

Application No: 13/2406M

Location: Former Kay Metzeler Ltd, WELLINGTON ROAD, BOLLINGTON, SK10 5JJ

Proposal: Reserved Matters Application seeks approval for 91 Class C3 residential dwellings and associated works. (To follow Outline Application 11/4501M)

Applicant: Bellway Homes

Expiry Date: 23-Sep-2013

### **SUMMARY RECOMMENDATION**

Approve subject to conditions

### **MAIN ISSUES**

- Housing provision
- 15% Affordable Housing (previously approved)
- Design considerations
- Provision of Public Open Space and a riverside walk
- Residential Amenity
- Noise issues from the electricity sub station
- Flooding and drainage
- Highways
- Impact on landscape, trees and ecology
- Ecology
- Land contamination

### **REASON FOR REPORT**

The proposal is a major development as defined by The Town and Country Planning (Development Management Procedure) Order 2010. Under the Council's constitution such applications are required to be considered by Committee.

### **DESCRIPTION OF SITE AND CONTEXT**

The site is located to the north of Wellington Road, in the centre of Bollington. The site measures 4.4 hectares (approx. 10.86 acres).

The site is bounded by the Middlewood Way (viaduct) to the east. To the west lies woodland and farmland (which falls within the Green Belt). Bollington Medical Centre lies directly to the south of the site with residential development beyond on Wellington Road. The River Dean

flows along the northern boundary of the site and then along the western boundary and partly through the site.

The site comprises generally of single-storey, metal clad and blockwork structures.

The majority of the site is visible from the Middlewood Way (viaduct). There are a number of trees adjacent to the arches, which lead through to Adlington Road Business Park. The viaduct (which is locally listed) forms the edge of the Bollington Conservation Area.

Within the Macclesfield Borough Local Plan (2004), the whole site is allocated under policy E4. This policy allows for general industry (Class B2), warehousing (Class B8), high technology (Class B1b), and light industry (Class B1c) usage.

## **DETAILS OF PROPOSAL**

This application seeks permission for the Reserved Matters (access, appearance, scale, layout and landscaping) for the erection of 91 residential dwellings, following the granting of Outline permission 11/4501M, which established the principle of the development. It was approved on 31<sup>st</sup> May 2013.

Reserved matters approval has already been granted under delegated powers for a food store to the eastern side of the site adjacent to both Wellington Road and the Middlewood Way.

## **RELEVANT PLANNING HISTORY**

Many applications have been received in relation to the Kay Metzeler site over the years. However, it should be noted that these relate to the applications for development of the industrial premises. They are not considered to be of relevance to the determination of this application. The following applications are however considered to be relevant: -

11/4501M Outline Application for the Demolition of Existing Buildings and Erection of a Residential Led Mixed Use Development for up to 109 Dwellings and Co-op Foodstore with the Entrance off Wellington Road - All Matters Reserved - Approved 31.05.13

13/2520M Reserved matters being applied for are access, appearance, landscaping, layout and scale of the proposed food store. The planning application was not an environment impact assessment application - Approved 11.09.13.

## **PLANNING POLICIES**

### **Local Plan Policy**

#### **Built Environment**

BE1– Design Guidance  
BE2 – Historic Fabric  
BE3 – Conservation Area

#### **Development Control**

DC1 – New Build  
DC3 – Amenity  
DC5 – Natural Surveillance  
DC6 – Circulation and Access  
DC8 – Landscaping  
DC9 – Tree Protection  
DC35 – Materials and Finishes  
DC36 – Road Layouts and Circulation  
DC37 – Landscaping  
DC38 – Space Light and Privacy  
DC40 – Children’s Play Provision and Amenity Space  
DC41 – Infill Housing Development  
DC63 – Contaminated Land

### **Employment**

E4 – General Industrial Development

### **Transport**

T2 – Integrated Transport Policy

### **Environment**

NE11 – Protection and enhancement of nature conservation interests  
NE17 – Nature Conservation in Major Developments

### **Housing**

H1 – Phasing policy  
H2 – Environmental Quality in Housing Developments  
H5 – Windfall Housing  
H8 – Provision of Affordable Housing  
H9 – Occupation of Affordable Housing  
H13 – Protecting Residential Areas

