156. Non-native Invasive Species - Himalayan Balsam was recorded at three locations on site and therefore a condition requiring any future reserved matters application to be supported by a method statement for the control of this species is recommended.
- 9.157. Subject to the above, compliance with CELPS Policy SE 3 and SADPD Policy ENV2 has been demonstrated.

Public Open Space and Recreation

- 9.158. Policy SE 6 of the CELPS sets out that the open space requirements for housing development are (per dwelling):
- Children's play space – 20sqm
 - Amenity Green Space – 20sqm
 - Allotments – 5sqm
 - Green Infrastructure connectivity 20sqm
- 9.159. This policy states that it is likely that the total amount of 65sqm per home (plus developer contributions for outdoor and indoor sports) would be required on major Greenfield and brownfield development sites. The indicative site plan shows areas of onsite open space including across the wider site allocation. At 65sqm per dwelling, the total amount of on-site open space required could be up to 13,000 square metres. The indicative masterplan for the site shows an onsite open space provision of approximately 9.51ha, which would exceed the requirement.
- 9.160. The application would provide valuable connectivity between the western edges of Macclesfield and the GI infrastructure assets of Middlewood Way, canal and PROW network and Peak Park. This is one of the key benefits of the scheme as it would facilitate connection with Riverside Park not only for future residents but existing too.
- 9.161. The application will trigger the requirement for GI in line with CELPS SE6 and SADPD REC3. It is expected that the development will deliver the play and amenity requirement of 40sqm per dwelling on site and in full. The application although outline contains the provision of Locally Equipped Area for Play (LEAP) and a Local Area of Play (LAP). Play and amenity spaces must not be seen as standalone features but as a vital part of place making, integrated into the design considerations from the offset, as an opportunity to enhance sense of place and draw on the unique features and character of a site. This site has some unique assets that are of high value including the ancient woodland and prominent block of woodland and these will need to be incorporated and celebrated when the detailed layout is developed. The current provision as shown indicatively does not do this, although the quantum is in line with policy.
- 9.162. The illustrative layout suggests the requirement of 5sqm per dwelling for allotments and or community gardening would be met on site through the provision of orchards. This will not be acceptable. Productive planting should be included as a matter of course in developments of any scale but on a development of this scale it should be part of a comprehensive approach to provision of GI. There may be some scope to include some orchard planting as part of an overall landscape and open space strategy, but discussion will be required on how best to provide the SE6 requirement and this may include commuted sums for formal allotment provision off site, as well as integrated opportunity for food production and community engagement.
- 9.163. GI connectivity in line with SE6 [20sqm per dwelling] would be met on site through a clear strategy for pedestrian and cycle links through the site and links into Riverside Park and Abbey Road. This would be best included within a landscape and open space strategy. It is noted the applicant has indicated a circuitous route around the edge of development parcels as being the key link route. This does not meet the need of this particular site in terms of connectivity. Those routes are vital in providing opportunity for the new community to explore via a variety of routes that suit all needs and opportunities but do not meet the need of those traversing the site to gain access to Riverside and beyond. There is a need to provide better access, orbital routes for the communities of the western and southern edges of Macclesfield to the green infrastructure to the northeast of the town and this could be part of that solution. If it is to be a meaningful route it will need to accommodate pedestrians and cyclists and the

onward journey through Riverside would require footpath connections and alterations to a bridge that currently cannot accommodate cyclists. A more central route as part of a green corridor through the site would be preferable and could be secured when the detailed layout is determined at reserved matters stage.

9.164. The Council's Greenspaces Officer has expressed concern that the proposal may cause harm to Riverside Park at the important transition from urban to countryside. Provision of green space on site is unclear at this stage as it is an outline application. However, the northern part of the site nearest to existing green infrastructure would be given over to open space which would provide scope to mitigate this harm. Riverside Park offers a unique link between the town centre and major residential housing, access to rural landscapes and natural habitats within a short distance and provides a link to the other key GI assets of Middlewood Way, canal and PROW network and Teggs Nose. It is distinct in character and a highly valued greenspace.

9.165. CELPS SE6 requires that the network of green infrastructure assets should be safeguarded, retained and enhanced and that any development should contribute to the creation of good quality, integrated and accessible multifunctional network of green spaces. It states that development should not compromise their potential value, that contributions should be secured wherever appropriate to improve their quality, use and multifunctionality and opportunities to add the green infrastructure network are maximised through partnership working.

