

Application No: 18/3938M

Location: LAND OPPOSITE, LOWERHOUSE MILL, ALBERT ROAD,  
BOLLINGTON, CHESHIRE

Proposal: Erection of 34 dwellings with associated works to include open space,  
play area and a flood mitigation area

Applicant: Hillcrest Homes (Est. 1985) Ltd and Aval

Expiry Date: 07-Jun-2019

## **SUMMARY**

At the heart of the Cheshire East Local Plan Strategy (CELPS Policy MP 1 refers) and the National Planning Policy Framework is a presumption in favour of sustainable development. Policy states that decision takers should be approving development proposals that accord with the development plan without delay unless material considerations indicate otherwise.

The principle of developing the site for residential purposes has been accepted in a previous resolution and therefore whilst the Council can now demonstrate a 5 year housing land supply, the development of this site for housing has already been included within these calculations, albeit with a lower number of 32. The key issue for Members to consider is whether or not in light of flood risk information and local concerns regarding flooding as well as the recently adopted CELPS, the Council should grant planning permission subject to a s106 legal agreement.

There is an environmental impact in the locality due to the development taking place on a green field, however, the proposal falls on land which is allocated for employment uses and appeals on this site and the land opposite have been allowed and development has been found to be acceptable. It is considered that a scheme for housing would fall in line with policies contained within the NPPF and the Development Plan. The principle of developing the land, which is allocated for employment purposes, has been established. It is considered that housing on the application site will also have a more positive impact on the local area than industrial development.

The proposal would satisfy the economic and social sustainability roles by providing market and affordable housing adjoining an existing settlement where there is existing infrastructure and amenities. The proposal would provide policy compliant levels of affordable housing, and contributions to public open space. In addition, it would also provide appropriate levels of public open space both for existing and future residents.

Local concerns of residents are noted, particularly in respect of highway matters and flood risk, but the impacts are not considered to be 'severe' under the NPPF tests. The impact from a residential scheme would be less than that of a commercial one in highways terms and the proposal would not increase the risk of flooding elsewhere (subject to mitigation). Further, the sequential and exception test when considering proposals in Flood Risk Zone 3 have been satisfied and the built form would not occupy land falling within the functional flood plain (Flood Zone 3b).

The design is considered to be appropriate as is any impact on amenity. Subject to conditions, the proposal is considered to be acceptable in terms of its impact upon highway safety, amenity, flood risk, drainage, landscape and ecology. The scheme represents a sustainable form of development that is in accordance with the Development Plan and therefore the scheme is recommended for approval.

## **RECOMMENDATION:**

**Approval subject to conditions and completion of a S.106 Agreement.**

## **DESCRIPTION OF SITE AND CONTEXT**

The application site consists of predominantly flat agricultural grassland surrounded by mature hedgerows. The site measures approximately 3.13 hectares in size. The central section of the site is, in part, characterised by elongated and rectangular mounds of top soil, scraped from the rest of the site a number of years ago. To the south, it is bounded by industrial buildings, which are occupied by Slater Harrison. The road to the west of the site terminates at the Council's Household Waste Recycling Centre. To the north of the site is the River Dean, with open countryside beyond it. Access to the site is taken from Albert Road.

It should be noted that residential development has been granted on the land opposite (application 14/3844M) for 33 dwellings in January 2015. Beyond this, the closest residential properties to the application site lie on Woodlea Drive and are two storey detached properties.

The site is allocated as an existing employment area in the Cheshire East Local Plan Starregy (CELPs) and the part of the site to the east falls within the Green Belt. Parts of the site fall within Flood Zones 2 and 3 of the Environment Agency's flood map.

## **DETAILS OF PROPOSAL**

This is a full application for the erection of 34 dwelling houses with associated works, including open space, play area and flood mitigation area.

The submitted plans have been amended during the life of the application to take into account comments received in respect of design and landscaping.

The dwellings would be laid around a circular access road, running on a north - south axis with a lower section of road crossing east - west. This would allow the continued access to the field adjacent to the east of the site.

The area to the north of the site would contain a play area with open space and an informal walking route through the land adjacent to the existing river.

The eastern area boundary of the site would contain bunded areas and informal visitor pull in bays off the access road.

The central area of the site would contain 12 detached dwellings and an area of open space. The area to the west of the site between the new internal access road and Albert Road would contain 9 terraced dwellings and one pair of semi-detached dwellings facing Albert Road with a parking court to the north. The land to the south of the site would contain 5 terraced dwellings and 6 dwellings in three pairs of semi-detached dwellings. The southern area of the site would lie adjacent to an existing mill known as Lowerhouse Mill. It is proposed to erect a 3m high acoustic fence along this boundary.

10 houses are proposed to be affordable and are distributed around the site

## **APPLICANTS SUBMISSION**

The applicant's submission includes;

- Site layout
- Elevations and floorplans
- Landscape layout
- Design and access statement
- Planning policy statement
- Topographical survey
- Transport statement
- Ground Investigation report
- Arboricultural impact and method statement
- Flood risk assessment and Drainage strategy
- Air quality screening report
- Extended Phase 1 Habitat Survey
- Noise Assessment
- Acoustic statement

### **RELEVANT PLANNING HISTORY**

15/1683M Development of 30 new dwelling houses including 9 affordable houses landscaping, landscape buffer zones, flood mitigation and ground works, roads, associate highways and infrastructure  
Withdrawn 11.4.2018

09/3836M Erection of 3 no detached industrial buildings divided into 16 no. small units with associated parking and landscaping (renewal of 06/2355P) – Approved 3<sup>rd</sup> February 2010

06/2355P Erection of 3no detached industrial buildings divided into 16no small units with associated parking and landscaping – Approved 27th November 2006

05/0270P Renewal of application 99/2296P for industrial development (B2 usage) – Approved 29th March 2005

99/2296P Industrial development (B2 usage) revised scheme – Refused 10th January 2000 – Appeal Allowed 21st July 2000

99/0695P Industrial development (B2 usage) – Withdrawn 16th June 1999

### **CONSULTATIONS**

**Lead Local Flood Authority** – No objection subject to condition, but recommend consultation with the Environment Agency with regard to the risk of flooding from Lamaload Reservoir.