### **Recreation and Tourism**

RT5 – Open Space

### **Implementation**

IMP1 – Development Sites  
IMP2 – Transport Measures

### **Other Material Considerations**

Interim Planning Policy: Release of Housing Land (Feb 2011)  
Interim Planning Statement: Affordable Housing (Feb 2011)  
Strategic Market Housing Assessment (SHMA)  
Relevant legislation also includes the EC Habitats Directive and the

Conservation (Natural Habitats &c.) Regulations 1994  
North West Sustainability Checklist  
SPG on Section 106 Agreements (Macclesfield Borough Council)  
Ministerial Statement – Planning for Growth (March 2011)

## **National Policy**

National Planning Policy Framework 2012

Paragraph 215 of the NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the framework (the closer the policies in the plan to the framework, the greater the weight to be given). It is considered that all of the local plan policies listed above are consistent with the NPPF and should be given full weight.

Paragraph 14 of the NPPF states that at the heart of the NPPF is a presumption in favour of sustainable development.

## **CONSULTATIONS (External to Planning)**

### **Strategic Highways Manager:**

No objections area raised, subject to some minor design changes.

### **Environmental Health Officer:**

The Environmental Health Officer has assessed the application in relation to the demolition and construction phase of development, noise, air quality and contaminated land.

Similarly to the Outline application (11/4501M), the Environmental Health Officer recommends that conditions are attached in relation to piling, hours of working and a scheme to minimise dust emissions arising from demolition / construction activities on site.

As per the recommendations contained in application number 11/4501M – appropriate noise mitigation should be undertaken to ensure that occupants of the properties which are close to the Bollington Primary Sub Station on the site are not adversely affected by operational noise from the sub station.

The mitigation recommended shall be implemented prior to the use of the development / first occupation.

### **Contaminated Land**

The application area has a history of industrial use and therefore the land may be contaminated. The application is for new residential properties which are a sensitive end use and could be affected by any contamination present. The reports submitted in support of the outline application identify contamination and areas for further investigation. A Phase II investigation shall be submitted and approved in writing and any remediation works carried out as necessary.

**Environment Agency (EA):**

The EA has no objection in principle to the proposed development subject to reiterating that the conditions attached to the outline permission are complied with as follows:

- The development shall be carried out in accordance with the approved Flood Risk Assessment and the mitigation measures, which relate to the provision of a surface water drainage scheme, based on sustainable drainage principles and limiting surface water run-off using underground storage. The external and internal levels are to be set as per the illustrative layout
- A detailed method statement for the removal of the weir. An assessment of removing the weir upstream and downstream will be required.
- A detailed method statement for any bank works, including reprofiling.
- A detailed management plan for the buffer riparian / linear park area adjacent to the River Dean. This should include details of the planting scheme and long term management regime for the area.
- A detailed management plan for the eradication or management of the invasive plant species on site.
- Given the sensitive location of the site, the EA recommends conditions are attached to ensure that any risks posed to controlled waters from land contamination are appropriately assessed.

**Housing Strategy and Needs Manager:**

No objection as the scheme accords with the required affordable housing provision (15%) secured by the s106 agreement on the outline consent 11/4501M.

**Archaeology Planning Advisory Service:**

The outline application for this site was commented on by the Development Control Archaeologist where it was advised that a targeted watching brief should be maintained during re-development of the site in order to investigate specific aspects of the 19<sup>th</sup>-century mill complex.

It is noted that the plans submitted in support of the present application clearly affect the areas of interest. It is therefore advised, that the previously-advised watching brief be maintained during relevant aspects of the development and that the work may be secured by the condition given in the earlier application (11/4501M).

**Greenspaces:**

Comments awaited.

## **VIEWS OF THE TOWN COUNCIL**

3 letters have been received from Bollington Town Council.

The Town Council note that the commencement of demolition works on site, prior to the discharge of conditions was a very poor start for what has been a badged a flagship development for Bellway Homes and note that Cheshire East Council was still considering whether to take enforcement action.

In terms of the riverside walk it was noted that this did not currently have the pedestrian link with the Adlington Road playing fields and the Recreation Ground. This was due to land ownership issues in the vicinity of the Viaduct. Bellway would provide the path ready to link, but would not be able to complete the link until these issues had been resolved.