9.166. The applications parameters plan currently shows development on and beyond the high point of the site, in grazed rolling agricultural land which falls towards the river. These parcels are highly visible from the northern sections of Riverside Park and the extensive footpath network. In some areas this is filtered but the site is very prominent and offers important views across the valley. The proposal will change the views and experience of users from Riverside Park. However, whilst there will be harm, similarly to the landscape impact, this harm would be managed in detail at the reserved matters stage where precise locations, design and heights of built form would be controlled.

9.167. Alongside CELPS SE6 regarding provision and protection of GI assets, SADPD REC 3 states that where new green spaces are of strategic significance, for example as part of a wider connected network of GI, the greenspace should be conveyed to the council along with a commuted sum for ongoing management and maintenance. The lower part of the application site would potentially form an extension to Riverside Park, subject to detailed design and connectivity. As Riverside is recognised as a strategic green infrastructure asset, this lower section would fit within this policy requirement. An extension to Riverside here could offer opportunities for the wider community that currently can't be accommodated within the park including connection to nature and educational opportunities. Consideration will be given to this area transferring to the council with a 30year commuted sum and managed by the Riverside Park. This would be policy compliant but further detail design and discussion would be required.

9.168. In terms of indoor / outdoor sport, the development will increase demand on existing sports facilities. This will be used to either enhance, improve or create additional fitness stations at the nearest leisure centre (Macclesfield Leisure Centre) to support the additional demand created by the development in line with the current, amended or any subsequent Indoor Playing Strategy. As such, a financial contribution of £35,748.44 will be required towards off site provision.

Flood Risk

- 9.169. Policy SE13 of the CELPS relates to flood risk and water management. It states that all development must integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within the borough and provide opportunities to enhance biodiversity, health and recreation in line with national guidance. Policy ENV16 of the SADPD is a further flood risk and drainage consideration.
- 9.170. Parts of the application site fall within Flood Zones 1, 2 and 3. Flood Zone 1 is the lowest risk flood zone with a less than a 1 in 1000 annual probability of flooding in any given year. Flood Zone 2 is considered medium risk with an annual probability of flooding between 1 in 1000 and 1 in 100. Flood Zone 3's are considered to represent areas with an annual flood risk or 1 in 100 years probability of flooding in any given year.
- 9.171. The indicative location of the proposed housing as shown on the indicative layout is within Flood Zone 1, the part of the site with the lowest probability of flood risk. The areas of higher flood risk, to the far northeastern corner of the site, are indicatively shown to for a landscaped/wildlife buffer area and connection through to Riverside Park.
- 9.172. The application is supported by a Flood Risk Assessment. This has been reviewed by the Environment Agency, the Lead Local Flood Risk Authority (LLFA), United Utilities whom all offer no objection to the proposal subject to conditions. As such, the scheme is found to be acceptable in terms of flood risk.

Heads of Terms

- 9.173. If the application is approved, a Section 106 Agreement will be required to secure the following:
- Affordable Housing comprising 45% (65% of which will be for affordable / social rent and 35% for intermediate tenure)
 - Education contributions of £ 694,642.00 (Secondary) and £449,520.00 (SEN (Special Educational Needs) = total of £1,144,162.00
 - NHS contributions of £228,800 towards Waters Green Medical Centre / development of additional primary care premises within Macclesfield
 - Public Open Space on site including provision of LEAP and LAP
 - Management Plan for the on-site public open space and LEAP and LAP
 - Contribution towards footpath improvements and connection at Riverside Park (tbc)
 - Contribution towards indoor recreation of £35,748.44 towards Macclesfield Leisure Centre to deliver 5.5 pieces of equipment
 - Highways Contribution of £600,000 towards public transport provision (bus services)
 - Highways Contribution of £200,000 for a pedestrian link to Abbey Road

CIL Regulations

- 9.174. 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
- 9.175. The uplift in the provision of affordable housing from 30% by 15 points to 45% is a requirement of planning policy for a development of this scale within the Grey Belt in order to

meet the Golden Rules in the NPPF. The provision of affordable housing would represent a planning benefit which, would represent one of the benefits.

9.176. The provision of public open space, indoor and outdoor sport (financial) mitigation, and healthcare (financial) mitigation are necessary, fair and reasonable to provide a sustainable form of development, to contribute towards sustainable, inclusive and mixed communities and to comply with local and national planning policy.

9.177. The development would result in increased demand for school places at the secondary schools within the catchment area which currently have a shortfall of school places. In order to increase the capacity of the schools which would support the proposed development, a contribution towards secondary and SEN school education is required based upon the number of units applied for. This is considered to be necessary and fair and reasonable in relation to the development.