**Education** – No objection subject to a secured contribution of £81,713

**United Utilities** - No objection subject to condition

**Ecology** - No objection subject to condition

**Environmental Protection** - In respect of Environmental Health comments, they advise that many of the plots are acceptable in relation to internal and external noise but that 2 plots could be impacted in terms of external noise. However, they note that there may be material considerations to outweigh the external harm.

**Strategic Housing** – No objection

**Environment Agency** – No objection, subject to conditions. With respect to Lamaload Reservoir, the reservoir will be in compliance with the Reservoir Act 1975 and given that it as a UU owned asset it would be subject to regular safety checks by their panel engineer to prevent it from failing.

### **VIEWS OF THE TOWN COUNCIL**

The Town Council resolved NOT to object to this application subject to the following:

- The provision of a riverside path. It is an ambition of the Town and Council to establish a River Dean path through the Town ultimately connecting with the Bollin Way. This development will provide a section of it.
- Cheshire East's Environmental Health should be asked to confirm that the noise levels from the Lowerhouse Mill will not cause a nuisance to residents, particularly those occupying the proposed dwellings adjacent to Mill, and if so suitable mitigation measures should be specified and conditioned.
- The existing trees at the gate should be retained within the development.
- The developer is considering a gated development where the residents have access via an electronically controlled gate and presumably control fobs/cards. The Town Council felt that this could serve to increase the price of the 9 affordable units.
- Because of the tandem nature of the parking provision, the garages should be large enough to accommodate a large car.
- There should be conditions imposed concerning the hours of construction, particularly in terms of HGV access to and from the site, so as to avoid school times on Albert Road which is heavily parked at these times. Also to prohibit the use of Moss Brow for such access at all times, with appropriate signage.

The Town Council met the developers on 4th September and discussed the above points, which were accepted by them. A presentation was also given concerning the design of the properties and the materials to be used. The Town Council was happy with the design and layout of the proposed development.

### **REPRESENTATIONS**

Over two periods of consultation, comments have been received from 7 residential properties which object to the proposal and raise the following concerns:

- It is the Council's duty to safeguard the land from development as it is needed for flood management. The 2008 Macclesfield Borough Flood Risk Assessment states that the council should safeguard areas of functional flood plain.

- Paragraph 110 of the NPPF states inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk
- Also Local Plans should take account of the impacts of climate change by safeguarding land from development that is required for current and future flood management
- Photographs are submitted regarding historic of flooding on this site and Information regarding Historic water levels for the Albert Road Bridge are submitted which is taken from the Hydrorock report for 14/3844M that this site provides for the surrounding area.
- Quotations in respect of an appeal Ref number is also submitted APP/A2525/W/16/165749 relating to a site in Spalding - Richborough estates.co.uk are submitted and it is stated that this case is almost identical to this application.
- The application is contrary to CE's development plan which states that employment land should be retained therefore the proposal departs from the development plan
- There are other sites in the area that are more suitable for the development of 30 houses
- The Officer's Report 15/1683M (previous submission) sets out, "The site is situated in a sensitive location with respect to controlled waters. The site has potentially been subject to significant previous contaminative land, which may be potential sources of contamination to Controlled Waters in the vicinity of the site."
- Evidence that will be presented in Court to show that there have been and will continue to be other 3 hectare sites that are more suited to housing than this site.
- The borders of this site are adjacent to a river that floods, a factory and the local tip. In fact, it is hard to believe that there is a site less suitable than this for development
- All the lorries, waggon, site equipment etc will have to use Albert Road to access the site as the alternative is Moss Brow, a steep hill that is single track near the top. There are 2 primary schools and a nursery on Albert Road which means that local children walk, scoot or cycle up to the nursery and school anytime between 7.30am to 6pm, Monday to Friday. Therefore the lorries will pose a danger.
- Albert Road has already suffered significant damage because of the lorries that drove along it to bring the tonnes of infill used to raise the land for the adjacent piece of Land. These heavy wagons also damaged the sewage drains that run under Albert Road. This meant United Utilities had to manually pump sewage from the drains every 3 days to prevent it leaking. The tonnes of rock that would be needed to build up the height of the land will only cause further damage to Albert Road
- Bollington Fire Station is on Albert Road. Lorries travelling to the adjacent site caused Albert Road to be blocked on various occasions at school drop off and pick up. Any future blockages could prevent emergency rescue vehicles from being able to leave Albert Road in an emergency.
- There have been and will continue to be Sequentially Preferential sites. These have previously been provided to the Council's Legal Department.
- As the development is located within an area of significant flood risk under the requirements of the National Planning Policy Framework the developer is required to submit Exception & Sequential tests to justify development. The Local Council should therefore ensure that the testing has been carried out in a robust manner and that the resulting proposal is acceptable. The Sequential testing has not been carried out robustly.

- There has been previous litigation where a High Court Injunction was granted regarding land adjacent to 15/1683M because of the increased risk of flooding due to the building work being carried out on it. Floodplain has already been lost because of building work on the adjacent land. Therefore, it is vitally important that no more floodplain is lost. All the local residents know that this land has severely flooded on numerous occasions and have written to the Council but these views have been ignored.
- The Flood Risk Plan from the Applicant's Report shows that the land proposed as alternative flooding storage is already Functional Floodplain. To designate existing Functional Floodplain as storage for lost Functional Floodplain is negligent as it will increase the risk of flooding to the surrounding land and properties. Request that CEC recommends its Councillors refuse the application for 18/3938M and that the Officer's Report specifically refers to 1) The High Court Injunction granted against 14/3844M and that the Judicial Review claim was withdrawn due to it being out of time not because there was not a prospect of success. The Council's legal representative Matthew Barrett can confirm this. 2) That the Council has a duty to protect Floodplain. 3) That the decision to vote in favour of 15/1683M was being reconsidered due to flooding matters subsequently raised. The supporting road network in and out of that area is already at over capacity and additional dwellings will add further pressure to the already congested roads of Bollington. There are the 2 schools and the tip and residents all requiring road use already. The access roads (Albert Road and Moss Brow) are not capable of handling further increases in vehicular traffic.
- The residents would have a further degradation in the quality of their lives as vehicles speed past or queue up in some cases only a few feet away from their living-room space, exposing them to unacceptable increases in noise as well as particulate and gaseous pollution specially as there are other, better located sites where such development will have a less devastating effect on local residents' health and well-being.
- There is very little up to date traffic measurement available or a consequential impact statement for this development as regards these two roads.
- The town does not currently have sufficient resources to deal with more housing. There will be another 60 cars (roughly) which there is not adequate parking for. It will also add to current congestion making it difficult to commute for work and increase air pollution.
- There will not be enough doctors or fire services requirements to meet the demand of people.
- The alternative route for the extra traffic is via Moss Brow, which is a steep 1:7 hill with a blind summit and no footpath. There are only two ways to exit the estate - via busy Albert Road or steep Moss Brow (which is a known danger spot for pedestrians and vehicles).
- Albert Road is already impassable at certain times of the day due to high volumes of people and traffic entering and exiting and is a constant danger to school children leaving and entering their schools. In my opinion the new development will exacerbate the problem even further with the extra vehicles they will inevitably bring from new residents and their visitors.
- The new homes are to be built on another section of flood plain. A committee set up under the Climate Change Act said that "Flooding is likely to become more common in the UK, even if efforts to reduce greenhouse gas emissions are effective, because of the effects of climate change. The average national rainfall is no longer a good guide to the likely effects because instances of localised but more intense rainfall are