The second letter from the Town Council related to concern being expressed that conditions for prior approval relating to the demolition of the site, may not have been complied with before the demolition started in July.

The Town Council has had no information about this and particularly no reassurance that these conditions, which appear to be related to contaminated land remediation, present any safety concern for the community or the site workforce.

The Town Council have enquired as follows: -

- What are the conditions?
- Have the conditions now been complied with?
- Do they relate to site contamination, or hot spots of contamination, asbestos, or any safety matters and if so, why has work been allowed to continue without the necessary approval?

The Town Council want this development to go ahead, but issues such as this can only serve to raise worries in the community.

The third letter from the Town Council relates to the proposed spacing of a small number of the properties. The Town Council is happy with the proposed separation distances between facing windows of habitable rooms.

As Bellway highlight in their statement, the relationships of the houses reflects the streets of Bollington, where some properties are separated by more than 21 metres and some as little as 6 metres. The minimum on the proposed development is 13-14 metres, but there are relatively few of these mostly situated in the site's transitional quarter between the historic and the modern quarters. In the Town Council's opinion, they add character to the development and reflect what currently exists in abundance in the Town.

In view of this, Bollington Town Council request that Cheshire East Council's Strategic Planning Board do not refuse the application on these grounds. The local community has

been involved from the beginning in helping to shape this development and is happy with the proposal as submitted. This view is underpinned by Bollington Civic Society

The Town Council recommend approval of the application.

## **OTHER REPRESENTATIONS:**

**Bollington Civic Society** consider that the development of 10 acres meets the need in Bollington for a mixed development of family housing of 3 / 4 bedroom size, the lack of which, has been driving families with children from the town.

The Civic Society are pleased to note the voluntary reduction in number of houses proposed, from 109 to 91, as it provides more space within the development. The majority of these houses are detached and they all have gardens. A small number of affordable houses have been included within the development with the same specifications as the other houses and we welcome this integration.

The Civic Society welcome the concept of the Historic quarter near the road maintaining the link with Bollington's heritage by the use of stone, leading to a Transitional quarter using stone and brick and the Modern quarter across the river. Large housing developments require a variety of housing styles and a high quality, distinctive palette of materials.

Attractive landscaping and improved linkages will improve pedestrian access in the middle of the town. A riverside walkway connecting Wellington Road to the Recreation ground will mean that the community can rediscover the river Dean.

The Civic Society acknowledge that Bellway Homes have provided ample opportunity for open discussion and consultation over questions of housing design and choice of materials and the Civic Society thank the developer for that cooperation.

The Civic Society note the following points for the consideration of the Strategic Planning Committee:

- That the hard standing on the internal roadways is largely tar rather than a choice such as blocks, or patterned bricks which underlines the concept of shared space as well as being visually more attractive. The Civic Society also expressed some concern as to whether or not the road exit would be able to cope with the volume of traffic engendered by the development plus the Coop traffic. A mini roundabout was suggested by several members of the Civic Society Committee.
- The Civic Society urge Cheshire East Council to stress the importance of creating a public footpath from the Recreation Ground through the arches of the Middlewood Way viaduct, to the new Waterhouse Mill development. This has always been seen as a considerable benefit to the town and will need negotiations with other landowners.
- Bollington setts, which lined both sides of the main road were removed when the road was resurfaced some years ago and stored in Lyme Green depot,

Macclesfield where they still are. The Civic Society have always wanted them to be used in some way in the town. This development would be an ideal opportunity for this to happen. They could be used to delineate the changes in road surfacing within the development.

- The new development will be enhanced by a 'storyboard' near the entrance of the site outlining the history of the site and Waterhouse Mill which goes back to before 1791, until its demolition in 1961, and its more recent industrial uses. There is an excellent new account of its history in the towns Discovery Centre at Clarence Mill, which has all the information required.
- The Civic Society are aware that there is current discussion of a suitable name for this development. It will come as no surprise the Bollington Civic Society would wish that name to be 'Waterhouse Mill'.

Overall, the Civic Society welcomes and supports the current proposed development as meeting the expressed wishes of the community of Bollington.

