

**STRATEGIC PLANNING BOARD
8 JULY 2009**

Application No: 09/0807M

**Location: HAVANNAH MILL, HAVANNAH LANE, EATON, CONGLETON,
CHESHIRE, CW12 2NB**

**Proposal: OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT
INCLUDING A CARE HOME (CLASS C2)**

Applicant: TARGETSITE LTD

Registered: 09-April-2009

Policy Item: Yes

Grid reference 386563 386548

Date Report Prepared: 29 June 2009

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES

- Whether the principle of residential and care home development in countryside beyond the green belt is acceptable and if so, whether the scale parameters proposed is appropriate
- Whether the amount of affordable housing proposed is appropriate
- Whether the loss of existing employment use of the site is appropriate
- Whether the proposed access is adequate and acceptable
- Whether the proposed loss of trees from the site is acceptable
- Whether the proposal would result in any adverse impact on protected species and if so, whether adequate mitigation can be provided
- Whether the proposal would result in adverse impact upon the adjacent Grade A Site of Biological Importance (River Dane SBI)
- Whether the proposal has any adverse impact on the residential amenity of nearby residents
- The extent to which the proposal is consistent with housing policy as expressed in PPS3 and principles of sustainable development as expressed in PPS1 and PPG13
- Whether there are any other material considerations
- Whether any permission granted constitutes a departure from the Development Plan in force for the area to require referral to Government Office for the North West
- Whether any permission granted should be accompanied by a Section 106 Agreement, and what these heads of Terms would comprise

REASON FOR REPORT

This is an application which raises significant planning policy concerns as a departure from the development plan.

In addition, Councillor Andrew has requested that a Member's site visit take place.

DESCRIPTION OF SITE AND CONTEXT

The site is the derelict, former Symbra factory, located off Havannah Lane, Eaton. The area of the proposed development includes the site of the now-demolished Windsor Mill, the foundations of which are still evident on site, which occupied that part of the site where it is proposed to construct the care home. It is understood that this 4 storey mill building was demolished down to footplate level approximately 30 years ago.

Overall, the site comprises 2.79 hectares, and is in part previously developed land. The site lies within Countryside Beyond the Green Belt.

The remainder of the site is intended to be open space.

The site adjoins the River Dane, a Grade 'A' Site of Biological Importance to the south and west. To the north lies a terrace of cottages within New Street, Havannah Village, beyond which is a relatively modern housing estate and Havannah Primary School.

The site lies on the cusp of the boundary between the former Boroughs of Macclesfield and Congleton. Havannah Lane is a by-way open to all traffic, which links into the modern housing estate to the north of the site. The site is considered to be in a reasonably sustainable location, with access to public transport and local amenities, including 2 schools and a shop.

DETAILS OF PROPOSAL

As originally submitted, this application seeks **Outline** planning permission to establish the principle of redeveloping the site for a mix of uses comprising up to 36 residential units (including a provision of 9 Affordable Housing units), a care home of 64 beds, and an area of Public Open Space.

The plans submitted with the application are indicative only. Matters such as the appearance, landscaping, layout and scale of the site have all been reserved for subsequent approval. In addition to the principle of the development, the access arrangements via Havannah Lane are to be considered as part of this application.

The scale parameters that have been provided indicate that the care home will be a 2 storey building of ridge height of 8.4m with an overall width of 59m and depth of 52m. The indicative

housing layout indicates a mix of 5 corner mews buildings of 3 storeys (10m in height) at focal points within the development. The remainder of the houses have a maximum height of 8m to ridge level.

During the application phase **revised** plans were received which show the indicative layout to now comprise up to 35 dwelling houses (at a density of 35 units per hectare) and a 2 storey care home of 60 bed spaces, re-orientated to be located outside the designated SBI.

RELEVANT HISTORY

- 01/0908P Conditional permission granted for replacement warehouse, extension of storage compound and erection of additional warehouse. Not implemented
- 58100P October 1989 Outline permission refused for cessation of industrial use demolition of factory proposed residential development incorporating improvements to Havannah lane sewage treatment and other improvements.
- 79093P June 1995 Positive Certificate granted for the Lawful Existing Use for continued use of recycling of scrap plastics and plastics textile material. There are no conditions attached to this certificate which limit this use or the hours which the premises could operate.