becoming more common as an effect of climate change that has been predicted by researchers including the Met Office." This year, locally, we have experienced several flash floods due to intense bursts of rainfall and this could be a problem should this building go ahead. The more flood plains that are covered in buildings, the higher the risk of flooding to buildings in the surrounding area

- There will be 60+ new dwellings on Albert Road which is a dead-end road can more than double its housing footprint without an unacceptable increase in traffic and associated pollution/road safety impact.
- The recently erected houses on Albert Road remain unsold which is considered to be due to concern about them on a flood plain and on an access road which is not a public highway.

**In addition to the resident's comments, the occupants of Lowerhouse Mill (Slater Harrison) have submitted the following objection.**

- Slater Harrison and Co Ltd has occupied the Lowerhouse Mill site since the 1930's. They coat or laminate paper-based product then convert and package it for sale.
- Particularly concerned with the application's proposed proximity of houses in Plots 1 – 7 and 8 – 11 to our boundary as we believe future residents would be likely to suffer excessive noise at all hours, and also smell from our operations due to the prevailing wind direction.
- They believe that if the application is allowed to proceed, it could have a detrimental effect on our business and will potentially have an adverse effect on the quality of life of future property owners in that area.
- The Air Quality Screening Report dated 11 July 2018 noted potential odour from the HWRC to the north (downwind) of the proposed site, but makes no reference at all to activity at Slater Harrison which is in fact upwind of the proposed development. We believe the report is deficient in this respect.
- The pigment mixing facility and our effluent treatment plant is located to the North end of our site. This is an operational requirement as it needs to be physically located close to the coating facility within our factory. Containers that used to contain pigment mixes are stored adjacent to the effluent plant. A key ingredient of our processes is Casein which is a milk protein based product. Whilst we try to minimise odour by good general house keeping an odour will be generated as this product degrades, particularly during the summer months.
- Empty colour containers can be seen which have been accumulated over a 12 month period, pending bulk collection for disposal. They are stored in an area protected by a bunded wall in case of leakage. The tank on the left contains Styranol, a bonding agent. No matter how good the housekeeping is, these will inevitably smell.
- Slater Harrison operates solely at the Lowerhouse mill site. Being Grade II listed building and a large site it is expensive to maintain with significant overheads, and as such the company aim to have it operating at maximum output to secure the long term viability of the business.
- The operating hours as stated in section 2.6 of the Noise Assessment Report dated 7 August 2018 are not representative of our operating levels. We often operate for a full 24 hours a day and also at weekends, as we have done in the month of August 2018. It is essential to our business that we retain this flexibility in future.

- The extraction system from our coating area exhausts to a high level and is operational whenever our coaters are run. As stated in the report, due to the high-level nature of the source it is not feasible to reduce the noise levels in the area of the proposed development using an acoustic barrier.
- In addition to the fume extraction the coating facility itself is a high noise area due to rotating machinery within it, requiring operators to wear ear protection. This noise will travel outside the building every time an external door is opened in the course of production.
- Outside of our building there will be additional intermittent noise generated by movement of goods in the effluent plant and chemical mixing areas and due to the emptying and cleaning of containers.
- We noted that the mitigation proposed in the Noise Report for houses in plots 1 to 7 and 8 to 11 was for residents to keep windows closed to maintain noise below WHO levels at night time (Para 5.9). We believe that this is not an acceptable long term arrangement and will create an unwanted conflict between the business needs of Slater Harrison to run the factory throughout the night and desire of future residents to enjoy a peaceful rural setting. It is essential for our ongoing success to maximise use of our assets and as such we cannot be constrained by our operating hours. In this respect we have concerns about the statements regarding the use of our effluent plant. We suggest that CEC does not rely on the stated frequency and duration of operation stated in this document when making their judgement, we continue to look for ways to grow our coating volumes in future and the plant will be operated for a greater duration and frequency than that stated if the needs of our business dictate. In addition, the overall noise levels recorded in this document are of our existing equipment and do not make any allowance should our manufacturing processes change in the future. For these reasons, the application for the proposed development should be rejected.

## **POLICIES**

### **Cheshire East Local Plan Strategy (CELPS)** – Adopted July 2017

PG3: Green Belt

MP1: Presumption in favour of sustainable development;

PG7: Spatial Distribution of Development;

SE1: Design;

SE2: Efficient Use of Land;

SE3: Biodiversity and Geodiversity;

SE4: The Landscape;

SE5: Trees, Hedgerows and Woodland;

SE6: Green Infrastructure;

SE7: Heritage Assets

SE9: Energy Efficient Development;

SE12: Pollution, Land contamination and land instability;

SE13: Flood risk and water management;

EG3: Existing employment sites;

IN1: Infrastructure

IN2: Developer Contributions:

SC1: Leisure and Recreation

SC2: Indoor and Outdoor Sports Facilities

SC4: Residential Mix  
SC5: Affordable Homes  
SD1: Sustainable Development in Cheshire East;  
SD2: Sustainable Development Principles; and  
CO1: Travel Plans and Transport Assessments.