## **OTHER REPRESENTATIONS**

The Council have received letters of representation to the application from (or on behalf of) 4 local residents. These documents can be viewed in full on the CEC website. The following is a brief summary of their views.

The parking provision for the Coop store is woefully inadequate. The Highways Agency recommended that the existing Coop store should have 21 parking spaces and the proposed new store is larger than the existing one. The writer believes that 30 parking spaces would be more appropriate, otherwise some of the existing traffic problems experienced on Albert Road will be transferred to the new site.

Pedestrian access to the Coop should be designed in a way that discourages shoppers in cars from parking on Wellington Road. An opportunity has been missed to incorporate small business into the site alongside the Coop store. It would be wonderful to have shops off the main road and more easily accessible.

The number of houses should be reduced allowing larger gardens and more open space.

A number of houses are situated near the river, which is prone to flooding.

Concern is raised over the additional traffic, which would result from the development and its effect on the already congested Wellington Rd at the proposed access point.

The neighbour at 51A Wellington Road initially raised a number of issues with regard to the proximity of plot 10 of the development and his property. The neighbour was concerned about the loss of privacy to his greenhouse.



Since the plans were revised, the neighbour now considers that the proposals are more sympathetic to his concerns. It is suggested that permitted development rights are withdrawn on plot 10.

One of the residents raises concerns over the works being carried out on the site in the absence of the conditions relating to decontamination and site remediation being discharged in the correct manner, i.e. before work commenced.

The writer alleges that the applicant has knowingly proceeded for four months without a valid planning permission being in place.

Secondly, the writer alleges that the developers are in breach of planning control (since work started on 1st July 2013) and as contends that on the basis of well established planning law, the commencement of development without the prior discharge of conditions and the approval of reserved matters renders the development unauthorised and essentially invalidates the planning permission.

Not only is the work carried out unlawful, but the writer does not believe that the developers can simply regularise matters by seeking the retrospective discharge of conditions or, by seeking an approval of reserved matters. Rather, a completely new full planning permission is the only valid way that the development can be regularised. Moreover, it is the only way that Cheshire East Council can ensure that a permission is in place should it need at any point in the future to enforce any of the conditions specified at the outline planning stage.

Thirdly, the writer remains concerned about the possible contamination levels on the site, especially the possibility of hotspots referred to in the GRM Report of November 2011. These concerns have been reinforced by a discussion the writer has had with a Planning officer dealing with a case on the Fylde Coast, which manufactured the range of chemicals used at the Kay-Metzeler site. In that instance the Planning officer said that they had experienced quite serious hotspots. In some areas earth moving operators although suited up with protective clothing had to be taken off the job, sometimes after only 24 hours exposure.

The resident has asked the following questions:

1. Do Cheshire East accept that the planning permission has been rendered invalid? If not, why not?
2. Will Cheshire East be requiring the developer to submit a full planning application, rather than to seek retrospective planning approval for conditions and reserved matters. If not, why not?
3. What penalties are you planning to impose for a clear, deliberate and sustained breach of planning control?
4. Given the hazardous nature of chemicals used on the site, how detailed a soil testing regime has been applied?
5. Have any hotspots been discovered and how have these been dealt with?

The writer feels that the manner in which the development is being dealt with raises serious issues of both principle and process which need to be addressed.

## APPLICANT'S SUPPORTING INFORMATION:

- Design and Access Statement, plus a revised Design and Access Statement
- Landscape Management Plan
- Design Justification

## OFFICER APPRAISAL

### Main Issues

Given that the principle of the development has already been accepted by the granting of outline planning approval in May 2013 (11/4501M), which included the provision of up to 109 residential units, the principle of development has been established and this application does not represent an opportunity to re-examine the appropriateness of the site for residential development.

This reserved matters application seeks to bring 91 residential units forward.

The key issues in question in this application, are the acceptability of the access, appearance, landscaping, layout and scale of the buildings, particularly in respect of residential amenity, their relationship to retained trees and the surrounding area.

NPPF Paragraph 215 of the National Planning Policy Framework (NPPF) indicates that relevant policies in existing Local Plans will be given weight according to their degree of consistency with the NPPF.

