

**Application No:** 09/3213M  
**Location:** FORMER TA CENTRE, CHESTER ROAD, MACCLESFIELD, CHESHIRE  
**Proposal:** ERECTION OF A RESIDENTIAL DEVELOPMENT WITH ASSOCIATED LANDSCAPING, ACCESS AND CAR PARKING ARRANGEMENTS AS WELL AS LANDSCAPE ALTERATIONS TO THE WIDER AREA OF EXISTING OPEN SPACE  
  
**For** BRACKENHOUSE PROPERTIES LTD  
  
**Registered** 05-Oct-2009  
**Policy Item** No  
**Grid Reference** 390564 373543

**Date Report Prepared:** December 2009

#### **SUMMARY RECOMMENDATION**

Approve with conditions

#### **MAIN ISSUES**

**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 layout and design is appropriate**

**Whether any permission granted should be accompanied by a Section**

#### **REASON FOR REPORT**

This is an application for a major housing development which according to the Constitution needs to be determined by Committee.

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

The site is irregular in shape and lies to the south of Chester Road. It extends to some 3.6 Hectares and sits approximately 2.5m below the road level of Chester Road. It can be split into two distinct parcels, the previously developed land comprising of the area of the former Territorial army barracks and compound, which has been demolished; and the area of mounded woodland to the south of the former barracks compound. The previously developed part of the site is intended to be the focus of the residential development currently proposed, whilst the mounded area of woodland/unmaintained open space to the rear is intended to be an ecological/amenity area to be maintained by the developer.

The building footprints and massing of built form are similar to the extant scheme for the close care home and retirement dwellings approved in 2008, albeit the proposed numbers of residential units has reduced.

The wider area is mixed in character, with residential land uses predominating. Chester Road is a main arterial route into the town centre. Fieldbank Road is a road which provides a rear access to the hospital and is extensively used as an alternative access for the hospital or as a rat run.

## **DETAILS OF PROPOSAL**

The scheme proposes a mixed housing development of 87 units on an existing brownfield site. Access would be formed to the north of the site and would create a crossroad junction with Chester Road and Fieldbank Road. The housing layout contains blocks and terraces of development utilising the previously developed part of the site to its maximum. The largest building Block C has 4 one bed and 31 two bed flats on three levels and undercroft car parking, the rear of the site where the land slopes down. The other buildings on the site would be a mix of two storey dwellings and three story townhouses and three storey apartments arranged in two blocks (Blocks A and B) to a new frontage to Chester Road at this point. A new wall/railings would be provided to the Chester Road frontage.

The application includes proposals for the retention and enhancement for the amenity area to the rear of the site for use by the public which will need to be secured through a planning agreement. The pedestrian routes between Chester Road and Ivy Lane and to All Hallows School would be retained and do not form any part of this application site.

The housing layout is very similar to a previously approved Close Care scheme on the site that has not been implemented but remains extant. The proposed access is submitted with a 10m radii at Chester Road. This access is identical to the extant Close Care scheme.

## **RELEVANT HISTORY**

07/0430P Erection Of A Continuing Care Retirement Community (Class C2) Comprising 49no. Care Apartments Within The Main Building, 38no. Care Mews Cottages And 27no. Care Apartments Within 3 Storey Buildings With Formation Of New Access, Car Parking And Associated Landscaping. Approved 19 August 2008

03/3063 Outline application for residential development of 15 shared equity properties and 44 starter homes and construction of landscaped cycleway and footway. Refused 2 February 2004. Appeal dismissed 4 November 2004

03/1591P Outline application for construction of 59 dwellings and cycleway and footway. Refused 11 August 2003. Appeal dismissed 4 November 2004

02/2282 Outline application for construction of residential estate. Withdrawn 5 December 2002.