**It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27<sup>th</sup> July 2017. However, there are ‘saved’ policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.**

**Macclesfield Borough Local Plan (saved policies):**

BE2 – Historic Fabric  
DC3 – Amenity  
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  
E4 – General Industrial Development  
NE11 – Protection and enhancement of nature conservation interests  
NE17 – Nature Conservation in Major Developments  
RT5 – Open Space

**Bollington Neighbourhood Plan:**

HO.P2 – Housing location  
HO.P3 – Type of housing  
HO.P4 – Design of housing  
HO.P5 – Parking provision for new dwellings  
Policy EB.P1 – Regeneration of existing employment land  
Policy EB.P3 – Encourage the growth of home-based businesses  
EOS.P2 – Maintenance of Open Space allocations  
EGB.P3 – Development in the Green Belt  
ENE.P1 – Natural Environment Policy  
ENE.P2 – Maintenance of views  
ENE.P3 – Provision of Landscape Plan  
ENE.P4 – Footpaths, Quiet Lanes and Bridlepaths  
MA.P1 – Improve safety and efficiency of moving around  
MA.P2 – Parking provision

**Other Material Considerations:**

National Planning Policy Framework (NPPF)

National Planning Practice Framework (NPPG)  
Cheshire East Borough Design Guide Supplementary Planning Document  
Cheshire East Strategic Flood Risk Assessment (2013)  
Strategic Housing Market Assessment (SHMA)  
SPG on Section 106 Agreements (Macclesfield Borough Council)

## **OFFICER APPRAISAL**

The key issues to consider in the determination of this application are:

- Principle of the Development;
- Loss of land allocated for employment purposes;
- Affordable housing;
- Impact on open space
- Design, layout and visual impact;
- Landscape/Trees;
- Highways;
- Nature Conservation;
- Flood risk;
- Environmental Health; and
- Other Material consideration or matters raised by third parties

### **Principle of the Development**

The principle of erecting dwellings in this location is acceptable provided all detailed matters have been fully addressed. Sec.38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning applications and appeals must be determined “*in accordance with the plan unless material considerations indicate otherwise*”.

The site lies adjacent to the settlement boundary and Predominantly Residential Area of Bollington and occupies part of an existing employment area as designated in the Macclesfield Borough Local Plan. The eastern portion of the site extends into the Green Belt although this part of the site would remain undeveloped and would serve as a flood storage compensation area. The area of the site within the Green Belt would remain in agricultural use and accordingly, the proposals would not constitute inappropriate development in the Green Belt.

Para 11 of The Framework indicates that there is a presumption in favour of development except where policies indicate that development ought to be restricted. This advice is reflected in the adopted Policies MP 1, PG 7 and SD 2 of the Cheshire East Local Plan Strategy (referred to hereinafter as CELPS) which seek to direct residential development to sustainable locations.

Specifically, CELPS Policy MP 1 states that the Local Planning Authority “will always work proactively with applicants to find joint solutions which mean that proposals can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in the area”.

The site is located within a sustainable location by virtue of its proximity to shops and services within Bollington as it adjoins the settlement boundary of Bollington. It is considered that the development of this site would make effective use of the land without the built form encroaching into the surrounding Green Belt and would make a contribution to the Council's 5 year housing land supply in the context of this Local Service Centre. CELPS Policy PG 7 states that 'Local Service Centres, of which Bollington is identified as, between them are expected to accommodate in the order of 7 hectares of employment land and 3,500 new homes.

The site is allocated as an existing employment area where policy E4 (which normally permits Use Classes B2, B8, B1b and B1c) applies. Furthermore, CELPS Policy EG 3 much like the legacy Policy E1 seeks to retain both existing and proposed employment areas for employment purposes to provide a choice of employment land in the Borough. As such, there is a presumption that the site will be retained for employment purposes. This proposal therefore constitutes a departure from the Development Plan. Planning decisions must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

In this case, there are a number of relevant material considerations when considering the proposed loss of employment land.

These are:

- Replacement of a potentially unneighbourly use to nearby residents, including those on the land opposite which has already been turned over for residential development.
- HGV's associated with the allocated use would be removed from the highway.
- The site is vacant and is unlikely to come forward for employment development.
- The proposed scheme provides a good mix of housing types 30% of which are to be affordable.
- Some on-site public open space would be provided.
- Provision of family-sized and smaller homes in Bollington
- The site is in a relatively sustainable location. The site has good access to the major road network (Wellington Road) and a bus service. Shops and schools are in walking distance.
- The Council has already accepted (in previously resolving to approve an application), that the site is suitable for residential development and will not contribute to the Council's employment land.

Consequently, although contrary to the Development Plan, it is acknowledged that there are significant material considerations that indicate that the principle of a residential development on this site is acceptable in this location and that a case to retain employment land would not be sustainable.

This is considered in more detail below.

### **Loss of Employment Land**

CELPS Policy EG 3 seeks to retain employment land for employment purposes. However, EG 3 also accepts that it may not be possible to retain land for employment purposes where they

are causing “significant nuisance or environment problems or are no longer suitable for employment uses”. Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of it being used for that purpose. Land allocation should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use application for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities” (NPPF para 120).

The land at Albert Road has been allocated for employment use since 1997 and despite obtaining consent; it has never come forward for development. The Employment Land Review considered this site in Appendix E1 (page E1-123). It noted that the site had zero prominence, had been actively marketed for rent or for sale, had access constraints and flooding constraints. Other barriers to delivery of employment development included market conditions and the size of the market.

This suggested that the site was not a prominent site in an attractive location for business as well as having some constraints to its development. The ‘Market Attractiveness’ section (completed by Colliers CRE) of the site pro-forma in the Employment Land Review suggested that residential use would seem a logical use for the site.

The employment land lost at Tytherington Business Park was intended for a completely different market sector (serviced offices) and it is not considered that the loss of that employment land increases the likelihood of the land at Albert Road being developed.