The National Planning Policy Framework strongly encourages Local Planning Authorities to be pro-active and positive in terms delivering sustainable forms of development. At paragraph 187, it advises that:

*"Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area".*

The benefits of redeveloping the site are recognised as:

- Clearing a contaminated site;
- Removing an unsuitable industrial businesses from a residential area;
- Providing a choice of quality homes, including affordable homes;
- The relocation of the Co-op;
- £270 000 of contributions towards play (formal and informal) at Adlington Road, Bollington Recreation Ground and Coronation Gardens, improvements to the sports provision at Bollington Recreation Ground, including changing facilities, and improvements to the Middlewood Way. Funds have also been secured for a maintenance strategy and watching brief, to ensure works to the viaduct are phased over a number of years;

- £4 000 for a Traffic Regulation Order.

## **Sustainability**

The site is located within the centre of Bollington and both access and connectivity to the site is good. The town includes a range of shops and local services. Additionally, there are also bus stops on Wellington Road adjacent to the site.

Paragraphs 96 and 97 of the Framework deal with decentralised and renewable energy supply. The aim is to secure a proportion of predicted energy requirements for new developments from decentralised and renewable or low carbon sources. This was dealt with by condition under the outline application. The removal of contaminants from the land also help to provide environmental benefits.

With regard to the economic role of sustainable development, the proposed development will help to maintain a supply of land for housing as well as bringing direct and indirect economic benefits to Bollington, including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

With regard to its social role, the proposal will provide 91 new family homes (including 14 affordable homes), public open space, a riverside walk, and financial contributions towards to improve facilities in Bollington as highlighted above.

Taking this into account, the site is considered to be in a sustainable location and therefore accords with the NPPF's aims of fostering sustainable development.

## **Design Considerations**

The Design and Access Statement includes an assessment of the area's character and vernacular, and describes how it has informed the design and layout of the scheme. Some thought does appear to have been put into creating a historical quarter, a Transitional and Riverside Walk Quarter and Modern Quarter, with a selection of house types and materials. However, they appear to be standard designs, although architectural detailing and materials has been varied. The materials proposed are:

For the Historic Quarter

- Natural stone for plots 1, 4, 37, 38, 66 and 67 on the front elevations
- Manufactured (reconstituted) stone elevations on plots 58-65 and 68 - 75
- Artstone heads and cills
- Black front doors and garage doors
- Slate effect roofs on plots 1, 4, 37, 38, 66 and 67.
- Marley manufactured Thru tone artificial slates
- White windows

For the Traditional and Riverside Walk Frontage

- Manufactured (reconstituted) stone facades with brick secondary elevations
- Full brick elevations
- Artstone heads and cills
- Black front doors and garage doors
- Marley manufactured concrete tiles
- White windows

#### Modern Character Area

- Full brick elevations
- Artstone heads and cills
- Black front doors and garage doors
- Marley manufactured concrete tiles
- White windows

There are some variations in the height and the type of housing, with a mix of detached (57 in number), semi-detached (28 in number), and terraced (6 in number) properties throughout the site. All these factors would add interest and variety in the development. It is considered that these would work together in context.

The choice of materials has been the subject of lengthy negotiations between Officers and the developer. Officers raised concern that the use of reconstituted stone would appear alien in the environment, especially if it were used along the Wellington Road frontage. They consequentially sought changes and the use of natural stone has been agreed for plots 1-7, 34-38 and 66 and 67. This is considered good progress and is representative of the historic pattern of development in Bollington.

The design of the dwellings are considered to be acceptable, given the site is largely self contained and that there is a mix of house types. It is also noted that there is a requirement for larger detached dwellings in Bollington. As such, it is considered the proposals accord with the design policies in the local plan and the NPPF.

The layout differs from the indicative masterplan submitted with the Outline application, due mainly to a reduction in the number of units from 109, down to 91.

#### **Affordable Housing**

14 plots (namely 66 – 75, 56 & 57 and 78 & 79) are all affordable homes. This represents 15% of the total dwellings being proposed on the site and meets the requirements of the s106 agreement for the outline application.