## **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)  
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 10 (Minimising Waste during construction and development)  
Policy 11 (Development and waste recycling)

### **Local Plan Policy**

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)  
H8 (Provision of Affordable housing)  
H9 (Delivery of Affordable housing)  
T2 (Transport)  
DC1 (Design New Build)  
DC3 (Amenity)  
DC6 (Circulation and Access)  
DC8 (Landscaping)  
DC9 (Tree Protection)  
DC36 (Road layouts and Circulation)  
DC37 (landscaping)  
DC38 (Space, Light and Privacy)  
DC40 (Open Space standards)  
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, PPG17 Open Space, Sport and Recreation and the former Macclesfield Borough Council Saved Policies Advice Note are also of relevance to the consideration of this proposal.

## **CONSIDERATIONS (External to Planning)**

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

**Environment Agency** – No objection subject to condition.

**Environmental Health (Contaminated Land)** - No objection

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

**Highways**- No objection subject to conditions and satisfactory completion of Section 106 agreement for highways works. Considers that the proposal is an opportunity to create a right turn lane into Fieldbank Road as a wider benefit for traffic movement generally. This would require a 15m radii, which is not proposed but the Applicant is happy to accommodate and could be a planning condition.

**Forestry Officer** - Raises no objection subject to conditions to the scheme as submitted (with a 10m radii). Has concerns that the suggested improvements sought by the Highways Engineer would ultimately lead to the decline of a protected Sycamore Tree on the Chester Road frontage to the detriment of the amenity of the area.

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

**Landscape Officer** - The Landscape Officer raises no objections subject to conditions. The open space land will remain in the ownership of the developer so proper long-term management of the area and public access for informal recreation must be secured in perpetuity through a S106 agreement as with the previously approved development. A landscape and habitat management plan (L&HMP) for the open space must be submitted and approved. The suggested format for the L&HMP in the Landscape Appraisal document submitted with this application is acceptable.

**Leisure Services** - No objection in principle to the application, consider that contributions are required for Public Open Space and Recreation/Sporting provision.

**Nature Conservation Officer** No objection is raised by the Nature Conservation Officer subject to conditions.

## **OTHER REPRESENTATIONS**

One letter of objection has been received to date. This raises objection on grounds of need for additional dwellings, impact on traffic congestion, loss of trees.

## **APPLICANT'S SUPPORTING INFORMATION**

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

- Supporting Planning Statement
- Design and Access Statement
- Ecological Assessment
- Landscape Assessment
- Flood Risk Assessment
- Transport Statement

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 this is a site that has a extant permission for residential development in the form of Close Care flats and dwellings of similar scale and design as currently proposed and that this is an opportunity to significantly enhance the amenity land to the rear, which will remain in the control of the applicant. The Applicant is willing to comply with the affordable housing requirements of the Council but considers that there are significant benefits to the amenity of the area by virtue of their package of biodiversity improvements and creation of public accessibility to the enhanced open space which should be off set against the necessary financial contributions in lieu of public open space and recreational open space for the development.

## **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.

## **Principal of Development**

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 proposals comprise an efficient use of previously developed land in a sustainable location. The majority of the development lies on that part of the site formerly occupied by the TA centre which is a brownfield site lying within a predominantly residential area. The majority of the site to the south and west of the buildings will remain as open space to which the public will continue to have access.

The site is located within easy access of the town centre and adjacent to the hospital on one of the main roads serving the town. It would in principle be an appropriate location for intensive residential development.

Additionally, the site is identified within the Strategic Housing Land Availability Assessment SHLAA as a housing site with planning permission for 114 dwellings, likely to come forward in the next 5 years.

Accordingly, the principle of development of this site for residential purposes is acceptable.

## **Density of development & mix of house types**

A good mix of house types is proposed comprising:

- 60 1 and 2 bed apartments in three blocks,
- 8 x 3 bed houses and
- 19 x 4 bed houses

The mix and density of housing proposed is lower than the extant Close Care scheme is considered to be in line with the requirements of Government policy to maximise density and is considered acceptable on this site. Given that 60 units within the proposal will be flats, a density of over 70 units per hectare is readily achieved on this site. Given the highly sustainable nature of the site, this is considered acceptable, particularly given the planning history of the site.

In addition, it is considered that the site layout and the inter-relationship of the blocks with one another results in adequate amenity and landscaping within the site.