The following is a list of large employment sites in the former Macclesfield Borough where employment land is available:

- Tytherington Business Park
- Lyme Green Retail and Business Park
- Hurdsfield Industrial Estate
- Adlington Park
- Poynton Industrial Estate
- South Macclesfield Development Area
- Stanley Green Industrial Estate, Handforth

Whilst the adoption of the Cheshire East Local Plan Strategy has identified that more employment land is required in Cheshire East as a whole, this needs to be of the right type, and in good accessible locations. In the context of NPPF paragraph 120 and CELPS Policy EG 3, on the evidence to date, it would be difficult to argue that there is a reasonable prospect of the site being used for employment purposes and therefore be protected for such use. It is also important to note that the Cheshire East Local Plan Strategy has been adopted in the knowledge that this site would be released for housing and not retained for employment use.

## **Housing Land Supply**

The Cheshire East Local Plan Strategy was adopted on the 27<sup>th</sup> July 2017 and forms part of the statutory development plan. The plan sets out the overall strategy for the pattern, scale and quality of development, and makes sufficient provision for housing (36,000 new dwellings

over the plan period, equating to 1,800 dwellings per annum) in order to meet the objectively assessed needs of the area.

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted.

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

These are:

- Where a local planning authority cannot demonstrate a five year supply of deliverable housing sites (with appropriate buffer) or:
- Under transitional arrangements, where the Housing Delivery Test Result indicates that the delivery of housing was substantially below 25% of housing required over the previous three years.

In accordance with the NPPF, the council produces an annual update of housing delivery and housing land supply. The council's most recent Housing Monitoring Update (base date 31 March 2018) was published on the 6<sup>th</sup> November 2018. The report confirms:

- A five year housing requirement of 12,630 net additional dwellings. This includes an adjustment to address historic shortfalls in delivery and the application of a 5% buffer.
- A deliverable five year housing land supply of 7.2 years (18,250 dwellings).

The 2018 Housing Delivery Test Result was published by the Ministry of Housing Communities and Local Government on the 19<sup>th</sup> February 2019 and this confirms a Cheshire East Housing Delivery Test Result of 183%. Housing delivery over the past three years (5,610 dwellings) has exceeded the number of homes required (3,067). The publication of the HDT result affirms that the appropriate buffer to be applied to the calculation of housing land supply in Cheshire East is 5%.

Relevant policies concerning the supply of housing should therefore be considered up-to-date and consequently the 'tilted balance' at paragraph 11 of the NPPF is not engaged.

As the site has been subject to a previous resolution to approve residential development (15/1683M) the development of the site has been included in these figures.

## **SOCIAL SUSTAINABILITY**

### **Affordable Housing**

Policy SC 5 of the CELPS states that in Local Service Centres, developments of 11 units or more will be required to provide 30% affordable housing provision.

This is a proposed development of 34 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 10 dwellings to be provided as affordable dwellings.

The CELP states in Policy SC 5 justification paragraph 12.44, 'The Housing Development Study shows that there is the objectively-assessed need for affordable housing for a minimum of 7,100 dwellings over the plan period, which equates to an average of 355 dwellings per year.' This is for the whole borough of Cheshire East.

The current number of those on the Cheshire Homechoice waiting list with Bollington as their first choice is 159. This can be broken down to 88x 1 bedroom, 49x 2 bedroom, 19x 3 bedroom and 3x 4+ bedroom dwellings.

The Strategic Housing Market Assessment (SHMA) 2013 shows the majority of the house type demand annually up to and including 2018 in Adlington Prestbury and Bollington is for 1x 1 bedroom, 11x 2 bedroom and 1x 4 bedroom dwellings for general needs. Also the data in the SHMA shows an annual need for 2x 2 bedroom dwellings. These can be via flats, cottage style flats, bungalows and lifetime standard homes.

On this site therefore with the need data a range of 1, 2 and 3 bedroom dwellings with older person provision would be acceptable.

The applicant states that they will provide 10 dwellings as affordable and these will be 1, 2 and 3 bedroom houses. Also that the tenure split would be 65:35 split affordable rent: intermediate. This would be secured by way of a S106 agreement and is in accordance with Policy SC 5.

## **Open Space**

The proposed development would accommodate a children's play area to norther end of the site. The play area has been moved out of the flood zone following officer concerns. There are no detailed designs submitted for the play equipment but this can be conditioned to ensure an appropriate amount and type of equipment.

There is a requirement for offsite Recreation Open Space (ROS) provision via a commuted sum of £1,000 per family dwelling. The com sum would be used towards works of addition, improvement and enhancement to the sports pitches, courts and greens at Bollington Recreation Ground and within the period of 15 years from receipt, in line with the Playing Pitch Strategy and Parks Strategy.

Some concerns were raised by the Council's Open Spaces Officer. However, the issue of levels and the type of play equipment can be addressed by condition. In addition, the applicant states the development on the opposite side of the road has provided a play area, which future residents the proposed development would also have access to.

They applicant is providing a substantial over-provision of amenity greenspace against the policy requirement of 480sqm. The open space being provided has been integrated within the proposed development. The open space would be well overlooked by habitable windows as per the latest house type plans, and officers have clarified that a useable and attractive

riverside walk (as requested by the Bollington Town Council) would be provided alongside an accessible Village Green and an area of open space adjacent to plot no. 1. As such, the scheme is acceptable in this regard and accords with CELPS Policy SE 6.

## **ENVIRONMENTAL SUSTAINABILITY**

### **Design, Layout and Visual impact**

The design and layout of the proposed development has been amended during the life of the application following officer concerns in respect of compliance with the Cheshire East Design Guide.

The proposed dwellings are 2 storey and would be constructed from local stone and render with slate roofs. The detached dwellings would have a combination of internal garaging and private parking spaces.

Many of the units are dual aspect and face Albert Road and also the internal area of the site. The village green area would be visible from Albert Road as it lies close to the site entrance.

The surface materials have been suggested, however, these will need to form part of an appropriately worded condition to ensure they comply with the specification as described in the Design Guide to match the character of the area i.e. Silk Cotton and Market towns. Boundary Treatments: will also be conditioned but the layout as shown appears acceptable.

A riverside walk has been incorporated into the layout that connects to the existing public rights of way, the details of how this connect will form part of a condition.