All the affordable homes are 3 bed properties. Although the Housing Strategy and Needs Manager would have preferred to see a wider mix of affordable house types, the Strategic Housing Market Assessment 2010 did identify a requirement for 109 three bed affordable homes each year between 2009/10 – 13/14 in the Macclesfield and Bollington sub-area and the properties will go towards meeting some of this need.

The majority of the affordable homes are located in one part of the site, However, there is some pepper-potting of the affordable units, so the location of the units is accepted.

As the correct amount of affordable dwellings are being offered, the Housing Strategy and Needs Manager raises no objection to the application.

### **Residential Amenity**

Areas of the site have tight relationships in terms of complying with the distance between dwellings standards and there are instances where the proposal does not comply with Macclesfield Borough Local Plan policy DC38, However, overall, it is considered the layout is acceptable.

Policy DC38 of the Macclesfield Local Plan sets out the spacing standards expected between residential development to ensure sufficient levels of privacy and amenity are achieved. In brief, it advises that a distance of 21 metres should be maintained between a habitable room facing a habitable room front to front and 25 metres back to back. It also advises that 14 metres should be between a habitable room and non-habitable room.

The site is bounded by the Middlewood Way to the east and the River Dean runs through the site. The site has been divided up into three general areas and this is partly reflected in the character the developer is hoping to achieve. This has resulted in the density of the Historic Quarter and Transitional and Riverside Walk Quarters being more dense, with closer space interfaces, than the modern quarter. The relationships with the dwellings on the opposite side of Wellington Road are considered acceptable as the distance between these plot 1 and no. 54 Wellington Road is approximately 34m.

Turning to the standards of amenity within the site, the standards set out in Policy DC38 would be achieved when considering the rear to rear interface distances. However, there are a number of exceptions.

- The front of plots 4, 5, 7 and 7 would be directly opposite the front of plots 35, 36 and 37, with a separation distance of approximately 13-14 metres. This fails to meet the 'front to front' standard.
- The front of plots 46, 47 and 48 would be directly opposite the fronts of plots 78, 79, 80 and 81, with a separation distance of approximately 15 metres.
- The 'rear to rear' separation distance between plots 85 and 86, and 89 and 90 would be approximately 22 and 24 metres, whereas the policy guidelines is 25 metres.
- The space distances between plots 48 and 49, and rear of plots 60, 61 and 62 would also be approximately 23 metres.
- Other tight areas are the relationship between plots 71 and 74 and 71 and 72.
- There are a number of other areas where garages are sited relatively close to the rear elevations of properties, which could appear obtrusive. Namely to the rear of plots 13, 35, 44, 45, 65 and 82.

The distances in policy DC38 are guidelines only and the shortfall in the above circumstances is not considered to be as significant, as it can be argued that, with the use of appropriate materials, the tight relationship has been incorporated within the scheme to reflect the character of historic Bollington. Additionally, due to the layout and relationship between the properties, there would be some open views and therefore, the situation would not be overly oppressive. It is not considered a refusal on amenity grounds could be sustained. It is also noted that the Town Council and Civic Society have not raised any issue with the internal relationships. In fact, as noted in the representations section, the Town Council fully support these distances.

The rear of the properties would appear to have an acceptable level of private amenity space, commensurate to the size of the dwellings. Additionally, the riverside walk and area to the north of the site adjacent to the viaduct ensures that a good area of public open space is provided on the site. Accordingly, it is not considered a refusal could be sustained on these grounds.

It is considered that the distance between the plots opposite the viaduct (plots 50-57) and the viaduct (approximately 24m) is acceptable.

### **Landscape , Greenspaces and Trees**

Presently, the site consists largely of industrial buildings, with large area of hardstanding with very little landscaping. The woodland to the eastern side of the site and Middlewood Way viaduct have a strong presence in ensuring that the development is assimilated in to the landscape.

The Landscape Officer considers that there should be a fence (estate railing) sited between the riverside walk and the houses in order to provide a better barrier between the public and private areas (to protect the defensible space etc). This should be conditioned should planning permission be granted.