POLICIES

Regional Spatial Strategy

- DP1 (Spatial Principles)
- DP2 (Promote Sustainable Communities)
- DP4 (Make the Best Use of Existing Resources & Infrastructure)
- DP5 (Manage Travel Demand, Reduce the Need to Travel & Increase Accessibility)
- DP7 (Promote Environmental Quality)
- DP9 (Reduce Emissions and Adapt to Climate Change)
- RT2 (Managing Travel Demand)
- W3 (Supply of Employment Land)
- EM1 (Integrated Enhancement and Protection of the Region's Environmental Assets)
- EM2 (Remediating Contaminated Land)
- EM5 (Integrated Water Management)
- EM18 (Decentralised Energy Supply)
- MCR3 (Southern Part of the Manchester City Region)
- L2 – Understand Housing Markets
- L4 – Regional Housing Provision

Cheshire Replacement Waste Local Plan (Adopted 2007)

Policy 11 (Development and waste recycling)

Local Plan Policy

NE9 (River Corridors)
NE11 (Nature Conservation)
NE12 (Sites of Biological Importance)
BE1 (Design Guidance)
GC1 (New Buildings)
H1 (Phasing Policy)
H2 (Environmental Quality in Housing Developments)
H5 (Windfall Housing Sites)
T2 (Transport)
DC1 (Design New Build)
DC3 (Amenity)
DC6 (Circulation and Access)
DC8 (Landscaping)
DC9 (Tree Protection)
DC38 (Space, Light and Privacy)
DC57 (Residential Institutions)
DC63 (Contaminated Land including Landfill Gas)

Other Material Considerations

National planning guidance in the form of PPS1: Delivering Sustainable Development, PPS3: Housing and PPS9: Biodiversity and Geological Conservation, PPG13 Transport and the former Macclesfield Borough Council Saved Policies Advice Note are also of relevance to the consideration of this proposal.

CONSIDERATIONS (External to Planning)

Children and Young People's Services - In both the Primary and Secondary sector there are sufficient surplus places for the 'in-catchment area' to meet the potential 'child yield' generated by the potential building scheme, both currently and anticipated by our pupil place forecasts up to 2013.

Archaeology Planning Advisory Service – The area of the proposed development includes the site of the now-demolished Windsor Mill, which occupied that part of the site where it is proposed to construct the care home. The mill, which dates from the late 1870s, last appears on aerial photographs dating from the 1970s. No objection is raised subject to standard condition concerning archaeology.

South East Cheshire Enterprise (SECE) - The poor location of the site via Havannah Lane is likely to mean that the site is undesirable to potential commercial occupiers. They raise no objection to the loss of the existing factory use.

Cheshire Fire Safety Officer - No objection subject to compliance with the Building regulations

Public Rights of Way Unit - No objections subject to improvements to the By-law open to all Traffic (BOAT) and footpath network via a S106 agreement.

Environment Agency - The Environment Agency has considered the Flood Risk Assessment and ecological information submitted with the application and has no objections to the proposal subject to conditions.

Environmental Health (Contaminated Land) - The Environmental Health Department advise that the area has a history of use as a mill and therefore the land may be contaminated. In addition, the proposal is for new residential properties which are a sensitive end use and could be affected by any contamination present. No objection is raised, subject to a condition requiring a Phase II investigation, and a remediation scheme if necessary.

Environmental Health (Noise and Amenity) – No objection subject to standard conditions regarding hours of work and dust mitigation during construction.

Forestry Officer - Raises no objection subject to conditions.

Housing Strategy and Needs Manager - Fully supports the application, subject to the provision of 25% Affordable Housing being provided.

Landscape Officer - The Landscape Officer raises no objections.

Leisure Services - No objection in principle to the application, but advises that there will be a need for a LEAP facility with 5 pieces of smaller children's play equipment with on-going maintenance via a management agreement and a formal management plan for the open space. They also seek potential enhancements of the open space in the form of information boards.