Several gable ends now include windows providing natural surveillance. There is a mix of on-plot and side-plot parking and there appears to be a good mix of housing types. The proposed design and layout of the site conforms with the Cheshire East Design guide in respect of proposed materials and layout. The proposed riverside footpath will integrate the development into the surrounding area.

The proposed group of dwellings close to Albert Road and the adjacent mill site will give the appearance of a converted barn style structure which takes reference from the adjacent mill building and adds character to the entrance to the site. Subject to conditions, the design and layout is found to be acceptable.

### **Landscape/Trees**

The trees identified for removal have been accepted previously as part of various historic applications for this site. The revised layout from an arboricultural perspective is an improvement on the previous submission allowing the retained trees associated with access off Lowerhouse Mill to be managed without impacting detrimentally on the adjacent proposed dwellings. There are no other Arboricultural issues associated with this site.

### **Highways**

There is one point of access to the site which would serve the 34 dwellings. The technical designs of the access points are acceptable and visibility has been provided to a satisfactory standard. The parking provision for the residential units within the site is deemed to be acceptable.

Albert Road joins the B5090 Wellington Road and is a straight road of reasonable standard. It also serves two primary schools, which causes considerable on-street parking at school times in both the morning and afternoon. There are other existing industrial premises served from Albert Road. It is also noted that consent has been granted for the 34 dwellings at Lowerhouse close to the proposal site without highway objection. The Head of Strategic Infrastructure (Highways) noted the comments on highway/traffic matters from local residents referring to traffic delays on Albert Road. There is also complaint regarding the nature of the road and its ability to carry two-way traffic and also a lack of footways.

In regard to the traffic implications of the development, a development of 34 units is not considered a major development in highway terms and is likely to generate less than 22 two-way trips in the peak hours along Albert Road and Moss Brow. It has to be borne in mind that the historic industrial consent for the site as well as its employment allocation would have produced a similar level of traffic on the road network but would have also included an element of HGV's. All of the development trips to and from the site would not use Albert Road. A proportion of trips will be via Moss Brow.

The access road, which concludes at the Council's Household Waste Recycling Centre measures 5.5m for the short section which would be accessed by traffic generated by the proposed development. This is suitable to cater for two-way traffic, as identified by "Manual for streets". The private drive in the north eastern corner will need a bin collection between the last property and the "adoptable" road to minimise walking distances for residents and refuse operatives.

It should be noted that the appeal decisions for industrial development on the application site did not find the access arrangements for industrial vehicles to the site to be inadequate.

There has been an acceptance that the land in this proposal can be developed for industrial use and this is a material factor in the assessment of this application. From a highway point of view, it would be preferable if this site was residential as it would not have the HGV element of vehicle trips on the local road network. It is accepted that at peak school times there is considerable on-street parking associated with the two primary schools, although this problem is confined to relatively short times in the morning and afternoon. Considering this particular application, the quantum of development does not produce a 'severe' impact on the road network even if all trips were routed along Albert Road.

The traffic associated with the site will be distributed on two routes and also only a percentage of development traffic will travel during the peak school time. The revised internal layout is now acceptable although it is not suitable or intended for adoption.

The level of off-street parking is acceptable for the units proposed and is in accordance with CEC parking standards. It is considered acceptable and it complies with policies saved policies DC6, DC36 and DC41 of MBLP.

## **Nature Conservation**

The proposal complies with policy SE 3 as there is an 8 metre buffer between The River Dean which runs along the northern boundary of the site which will act as a wildlife corridor and priority habitat. Conditions are suggested in respect of the retention and enhancement of existing hedgerow or any new/replacement hedgerow sections being of native species composition. Condition relating to the eradication of Himalayan Balsam and the submission of an ecological enhancement strategy are recommendation and subject to these, the scheme is acceptable in terms of its ecological impact having regard to saved policy MBLP Policy NE 11 and CELPS Policy SE 3.

## **Flood risk**

The site is located partly within Flood Zones 2 and 3 according to the Environment Agency's flood map. Flood Zone 2 is considered to have a medium probability of flooding (between a 1 in 100 and 1 in 1,000 annual probability of river flooding (1% – 0.1%)) whilst Flood Zone 3 has a high probability of flooding (land assessed as having a 1 in 100 or greater annual probability of river flooding (>1%). Flood Zone 3 can be split into either Flood Zone 3a or 3b. Flood Zone 3b is classified as 'functional flood plain', which is land where water has to flow or be stored in times of flood.

The NPPF Technical Guidance includes a table / matrix (Table 3 refers) which advises on the flood risk vulnerability and flood compatibility' of uses dependent on the flood zone it finds itself in. Residential uses are classified as 'more vulnerable' uses. It states that more vulnerable development (including residential) are appropriate within Flood Zones 1 and 2 and is also appropriate in Flood Zone 3a subject to an exception test. It states that development for more vulnerable uses should not be permitted within Flood Zone 3b (functional floodplain).

The Local Planning Authority is responsible (in consultation with the Environment Agency) for designating Flood Zones 3a and 3b. As stated earlier in this report, the site is located partly within Flood Zones 2 and 3.

Parts of the site that fall within Flood Zone 3 are within 3b, the functional flood plain according to the Council's Strategic Flood Risk Assessment (SFRA). However, the exact proportion was not quantified in the SFRA as it included a wider area and did not include the eastern extremities of this site. Accordingly, in the absence of an SFRA which covered the whole site, the advice of the Technical Guidance to the NPPF is that 'the Sequential Test will be based on the Environment Agency flood zones'.

The application is accompanied by an FRA, and it has been confirmed and agreed that the proposed areas occupied by the proposed dwellings would not occupy any part of the functional flood plain.

No part of the more vulnerable parts of the proposed development (i.e. the residential uses) would be sited within Flood Zone 3b the functional flood plain. However, there are more vulnerable parts of the development that fall within Flood Zone 3a and this will need further consideration.

Para 163 of the NPPF states that:

*“When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:*

- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
- b) the development is appropriately flood resistant and resilient;*
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
- d) any residual risk can be safely managed; and*
- e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.”*

In light of concerns raised regarding flood risk and drainage in the wider area of Bollington and having regard to the advice of the Framework and CELPS, the applicant has submitted a Flood Risk Assessment and Drainage Strategy report and sequential assessment based on the Bollington area. They also submit that the last sequential and exception test prepared by GL Hearn in 2018 for the previous planning application is of relevance.