Condition 32 of the outline consent (11/4501M) required the submission of a Landscape Management Plan. It is considered that the submitted Management Plan needs to be revised as follows:

- An introduction stating that the Public Open Space areas will be maintained in perpetuity by a management company and the area will be maintained in a safe and attractive condition suitable for public access;
- The soft works maintenance schedule only includes the first 5 years. This should be amended to include the ongoing maintenance/management and include selective thinning, tree and shrub replacement planting when necessary etc;
- The plan should include hard works maintenance (i.e. footpath/cycleway, footbridge, fencing/railings, street furniture/public art). This should include maintenance and replacement when necessary.

Conditions should be attached for the following hard landscape works:

- The various proposed block pavements;
- The surfacing of the Public Open Space footpath/cycleway;

- The footbridge across the river.

The Arboricultural Officer raises no objections to the development. Clarification was requested from the developer with regard to the Root Protection Areas of a group of offsite protected Lime trees (G16 of the TPO) and further details were requested with regard to the position of Plot 19 to ensure adequate space for Root Protection Areas and social proximity. The submitted details have been considered to be acceptable.

## **Ecology**

The Nature Conservation Officer has commented on the proposals following the submission of additional information as follows:

### Badgers

The badger sett recorded on site is located in close proximity to the proposed development. To mitigate the potential disturbance of the sett, the applicant proposes to temporarily close the sett entrances located closest to the development for the duration of the works. The sett entrances located slightly further away will remain open. This will be undertaken under a natural England license.

The Nature Conservation Officer advises that the submitted badger mitigation method statement is acceptable.

### Linear Riverside Park

The Nature Conservation Officer raises no objections to the landscaping proposals for the riverside linear park area.

## **Open Space**

Formal comments are awaited from the Parks Management Officer in relation to the provision of open space.

## **Highway Safety**

The Highways Engineer raises no objections to the proposals. Much negotiation has taken place in relation to improving the road layout in an attempt to provide an enhanced design. The raised tables have been removed and shared surfaces have been advocated.

## **Environmental Issues**

The Environmental Health Officer raised no objections to the development. The conditions attached to the outline scheme should be sufficient to protect amenity of neighbours.

## **OTHER MATERIAL CONSIDERATIONS**

Issues raised by the Town Council and one of the neighbours, with regard to works having commenced prior to the discharge of conditions and the determination of the reserved matters application, is being reviewed by officers. Further feedback will be provided in an update report prior to the Strategic Planning Board meeting to address this point.

For clarification, the proposed plan does incorporate a route from Wellington Road, through the riverside walk and then over a bridge, under the viaduct to the Recreation Ground.

The volume of traffic associated with the development and junction requirements were considered when the outline application was approved. Therefore, this issue cannot be reconsidered at this stage. Similarly, the comments made with regard to the parking provision and access arrangements in connection with the Co-op and suggestion that small businesses should be incorporated into the scheme, were also considered at the outline stage. As such, these matters cannot be reconsidered at this time.

The request by the Civic Society for the Bollington setts which have been stored by Cheshire East following road resurfacing works some years ago, has been considered by the developer. Bellway Homes has confirmed that they will look at potentially using the setts. However, they cannot commit to using them at this stage as they don't know what quantity of setts are available, or what the condition of the setts are. It is therefore not considered reasonable to condition the developer to use these setts.

## **CONCLUSIONS**

The proposal involves the redevelopment of a brownfield site following the approval of the Reserved Matters for the housing element of the development, which was outlined under application 11/4501M. The scheme has a number of additional positive planning benefits including remediation of the site, removing industrial uses from a residential area and providing much needed affordable homes within a sustainable location.

The design and layout of the scheme is considered acceptable, with some consideration of local character and site characteristics informing the design process. The development would assimilate into the landscape with existing trees around the perimeter of the site retained.

The proposal includes some on-site provision of public open space, including an attractive riverside walk.

The residential amenity of future occupiers would be acceptable.

The traffic generation and impacts were dealt with at outline stage. The internal road layouts have been subject to amendments to satisfy the Strategic Highways Manager and design enhancements have been made.

The proposals comply with the relevant development plan policies and the NPPF and therefore, is recommended for approval subject to conditions.

1. A02RM - To comply with outline permission
2. A05RM - Time limit following approval of reserved matters
3. Materials
4. Landscaping
5. Landscape implementation
6. Approved plans
7. Removal of PD rights



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