Highways- No objection subject to conditions and satisfactory completion of Section 106 agreement for highways works and travel plan issues

Local Plans - The Local Plans team advise that the site is located in Countryside Beyond the Green Belt where only limited types of development are deemed appropriate in the Local Plan, and therefore they object, in principle, to the housing and care home use of the site.

Nature Conservation Officer No objection is raised by the Nature Conservation Officer to the revised scheme which is no longer sited within the SBI. Advises that biodiversity enhancement will be required in accordance with PPS9.

VIEWS OF THE PARISH COUNCIL - Eaton Parish Council object to the proposal. They support the views expressed by local residents. The grounds for objection are:

- Scale of proposal
- Contrary to policy
- Existing flooding potential worsened
- Emergency vehicle access
- Application to rescind S52 Agreement on part of site should be considered in tandem
- Loss of amenity to existing residents
- Traffic generation

OTHER REPRESENTATIONS

A total of 25 letters of objection and 1 letter of support have been received to date.

Copies of all these comments are available on the Web-site but in précis, the objections can be summarised as;

- The site is within a designated area of 'Countryside Beyond the Green Belt'. The proposal is contrary to the Plan
- There will be an adverse impact upon biodiversity and wildlife
- Highway congestion and adverse safety implications due to the increased volume of traffic that would be utilising Havannah lane
- Difficult access for emergency vehicles
- Loss of the existing employment site
- Adverse impact upon the character and amenity of the existing terrace of cottages within Havannah lane
- Potential increases in flooding
- Excessive scale and density of development
- The Applicant has failed to adequately demonstrate that sufficient efforts have been made to market the site for employment uses
- Adverse impact upon the character of the village
- Overdevelopment
- Adverse impact upon the SBI
- Loss of a green field
- There is a current application which seeks to rescind a S52 Agreement in force on part of the site which ties the use of that portion of the site to the agricultural/industrial use of the dwelling known as 'The Old Mill'. The proposal should not be considered in isolation without considering the S52 Agreement.

The letter of support considers that the site has been vandalised and is an eyesore. The writer considers the proposal would benefit the area.

APPLICANT'S PRE-APPLICATION CONSULTATION

A statement of community engagement has been submitted. The publicity involved letters being sent to 115 local addresses, schools, Local Ward members and Parish Councillors. A public event was held at the Plough Inn on 26 February 2009. A web site was created specifically for the proposals as detailed in the circular letter sent out. The website was available from 20 February to 26 March 2009. Their publicity involved advertisements in the local press in both Macclesfield and Congleton. The exhibitions attracted over 50 attendees and 5 comment sheets were completed. Four further comments were received via the website and in the post.

The Applicant added a footpath link and sited the care home on the line of the demolished mill in response to comments received.

APPLICANT'S SUPPORTING INFORMATION

The following documents have been submitted in support of the application:

- Supporting Planning Statement
- Design and Access Statement
- Statement of Community Involvement
- Ecological Assessment
- Flood Risk Assessment
- Transport Assessment
- Phase 1 Contamination Assessment
- Employment Land and Market Overview
- Marketing Report
- Commercial Viability report from Greenham Partnership (a Congleton based firm of chartered surveyors)

All of these documents are available in full on the planning file, and on the Council's website.

It is the applicant's essential case that the site will deliver housing development within 5 years, which will be deliverable in PPS3 terms, unlike other sites in the Macclesfield SHLAA (Strategic Housing Land Availability Assessment) which are counted in the SHLAA but have not received permission, e.g. the Hospital Blue Zone which has recently been refused permission and Redhouse Lane Disley which, upon completion of the S106 Agreement would result in a potential life of permission of 7 years. This is outside the 5 year required delivery period of the SHLAA. Given the shortfall of housing provision likely between sites in the SHLAA and the reality when these planning applications are considered, the Applicant considers that PPS3 has a presumption in favour of residential development.