### **Design and layout**

The application site has three main design components: the three storey block of flats with basement car park to the rear of the site and rows of houses/flats arranged in 'I' shaped blocks of 2/2.5 and 3 storeys in a variety of house types. The design seeks to use a traditional approach to both features and material although no details of materials at this stage. The Chester Road frontage would comprise a small terrace of 2 storey properties and two apartment blocks of 3 storeys creating a presence fronting the road. The entrance to the site comprises another block of development which announces the development.

Overall, in site planning terms, the indicated scheme is considered to be appropriate.

### **Highways**

Access to the site will be from Chester Road, in the same position as the previously approved scheme for close care residential development.

Historically it is known that the current junction configuration results in obstructed traffic flow when vehicles are attempting to turn right into Fieldbank Road from Chester Road (towards the hospital). In these circumstances traffic on Chester Road travelling westbound away from Macclesfield Town Centre becomes obstructed.

The Highways Engineer considers that the introduction of a proposed new arm to the junction at this location will help alleviate the situation. This would provide scope for vehicles to pass a stationary vehicle waiting in the junction area.

In pre-application discussions, the proposal submitted by the Transport Consultants indicated a 10 metre corner radii on the eastern side of the new arm to the junction. This is the same configuration as the previously approved development, which is considered to be an acceptable fall-back. Whilst this is considered to be a significant improvement on the current situation at the junction, it would be dependent on the vehicle that was waiting to turn into Fieldbank Road from Chester Road aligning correctly in the junction.

The Highways Engineer is of the opinion that there is great potential with this proposal to maximise the parameters to ensure optimum traffic flow and resolve the long standing issue at the junction.

Consideration has been given to utilise part of the western part of the junction on areas of grass verge at the junction of Fieldbank Road and Chester Road, however, this area is technically constrained by underground fibre-optics which would require re-routing and would therefore be a more expensive option.

On this basis alternative designs were established with a proposal for a 15 metre radii on the eastern side of the new arm. In highway terms, the 15 metre radii provided considerably greater benefit in terms of optimised traffic flow through the junction and the chance of obstructed traffic flow removed, via the provision of a dedicated right turn lane into Fieldbank Road.

However, the Tree Officer is of the opinion that a 15 metre radii would encroach into the tree protection area of the protected Sycamore tree close to the proposed new junction. The Tree Officer considers that the levels differences in the vicinity of the root protection zone and the fact that the existing spread of the root system is linear due to the presence of extensive wall foundations to the Chester Road frontage will ultimately compromise the health and well being of this tree.

On this basis the Highways Department request that the members having considered the submission and reasoning of the Highways Department resolve to approve a junction at this location with a 15 metre corner radii rather than a 10 metre corner radii, as previously approved in the Close Care development.

### **Trees**

The Horse chestnut on the Chester Road frontage has been accepted for removal by the Council's Tree Officer by virtue of its deteriorating condition. Replacement planting as part of a specimen landscape scheme will be required.

The potential loss of the Horse chestnut and the impact on the Chester Road street scene increases the amenity value of the two remaining mature trees on the road frontage, a Lime and a Sycamore.

It is the Root Protection Area of the protected Sycamore which would, in the opinion of the Tree Officer, be compromised by the Highways Engineer's request for a 15m junction radii.

The position of the access road and encroachment with the RPA of the Sycamore in order to facilitate a right turning lane into Fieldbank Road has been subject of lengthy discussion between the Tree Officer and Highways. The views of the arboricultural officer have always been consistent in terms any access road should be positioned to protect the tree.

As submitted, the junction's proposed layout being a 10m radii is in accordance with the extant planning permission on the site, when the filter lane was not a stated desire of the Highways Engineer. Any increase in the radii of the junction will have a potentially detrimental impact on the adjacent Sycamore, a tree that is in its prime and suits this location.

The Tree Officer recognises that there are cost implications due to various underground constraints on the other side of the road, sufficient land is available on the northern aspect of Chester Road to accommodate space for a filter lane. On this basis, the Tree Officer considers that the loss of the Sycamore can not be justified.