9.178. The financial contributions to facilitate the connection with Riverside Park and Abbey Road a crucial to promote connections, sustainability and encourage and foster leisure and recreational use of adjoining Riverside Park. This is considered to be necessary and fair and reasonable in relation to the development.

9.179. Having regard to the additional vehicle trips that that this proposal would add to the local highway network, there is a requirement for a financial contribution to the provision of infrastructure improvements to promote the uptake of more suitable non car travel modes and harness better public transport through the improvement of bus services. These are necessary in order to mitigate the highway impacts that this development would generate.

9.180. The requirement to establish a private management company is deemed necessary in design, landscape and partly ecology terms to ensure that any land either not in control of the future residents or highways is adequately managed and simply not left to the detriment of the character and appearance of the area. It is deemed to be directly related to the proposed development given that this land forms part of the application site and would be fairly and reasonably related in scale and kind to the development.

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

10. PLANNING BALANCE/CONCLUSION

10.1. The application seeks outline planning permission, along with matters of Access, for the erection of 200 dwellings on this greenfield site within the Green Belt. The site adjoins the town of Macclesfield. The proposals are deemed to fall within one of the exceptions to inappropriate development in the Green Belt, that relating to 'Grey Belt' (para. 155 of the NPPF). It is considered that the application site does represent Grey Belt land, would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan, that there is a demonstrable need for the type of development proposed (housing) and that the application site is in a sustainable location. The 'Golden Rules' for such development are also met. As such, the principle of development is found to be acceptable considering the NPPF and would deliver much needed housing within a sustainable location in one of the principal towns and growth areas of the Borough.

10.2. The proposal as shown, would provide scope to secure an acceptable design at reserved matters stage, albeit with changes required to the layout and ensuring heights of buildings are kept more subordinate towards the edges of the development.

- 10.3. The delivery of housing on this site would not be without harm. There would be adverse landscape impacts on the character and appearance of the area due to the urbanising effect of permanent residential development and a consequential impact on the Bollin Valley Local Landscape Designation (LLD) and views from the Riverside Park to the north of the site. However, these impacts could be appropriately managed and limited at the reserved matters stage, when the detailed layout, form and grouping of built form would be determined. Some of this harm would be mitigated by the existing Upton Wood Ancient Woodland to the west, compensated for by securing appropriate landscaping at reserved matters stage, the incorporation of landscape buffers serving as open space, and the delivery of a valuable connection to Riverside Park for both future and existing residents of the west side of Macclesfield.
- 10.4. There would be less than substantial harm to designated heritage assets, identified as Prestbury Road Conservation Area and a nearby Grade II listed building (Upton Hall North, Upton Hall South and Upton Hall Farm). However, the impact would be at the lower end of the scale of harm and would be outweighed by the public benefits of the proposal, including the delivery of market housing and affordable housing (45%) in a sustainable location.
- 10.5. The loss of approximately 10ha of Grade 2 and Grade 3b 'best and most versatile' agricultural land would also carry limited weight against the proposal, but this can be balanced against the prevalence of agricultural land in the borough which would not be affected by this proposal.
- 10.6. There are a range of benefits that weigh in favour of the proposal. The NPPF attaches great importance to housing delivery that meets the needs which the proposal would help address. The construction of up to 200 homes, including 90 affordable units is afforded very substantial weight. The application site is adjacent to the built edge of Macclesfield, which is the second largest settlement in the borough.
- 10.7. The proposal would include improvements to pedestrian routes both to Riverside Park, Abbey Road (which would facilitate walking routes to the local primary school) and the provision of highways contributions to improve bus service provision and sustainable non-car transport modes which is afforded moderate weight.
- 10.8. Sufficient public open space and children's play space would be provided within the site, although some of these details need to be amended at reserved matters stage to address concerns with the locations of quality of play space shown indicatively. Financial contributions to deliver 5.5 pieces of sports equipment at Macclesfield Leisure Centre would offset the impact of the development on sport and recreation.
- 10.9. The Biodiversity Net Gain Assessment indicates that the proposed scheme would result in a 130.3% gain for area-based habitats and a gain of 36.01% for hedgerows. The deficiency in respect of watercourse units would be achieved by further off-site water course units secured by condition. Whilst the Ancient Woodland Assessment needs further detail to inform the buffer with it, this could be secured by requiring one to be carried out prior to submission of the reserved matters. The proposal has been found to be acceptable, with recommendations, with regard to impacts on other species.
- 10.10. The applicants have demonstrated general compliance with national and local guidance in a range of areas including archaeology, trees, contaminated land, highways impact and flooding and drainage.
- 10.11. The development would produce some economic benefits in terms of employment opportunities during the construction phase and direct and indirect benefits associated with additional household expenditure within the local economy.