Allied to this, the proximity to the established residential areas of Congleton adjacent, the accessibility of the site to 2 schools, the local shop and the employment area of Eaton Bank, the 3 bus routes within 400m, the provision of green transport measures and improvements to the BOAT which are proposed as part of the scheme, the re-use of Brownfield land, the utilisation of measures to address climate change within the development; will result in a very sustainable development.

The development will also provide 9 units of affordable housing and a care facility for elderly persons, for which there is a proven need given the aging population of the Borough.

The Applicant, as an important material consideration, given the juxtaposition of the site with Congleton; also considers that the former Boroughs' of Congleton and Macclesfield becoming part of Cheshire East, the proposal should be considered in terms of the needs of Cheshire East for additional residential and care home development.

Evidence in the form of marketing indicates that the site constraints make it an unattractive commercial proposition for industrial purposes, and in any event there is no control over such potential users, which could result in poor neighbour type uses.

Taken together, whilst the site is allocated as Countryside Beyond the Green Belt where proposals such as this would not normally be granted, the sites relationship with the built up area of Congleton, the environmental benefits of the redevelopment of the derelict brownfield site and enhancements proposed to the SBI and the redevelopment of a derelict,

contaminated site are significant reasons why the proposal should be allowed, which could not readily be replicated elsewhere in the Borough.

OFFICER APPRAISAL

Section 38 of the Planning and Compensation Act 2004 requires a plan led approach to decision making in that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

In this case the development plan consists of the Regional Spatial Strategy for the North West, the Cheshire Replacement Waste Local Plan and the Macclesfield Borough Local Plan.

In this case it is considered that there are other material considerations which justify a departure from the development Plan in this case.

Principal of Development

Need for Additional Housing Land

PPS1 states that sustainable development is the core principle underpinning the planning process. Planning should facilitate and promote sustainable patterns of development through protecting and enhancing the natural and historic environment, and ensuring high quality development through good design and efficient use of resources.

Development which contributes to the creation of safe, sustainable, mixed and liveable communities is encouraged. The concentration of mixed use developments, use of previously developed land, building in sustainable locations and those well served by a variety of public transport is a key to this approach.

The site lies within the Countryside Beyond the Green Belt in the Macclesfield Borough Local Plan (2004). Policies GC5, 6, 8, 9 and 10 are applicable. Policy GC5 states that development will not normally be permitted unless it is essential for agriculture, forestry, outdoor recreation or for other uses appropriate to a rural area. Policy GC6 gives further details of development that will be allowed and indicates that new dwellings are acceptable if they are required for a person engaged in full time in agriculture, but allows for small industries, commercial businesses and expansion of existing industrial or warehousing all subject to the provisions listed in that policy. These policies conform to national planning policy for development in the countryside – namely PPS7. Housing in the countryside should meet local needs as determined by local housing needs assessment while LDDs should specify where development should take place. PPS7 advises that the replacement of non-residential buildings with residential development in the countryside should be treated as new housing development in accordance with the policies in PPS3.

The scheme does not comply with the rural housing advice in PPS3 as it contains 25% affordable housing, when the advice in PPS3 states that such housing could be up to 100% rural exception housing. Consideration will need to be given if the benefits of the scheme meet the general PPS3 requirements and whether this outweighs the national guidance on rural housing and the Local Plan policies.

The strategic planning context has changed considerably since the adoption of the Local Plan in January 2004. Policy L4 of the Regional Spatial Strategy (adopted 2008) now forms part of the development plan and requires 400 net additional homes to be built per annum in the former Macclesfield District between 2003 and 2021. This is a large increase over the former Cheshire Structure Plan alteration, which required an average of 200 per year between 2006 and 2011, dropping to 100 per year between 2011 and 2016.

Housing provision in the Local Plan was addressed with regard to these lower figures. The Strategic Housing Land Availability Assessment (SHLAA) shows that sufficient sites could be found to meet the RSS requirement to 2021, although residential development on a number of these would involve a departure from the adopted Local Plan.

In Macclesfield Borough between September 2004 and May 2008, there was a restrictive housing policy in place to limit the amount of new housing within the Borough.