The Applicant has confirmed that they could provide either 10m or 15m radii to the access.

On balance, whilst the concern raised by the Tree Officer is recognised, in special planning terms it is felt that the greatest benefit that would be gained to the wider community in terms of the economic and environmental aspects associated with improved traffic movement justifies the greater corner radii of 15m. As mitigation, the proposal does cater for extensive planting of new trees in the proposed woodland to the amenity land.

### **Nature conservation**

The main ecological feature of the site is an existing wetland area sited to the south of the building development; this will be retained as part of the development. Further planting and pond creation will enhance the site's overall nature conservation value and contribute to local and national biodiversity action plan targets. No objections are raised in terms of nature conservation and a number of conditions are recommended.

### **Flood Risk**

In accordance with PPS25, a Flood Risk Assessment has been submitted as part of the application. The Environment Agency raises no objections to the proposals subject to internal floor levels being elevated slightly in accordance with their suggested condition. On this basis, the flood risk is low.

### **Renewable Energy and Waste**

It is a requirement within RSS Policy EM17 for all development to incorporate on-site renewable energy technologies. Accordingly, it is necessary to impose a condition to require a renewable energy scheme to be submitted and subsequently implemented as part of this scheme.

It is also a requirement of Policy 10 of the Cheshire Waste Plan 2007 to minimise waste during development and subsequent occupation. A waste audit has been submitted as part of the application which is considered to be lacking in some detail. A condition is recommended to ensure adequate facility for waste recycling and storage.

## **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The proposal is considered to be an appropriate use of the site in planning terms and conditions can be imposed that will safeguard the amenity of the locality. On this basis planning permission should be granted in accordance with the Development Plan. There are no other material considerations which would justify not granting planning permission in this case.

Whilst it is unfortunate that the 15m radii requested by the Highways Engineer has the very strong potential to result in the long term decline of the protected Sycamore tree to the Chester Road frontage, it is highly unlikely that a right turn lane would be accommodated with land to the other side of the junction given the presence of underground cables. On this basis, it is considered that the benefits to the wider population and the movement traffic generally are substantial enough to justify a 15m radii.

## **SUBJECT TO**

The following conditions and the satisfactory completion of a S106 Legal Agreement comprising:

## **HEADS OF TERMS**

- Provision of a minimum of 25% genuinely Affordable Housing in the form of 15% social rented housing (12 units) and 10% intermediate housing (9 units).
- Amenity open land: to provide public access and a long term landscape and habitat management plan dealing with wildlife and protected species, long term management of the existing open space, establishment and management of the new amenity spaces, public access issues, a table of maintenance operations and timings and cost implications for the developer.
- Provision of financial contributions in lieu of on site play and sporting provision (£58500 and £39,500 respectively)
- Financial contribution to Traffic Regulation Order (£3000)
- Monitoring costs



Application for **Full Planning**

**RECOMMENDATION : APPROVED SUBJECT TO CONDITIONS:**

1. A01GR - Removal of permitted development rights
2. A01HP - Provision of car parking
3. A01LS - Landscaping - submission of details
4. A02EX - Submission of samples of building materials
5. A02FP - Commencement of development
6. A02LS - Submission of landscaping scheme
7. A03AP - Development in accord with revised plans (unnumbered)
8. A04LS - Landscaping (implementation)
9. A04NC - Details of drainage
10. A06HP - Use of garage / carport
11. A06NC - Protection for breeding birds
12. A07HP - Drainage and surfacing of hardstanding areas
13. A12LS - Landscaping to include details of boundary treatment
14. A15HA - Construction of highways - submission of details
15. A17LS - Submission of landscape management plan
16. A21HA - Submission of details of turning facility
17. A22GR - Protection from noise during construction (hours of construction)
18. A23MC - Details of ground levels to be submitted
19. A30HA - Protection of highway from mud and debris
20. A32HA - Submission of construction method statement
21. 15m radii to be provided
22. Finished floor level
23. waste audit
24. parking hardstanding to be provided
25. 10% renewable energy
26. revised plans
27. revised highway access (15m radii)