In respect of the sequential assessment and for the Exception Test to be passed:

- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
- a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.”

This identified 6 potential housing sites and discounted each on the basis of several reasons. The draft 2018 committee report accepted that the sequential test and exception test had been satisfied.

The latest assessment submits 7 alternative sites none of which are suitable for either development due to being located in the green belt, being under construction or being taken forward by another developer, is too large or too small and are not available.

The applicant submits that the proposed development would assist in meeting the aims and objectives of the CELPS. It would address housing needs and support Bollington in fulfilling its role as a local service centre. It would provide family size accommodation and a contracting working age population by providing smaller units.

The FRA submitted demonstrates the proposed development would be safe for its lifetime and the more vulnerable parts of the development would be sited outside of the most vulnerable areas of the site for flooding.

With reference to sustainability, this is dealt with later in this report. However, owing to the flood mitigation measures and given that the submitted FRAs have confirmed that subject to mitigation, the proposals will not increase the risk of flooding elsewhere the benefits of the scheme could outweigh the harm relating to flood risk.

Whilst the former Macclesfield Strategic Flood Risk Assessment and the more recent Cheshire East Strategic Flood Risk Assessment (the latter of which has informed the policy development of the CELPS) have assessed the land at Albert Road, (Site ID reference 4036 refers), the eastern portion of the site, which would serve as a flood storage area is not included and as such, this is assessed in the 'site-specific flood risk assessments' for this application.

The Environment Agency has assessed the submitted Flood Risk Assessments and remain satisfied that the proposed development would be acceptable in principle. This is subject to their earlier comments that if the suggested measures included within the FRA are undertaken, that the proposed development will meet the requirements of the NPPF. This recommendation is further supported by the Council's Flood Risk Manager, who is satisfied that subject to conditions and the proposed mitigation measures, that the risk of flooding can be appropriately mitigated and managed.

The submitted Flood Risk Assessments (FRA) demonstrate that compensatory flood storage will be provided, to mitigate for the impact of the proposed development and that the built form will not be within the functional flood plain. As such, river flooding will not be increased elsewhere. The proposed buildings are to be set with finished floor levels to be at a minimum height of 0.6m above the agreed 100 year climate change flood level. Added to this, a cut and fill exercise will be undertaken effectively lifting the land that the proposed development would occupy out of Flood Zone 3a as well as lowering the land to the east to serve as compensatory flood storage area.

While the outline design of a compensatory flood storage scheme has been sufficiently explained within the FRA and the principle established, it is considered necessary for additional detailed design information to be provided for approval. Because of the fundamental nature of the compensatory works to the development scheme as a whole it is considered necessary for this information to be submitted and approved prior to development commencing. Failure to do so may lead to unacceptable increases to flood risk elsewhere. Subject to adherence with this, it is considered that the proposal would meet with the requirements of the Framework and Policy SE 13 of the Cheshire East Local Plan Strategy.

The applicant has submitted Counsels opinion in respect of the objection received from a third party. This opinion confirms that the flood risk information submitted by the applicant is accurate and that the third party does not offer any alternative flood risk assessment themselves. Also that they misinterpret para 158 of the NPPF and that the Gedney Road appeal decision is not comparable to this application.

## **Education**

The development of 30 dwellings is expected to generate: 6 primary children (30 x 0.19) 5 secondary children (30 x 0.15) and 0 SEN children (30 x 0.51 x 0.023%). Contributions which have been negotiated on other developments are factored into the forecasts both in terms of

the increased pupil numbers and the increased capacity at secondary schools in the area as a result of agreed financial contributions. The analysis undertaken has identified that a shortfall of secondary school places still remains. The proposal is not forecast to impact upon primary or SEN school provision. To alleviate forecast pressures, the following contributions would be required:

$5 \times £17,959 \times 0.91 = £81,713$  (secondary) - Total education contribution: £81,713

This would be secured by a Section 106 agreement.

## **Environmental Health**

Comments have been received in respect of internal and external noise in relation to the adjacent development to the south.

Internal noise - In order to achieve the applicant's suggested internal noise level limit of 25dB LAeq, windows would need to be kept closed and alternative means of ventilation would need to be provided to the bedrooms on the southern elevation of Plots 1 to 7, and on the western elevation of Plots 8 to 11. Sound insulation would ensure that sleep disturbance would not constitute a significant health problem. Sufficient mitigation measures to control indoor noise levels have been detailed.

External noise - Due to the height of the dust extraction discharge stacks at the adjacent Mill, erecting the proposed 3m acoustic barrier (offering at least a 12dB reduction), along the southern site boundary would not provide any noticeable benefit. Aerial noise sources cannot be mitigated by acoustic fences and a line of sight will be maintained between these elevated noise sources and the proposed noise sensitive residential properties. However, some environmental noise is permitted to occur in private noise sensitive amenity gardens on the proviso that the occupants of those dwellings have a relatively quiet:

- façade as part of their dwelling. It could be reasoned that Plots 1-7, have a quiet façade containing windows to habitable windows on the northern facades not the southern ones.
- protected, external publically accessible amenity space is nearby easily within a 5 minute walking distance. The applicants are providing a public space to the north of the development which will not be affected by noise from Slater Harrison, accessed by the residents at all times. The public space will include a children's play area, a small park and access to a public right of way alongside the river.

In addition BS8233:2014, acknowledges that for traditional external areas that are used for amenity space, a 50 dB LAeq, is desirable. However, an upper guideline value of 55 dB LAeq is acceptable in noisier environments. BS8233:2014 further recognises that these guideline values are not achievable in all circumstances where development might be desirable.

BS8233:2014 calls for a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited.

NPPF 2018, paragraph 180, details that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on living conditions, in doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Although it is noted that noise has been of some concern, many of the matters raised can be conditioned and the economic and sustainable benefits such as affordable housing and the provision of a riverside walk can be balanced against these matters.