The Annual Monitoring Report for 2006-2007 advised that there was a net increase in the number of dwellings by 259, whilst the same report for 2007-2008 indicated that there was a net increase of 365 dwellings. This falls substantially short of the 400 dwellings required each year to meet the RSS targets.

The Strategic Housing Land Availability Assessment (SHLAA) was published in 2008, whilst the SHLAA is not policy and does not alter existing allocations, it does show that development on certain sites not currently allocated, or allocated for uses other than residential will be required to meet the overall RSS housing provision figure. The need for affordable housing provision in the Borough is also well documented. The application site was identified within the SHLAA as a potential housing site, likely to come forward in the next 5 years. The assessment indicated that the site could accommodate up to 60 dwellings (affordable).

The relative shortfall in housing completions within the Borough and the fact that the site is deliverable within the next 5 years, the geographical location of the site, together with the presumption in favour of development in PPS3 terms where a five year supply can not be demonstrated by the Local Planning Authority is considered to be a significant determining factor, which, on balance, justifies setting aside the allocation of this site as Countryside Beyond the Green Belt and allowing this housing proposal.

This issue, however, is considered to be a significant departure from the Development Plan of greater than local significance. On this basis, the application should be referred to Government Office for the North West.

Density of development & mix of house types

The indicative layout indicates that the site is to be developed at a density of 35 dwellings per hectare. The areas indicated for development are brownfield land, having previously been developed or the site of the existing factory and complex.

The area that comprises the footing of the former Windsor Mill is considered to retain a brownfield status given the extent of the underlying footings and the fact that an extensive 4 storey mill building existed here in the relatively recent past. On the face of it, this part of the

site may have been greened over the years, but if one was to scratch away the surface, extensive areas of built form would still be evident.

A good mix of house types is indicatively proposed comprising:

- 5 No. 2 bed Terraced mews-houses
- 6 No. 3 bed Terraced mews-houses
- 16 No. Detached 4 bed houses
- 2 No. Detached 3 bed houses
- 6 No. end mews 2/3 storey corner house

In addition a 2 storey care home of 60 (as amended) bedrooms is proposed. Indicatively, this is in a horse-shoe shaped block to the southern portion of the site.

The mix and density of housing proposed (at circa 35 units per hectare) is considered to be in line with the requirements of Government policy to maximise density and is considered acceptable on this site.

Loss of employment use of the site

Government guidance in Planning Policy Statement 3: Housing (PPS3) promotes the effective and efficient use of previously developed land. In paragraph 44, it indicates that local planning authorities should consider whether sites allocated for industrial use could be re-allocated for housing.

However, Planning Policy Guidance 4: Industrial and Commercial Development and Small Firms (PPG4) is also clear that LPAs should ensure that sufficient land is available for business, readily capable of development and well-served by infrastructure. A choice and variety of employment sites, to meet different needs, will facilitate competition and stimulate economic activity. Similarly, RSS Policy W3 requires LPAs to ensure a supply of employment land; that the most appropriate range of sites is safeguarded for employment use; the sites can meet the full range of needs; and at least 30% are available at any one time.

This site is not specifically allocated for employment purposes, however, it is lawful in planning terms as an industrial site, having been last lawfully been used as a plastics recycling facility, and in this respect policy E1 applies.

Local Plan Policy E1 states that both new and existing employment areas will normally be retained for such purposes. The supporting text indicates that a number of rural employment sites are not shown on the proposals map and that a significant number of jobs have been or are provided at these sites. These sites are important part of the employment stock. It is also noted that when a rural employer ceases to trade the redevelopment of a site would be subject to the relevant rural policy framework.

Marketing reports and assessments of the site for employment use have been submitted with this application. The Applicant has also submitted evidence as to why potential occupiers

failed to follow through with initial interest in the use of the site for commercial purposes. These issues include the proximity to residential and the poor access via Havannah Lane for HGV type vehicles. The information makes reference to the significant constraints of the site and demonstrates the attempts that have been made by the Applicant to market the site. It is also submitted that the District Valuer considers that the site is beyond economic repair and has given the site a zero rating.