10.12. Officers consider that the proposed development is appropriate development in the Green Belt and there are no other material considerations that would provide a strong reason for refusing or restricting development.

11.RECOMMENDATION

APPROVE Subject to the completion of Section 106 Agreement to secure

S106	Amount	Triggers
Affordable Housing	45% (65% Affordable Social Rent / 35% Intermediate)	In accordance with phasing plan to be submitted.
Education	£694,642.00 (Secondary) and £449,520.00 (SEN (Special Educational Needs) = total of £1,144,162.00	50% Prior to first occupation 50% at occupation of 51st dwelling
Health	£228,800 (Waters Green Medical Centre / development of additional primary care premises within Macclesfield) (average – based on occupancy)	50% Prior to first occupation 50% at occupation of 51st dwelling
Indoor recreation	£35,748.44 (Macclesfield Leisure Centre)	Prior to first occupation
Public Open Space	Private Management Company for Areas of Open Space and / or transferred to the Council with ongoing maintenance Allotment provision on site Provision of a LEAP on site Provision of LAP on site	On first occupation On occupation of 51st dwelling
Highways Contribution	£600,000 towards public transport provision (bus services) and £200,000 towards pedestrian link on Abbey Road	On commencement of development
Public Rights of Way contribution	TBC towards footpath connection and improvements at Riverside Park	50% Prior to first occupation 50% at occupation of 51st dwelling

And the following conditions:

- 1. Standard Outline Time limit – 3 years**
- 2. Submission of Reserved Matters**
- 3. Access to be constructed in accordance with approved plan prior to first occupation**

4. Details of the alignment and construction of the pedestrian/cycle path to provide a connection with Abbey Road to be submitted at the reserved matters stage.
5. Details of the alignment and construction of the pedestrian path to provide a connection with Riverside Park to be submitted at the reserved matters stage.
6. Delivery of the pedestrian/cycle path connection with Riverside Park and Abbey Road prior to the occupation of 25% of the dwellings.
7. Landscape and ecological management plan to be submitted with Reserved Matters
8. Ancient Woodland Impact Assessment to be carried out prior to submission of the Reserved Matters
9. Provision of electric vehicle infrastructure (charging points) at each property with private off road parking prior to first occupation
10. Construction Environmental Management Plan submitted, approved and implemented
11. Scheme of Piling works / floor floating operations to be submitted, approved and implemented
12. Submission of a contaminated land survey
13. Remediation of contaminated land
14. Submission of soil verification report prior to first occupation of units to which they relate
15. Dust control scheme to be submitted, approved and implemented
16. Development to be carried out in accordance with submitted Flood Risk Assessment
17. Scheme of foul and surface water drainage to be submitted, approved and implemented. Foul and surface water drainage shall be connected on separate systems
18. Reserved matters application to be supported by a detailed drainage strategy / design, associated management / maintenance plan
19. Accordance with recommendations made within submitted Ecological Assessments
20. Reserved matters application/s to be supported by a strategy for the incorporation of features to enhance the biodiversity value of the proposed development (in accordance with outline) and to mitigate and compensate for any adverse effects arising from the development.
21. Reserved matters application to be supported by an updated Badger Survey, and Otter Survey
22. Method statement for the safeguarding of the watercourse during construction to be submitted and approved
23. Noise survey and mitigation to be implemented in accordance with approved detail
24. Detailed lighting scheme to be submitted in support any future reserved matters application
25. Reserved matters to be supported by detailed finished ground and floor levels
26. Nesting Birds Survey to be carried out if works are to be carried out during the bird breeding season
27. Proposals for the incorporation of features into the scheme suitable for use by nesting birds to be submitted, approved and implemented
28. Reserved matters application to be supported by an updated Arboricultural Impact Assessment, Tree Protection Plan and Method Statement with method statement including a 'no-dig' engineering solution for specified specimens
29. Details of boundary treatments to be submitted with reserved matters

- 30. Retained areas of habitat to be protected during construction, details of which to be submitted and approved.**
- 31. Submission and approval of a scheme for the removal of non-native invasive species**
- 32. Submission of a scheme for the provision of Biodiversity Net Gain**
- 33. Submission, approval and implementation of a management plan to ensure the delivery and monitoring of the BNG measures**
- 34. Information about local walking, wheeling and cycling routes for both leisure and travel purposes to be provided to new residents**
- 35. Hedgehog mitigation (Reasonable Avoidance Measures)**

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.