Odour – In response to concerns about odour, the Environmental scientist acting for the applicant states the scope of the submitted assessment was agreed with Environmental Health in writing and accords with the latest Institute of Air Quality Management guidance on odour. Site visits were undertaken by surveyors who have been tested for odour acuity in accordance with BS EN 13725:2003, both at times when meteorological conditions were considered to be conducive for odour generation and also during more typical conditions in accordance with guidance.

They conclude that although there is potential for odour to be experienced at the site the overall risk is considered to be “not significant”. Environmental Health have offered no counter evidence in this respect and therefore the scheme is found to be acceptable in this regard.

Contaminated Land - No objection is raised subject to conditions.

### **Other Material consideration or matters raised by third parties**

The comments provided by consultees and residents in relation to infrastructure issues, highways issues, flood risk and wildlife issues, housing need and affordable housing, design and built environment issues and loss of employment land are noted and covered under the headings above.

### **ECONOMIC SUSTAINABILITY**

The proposal would contribute to the economic well being of Bollington as the new residential occupants would add to the vitality and viability of the local shops and restaurants in the town centre, which is within easy walking distance of the site. The proposal would also provide an economic benefit to the construction industry supply chain during construction.

### **CONCLUSION**

At the heart of the adopted Cheshire East Local Plan Strategy (CELPs Policy MP 1 refers) and the National Planning Policy Framework is a presumption in favour of sustainable development. Policy states that decision takers should be approving development proposals that accord with the development plan without delay unless material considerations indicate otherwise.

The principle of developing the site for residential purposes was accepted in a previous resolution. However, the key issue for Members to consider is whether or not in light of additional flood risk information and local concerns regarding flooding as well as the adopted CELPS, the Council should to grant planning permission subject to a s106 legal agreement.

During the application process, negotiations have taken place between officers and the developer, which has resulted in the submission of a revised layout plan, which has improved the design of the proposed development and removing the proposed play area out of the functional flood plain.

Further, following concerns raised regarding flood risk and drainage in the wider area of Bollington and having regard to the advice of the Framework and adopted Local Plan Policy, the applicant's Flood Risk Assessment has met the Sequential Test and subsequently the Exception Test.

The Council is satisfied that the exception test has been met as the site specific flood risk assessments have demonstrated that the proposal will not increase flooding elsewhere and the benefits of the proposals would outweigh this harm. The benefits can be summarised as follows:

- The benefit to the local economy during the construction period and also future spending of residents in the local shops etc
- The social benefit of providing market housing in a sustainable location as well as 10 affordable houses in an area where there is an identified need
- The environmental and social benefits from extinguishing the vehicle movements that would likely be associated with an employment use and their potential impact on adjoining residents and the local highway network

It is acknowledged that local residents have objected to the development of this site. Appeals on this site and the land opposite have been allowed for employment development. It is considered that a scheme for housing would fall in line with policies contained within the NPPF and Development Plan. The principle of developing land (which is allocated for employment purposes) has been established elsewhere and on the land opposite (for 33 dwellings) and will help to contribute to both local housing needs and employment land without the need to safeguard this land. This site has already been accounted for in the Council's five year housing supply. It is also considered that housing on the application site will also have a more positive impact on the local area than industrial development.

Therefore approval is recommended.

In such circumstances policy MP1 of the CELPS (and paragraph 11 of the NPPF) state that *"Planning applications that accord with the policies in the Development Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise."*

## **RECOMMENDATION**

**APPROVE** subject to conditions and a S106 Agreement making provision for:

<b>S106</b>	<b>Amount</b>	<b>Triggers</b>
<b>Affordable Housing</b>	<b>30% (10 units) (65% Affordable Rent / 35% Intermediate)</b>	<b>No more than 80% open market occupied prior to affordable provision</b>
<b>Education</b>	<b>Primary 0 Secondary 5 £81,713 Total education contribution: £81,713</b>	<b>50% Prior to first occupation 50% at occupation of 17<sup>th</sup> dwelling</b>
<b>Public Open Space</b>	<b>£34,000 towards works of addition, improvement and enhancement to the sports pitches, courts and greens at Bollington Recreation Ground and within the period of 15 years from receipt.</b>	<b>On first occupation</b>

**And the following conditions:**

1. Commencement of development (3 years)
2. Development in accordance with approved and amended plans
3. Removal of permitted development rights for Classes A-E
4. Construction of access prior to first occupation
5. Landscaping - submission of details and to include retention of west boundary hedge where possible and planting with native species
6. Landscaping (implementation)
7. Protection for breeding birds during bird nesting season
8. Submission of landscape management plan
9. Details of ground levels to be submitted including cut and fill
10. Nesting bird mitigation measures
11. Notwithstanding submitted detail, details of boundary treatments to be submitted and approved
12. Details of proposed noise fence to be submitted and approved
13. Should any contamination be found, a remediation strategy shall be submitted to the EA
14. Features for roosting bats to be incorporated into housing
15. Method statement for the safeguarding of the river corridor and associated habitats during the construction process.
16. Submission of an ecological enhancement management strategy including proposals for the eradication of Himalayan Balsam
17. Submission of updated badger survey prior to commencement of development.
18. Details of pile foundations to be submitted and approved
19. Electric Vehicle Infrastructure to be provided at each property with private driveway
20. Scheme of dust control to be submitted and approved
21. Contaminated Land Survey to be submitted and approved
22. Development to be carried out in accordance with Flood Risk Assessment
23. Finished floor levels of habitable dwellings shall be set 600 mm above the modelled 1 in 100 annual probability (plus a 30% allowance for climate change) flood level.

24. The development hereby permitted shall not commence until details of the detailed design, implementation, maintenance and management of a surface water drainage scheme have been submitted
  25. A scheme for the management of overland flow from surcharging of the site's surface water drainage system during extreme rainfall events to be submitted and approved
  26. Detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods to be submitted and approved
  27. Surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing public sewerage systems
  28. Details of facing, roofing and surfacing materials to be submitted and approved
  29. Scheme of Tree Protection to be submitted and approved
  30. Tree Pruning/Felling Specification to be submitted and approved
  31. Construction Management Plan to be submitted
  32. Standard broadband condition
  33. Details of bin stores to be submitted
  34. Scheme of play equipment to be submitted, approved and implemented.
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*In order to give proper effect to the Board's/Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice or in the event of an appeal.*

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