A significant issue relating to the application site relates to the viability of development for employment uses, given the major constraints including access and remediation. The site is in is currently in a poor condition visually following vandalism and theft of copper piping, having now been vacant since 2004.

In this instance, it is accepted that the site is functionally obsolete and is beyond economic repair. In addition, it is also accepted that the site is constrained due to the poor access via Havannah Lane, which means that potentially only poor neighbour type uses would find the site desirable, potentially to the detriment of adjacent residential living conditions.

In terms of employment land supply, recent monitoring suggests there is 25 years supply given recent take up rates for employment development in the Macclesfield area. However, this includes a significant proportion of land (around 42ha) which is constrained and is not currently available at South Macclesfield Development Area and Parkgate Industrial Estate. Excluding these sites would leave 11 years supply, with a mixture of sites including higher quality sites such as Tytherington Business Park and more traditional industrial estates such as Hurdsfield.

Given this, there is no objection in land use planning terms to the loss of the existing employment use, which in any event will be offset by employment generated by the care home use.

The Care Home development

This is proposed to be a purpose built 'close care' facility which will provide 24 hour care for elderly residents. One of the Borough's key housing strategies is 'To provide supported accommodation appropriate to the needs of the Borough's population'. This strategy aim is fully supported by this proposal which will provide purpose built accommodation for which there is a recognised need for elderly people.

Policy DC57 of the Local Plan sets out criteria for residential institutions. The site must be close to local facilities such as bus services, local shops and other community facilities and is normally sited in a residential area. A concentration of specialist housing and care facilities should be avoided. Amenity of neighbouring property should not be harmed. A reasonable sized private garden with a pleasant aspect must be provided. Adequate parking and safe access should be provided. Policies BE1 and DC1 of the Local Plan seek to ensure a high quality of design in new development that is of appropriate scale and sympathetic to the site and its surroundings. Whilst no elevational detail is sought at this stage, the care home is indicatively sited and orientated towards the open space to the south of the site. Given the

close care nature of the proposal it is not considered necessary to provide private garden space in this case.

The Care home will provide employment for up to 60 people. The Green Travel Plan will be used to ensure that green transport initiatives are utilised to improve the accessibility of this site, including shuttle bus provision for residents of the care home, car sharing and inducements to encourage more sustainable travel choices. Overall, therefore whilst not strictly in a residential area, accessibility is reasonable to public transport and initiatives are proposed to be utilised to improve sustainable travel choices.

Highways

The Highways Engineer raises no objection to the proposal subject to improvements to Havannah Lane. Overall, the Highway Engineer accepts the fall back position of the likely potential traffic that could lawfully be generated by the existing industrial premises. This is would also be uncontrolled by any planning condition regarding hours of work.

A transport statement and a draft framework travel plan have been submitted with the application.

Paragraph 75 of PPG13 Transport states that walking is the most important mode of travel at the local level and the greatest potential to replace short car trips, particularly under 2km.

Whilst the site is not directly adjacent to the public transport network, it is an a reasonably sustainable location being located within 400m from the bus stops on Macclesfield Road and the 3 routes served via St Johns Road. Within 100m of a primary school and 1200m of a secondary school this is considered to be in accordance with the objectives of policies DC6 and DC57 of the local plan.

With respect to the care home element of the scheme, it is likely that a proportion of potential workers could be generated from within the local community within walking distance. It is also expected that the travel plan will incorporate green travel measures such as car sharing, encouraging staff to walk and cycle to work and a shuttle-bus for use by elderly residents to get to Congleton and beyond. All these measures are considered to be sustainability benefits which weigh in favour of the development.

Design

As part of any reserved matters application the layout will be required to address the issues contained in PPS1 which establishes the need to ensure high quality of design and layout of new developments to create sustainable development.

Site Planning Factors

Whilst submitted in indicative form only, the layout generally indicates that this scale of development can be accommodated on site. Some corner dwellings are indicated as being 3 storeys (10m ridge height), however the majority of dwellings are indicated to be 2 storey (8m ridge height). The care home is indicated as having a ridge height of 8.4m and would

comprise 2 storeys. Overall, in site planning terms, the indicated density of development is considered to be appropriate.

Ecology

The site adjoins the River Dane SBI and the indicative footprint of the development has been amended to remove development from within the SBI.

Subject to adequate mitigation and protection of SBI features the Ecologist raises no objections to the proposals.

Flood Risk

In accordance with PPS25, a Flood Risk Assessment has been submitted as part of the application. In support of the application, the Agent has advised that it will be the intention to incorporate Sustainable Urban Drainage into the scheme. The Dane in this area is known to flood and the Environment Agency has suggested conditions to mitigate. On this basis, it is considered that the proposal adequately addresses Flood Risk.

Climate Change

The North West Regional Assembly Sustainability checklist has been completed in support of this application. Within the checklist there are 7 climate change related questions. The proposals score 61% (very good) and in this regard it is noted that the proposal includes the reintroduction of garden areas where there currently is hardstanding, the introduction of rainwater harvesting to reduce the overall consumption of potable water, the use of smart metering systems.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The site has been identified in the Macclesfield Strategic Housing Land Availability Assessment as a potential housing site, likely to come forward in the next 5 years, and would assist in meeting the requirement for the additional housing requirement of 400 dwellings per annum, in addition to providing a care home to meet the needs of an aging population.

Although that SHLAA allocation is non binding and considered this site as a 100% rural exclusion housing site, there is a significant shortfall in housing numbers coming forward. The site is a brownfield site and its inclusion for up 35 dwellings at a density of circa 35 units per hectare will assist in providing both local housing need and the housing need of Congleton, to which geographically this site has greater links.

The site comprises previously developed land in a sustainable location, with access to a range of local services and facilities nearby, including shop, a primary and secondary school, an existing employment area at Eaton Bank and good public transport links. Conditions can be imposed that would improve sustainability.

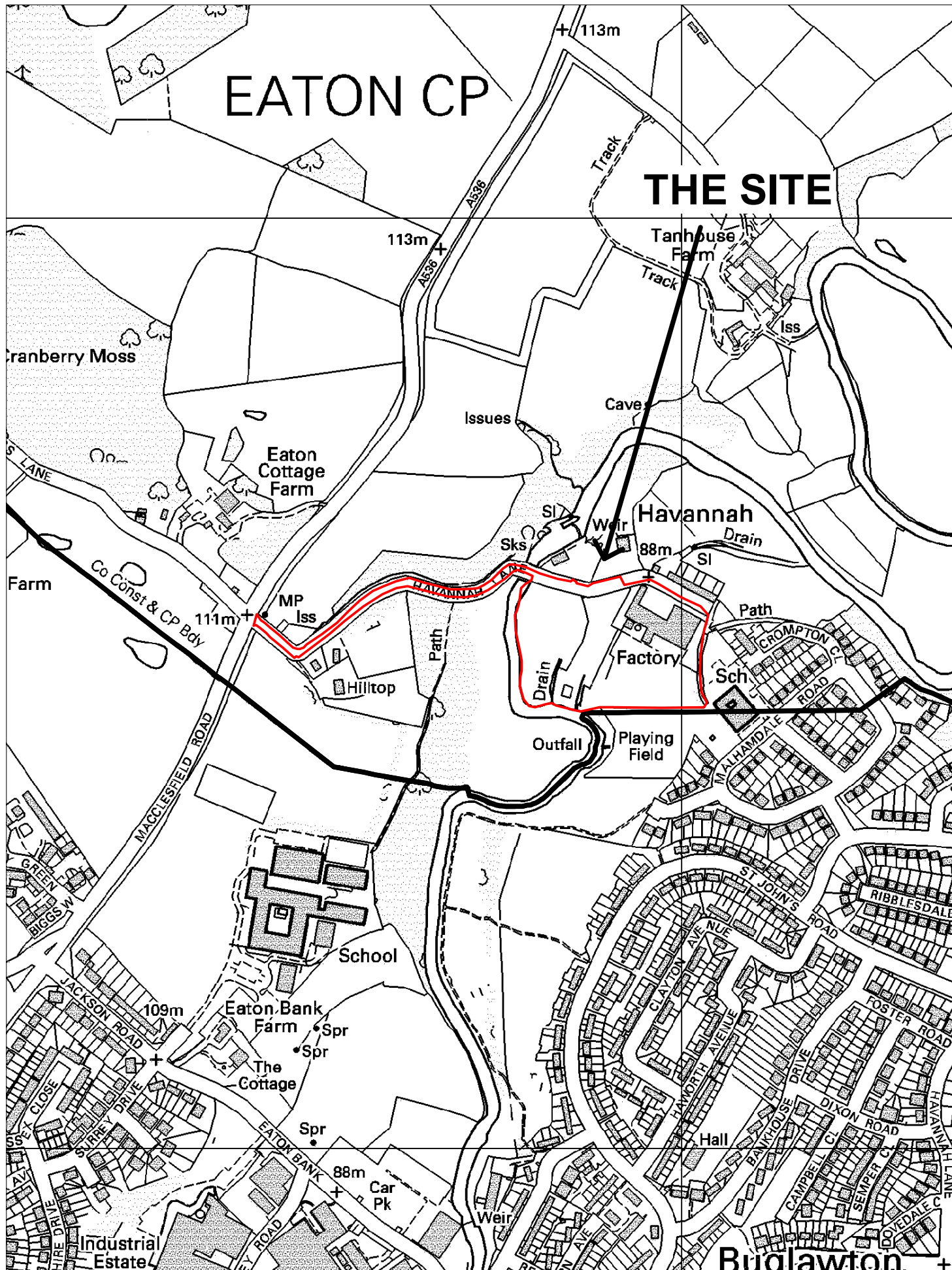
The proposal would bring environmental improvements and the Highways engineer is satisfied that the proposals to upgrade Havannah Lane are appropriate. On the basis of the above information, a recommendation of approval is made:

SUBJECT TO

Referral to Government Office for the North West as a Departure from the Development Plan and the satisfactory completion of a S106 Legal Agreement comprising:

HEADS OF TERMS

- Provision of a minimum of 25% genuinely Affordable Housing
- On going management and Maintenance provision for the Public Open Space and provision of a LEAP facility to be maintained in perpetuity by the management company.
- Biodiversity improvements/ including enhancements to off site SBI
- Off site ecological enhancement works within adjoining SBI
- Provision of a Travel Plan and associated monitoring charges
- Highways Upgrades including upgrade to the BOAT, including BOAT linking Malhamdale Rd and New Street.
- Monitoring costs



09/0807M - HAVANNAH MILL, HAVANNAH LANE, EATON, CONGLETON

N.G.R. - 386,850 - 364,590

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Application for Outline Planning

RECOMMENDATION: Approve subject to following conditions

1. A01LS - Landscaping Submission of details
2. A01OP - Submission of reserved matters
3. A02OP - Implementation of reserved matters
4. A02TR - Tree protection
5. A03OP - Time limit for submission of reserved matters
6. A03TR - Construction specification / method statement
7. A04NC - Details of drainage
8. A04TR - Tree pruning / felling specification
9. A05HP - Provision of shower, changing, locker and drying facilities
10. A06OP - Commencement of development
11. A07TR - Service / drainage layout
12. A08OP - Ground levels to be submitted with reserved matters application
13. A09OP - Compliance with parameter plans
14. A12OP - Full details approved as part of outline consent
15. A14TR - Protection of existing hedges
16. A19MC - Refuse storage facilities to be approved
17. A22GR - Protection from noise during construction (hours of construction)
18. A23GR - Pile Driving
19. A32HA - Submission of construction method statement
20. SBI mitigation to be submitted
21. protective fencing to SBI
22. breeding birds
23. landscape and habitat management plan
24. bat mitigation/enhancement
25. woodland management plan
26. contaminated land
27. decentralised energy supply
28. underground services
29. Construction method statement

- 30. Sustainable Urban Drainage -scheme to be submitted
- 31. Archaeology
- 32. care home parking standard to be complied with
- 33. parking standards to be complied with
- 34. RM application to have all highways details
- 35. dust mitigation during construction
- 36. cycle storage facilities for care home