

Application No: 19/3286M

Location: Heatherley Woods, Alderley Park, CONGLETON ROAD, NETHER ALDERLEY

Proposal: Outline application with all matters reserved except for access for a residential development of up to 25 dwellings with associated landscaping and infrastructure.

Applicant: Alderley Park Ltd

Expiry Date: 09-Oct-2019

SUMMARY

The proposals are considered to be appropriate development in the Green Belt and in line with policies in the Development plan, NPPF and the Alderley Park Development Framework.

This application falls outside the outline planning consent granted in 2016 in that it proposes an additional 25 units, which would take the number of consented units up to 300 as allowed for in the Local Plan allocation.

Whilst there are level issues that will need to be carefully considered at the reserved matters stage, to ensure there is no impact on areas of adjacent trees/woodland, and to achieve a satisfactory form of development especially with regards to adjacent properties this can readily be achieved.

The development will bring additional monies into Alderley Park to be invested in the life sciences over and above those already achieved and contribute to further key worker housing.

There will be a neutral impact on trees/ecology with enhancements to be achieved at the reserved matters stage. Amenity impacts are capable of being addressed through appropriate mitigation and satisfactory access can be achieved. Environmental impacts can be addressed through conditions.

SITE DESCRIPTION

This application relates to a now cleared site (formerly occupied by commercial structures) in an area of the site known as Heatherley Woods, which sits to the south east of the Mereside, or commercial area of Alderley Park, and north of the historical quarter which is now the main residential part of the site. The site forms a gap between an area proposed for the development of a playing pitch (as yet undetermined), associated with the nearly completed sports complex across the access road, and a housing development by Bellway Homes which is currently under construction.

Whilst the main part of the site is clear, there is a tree belt separating the site from the main access road to the west, and woodland to the east.

The whole of Alderley Park lies entirely within the North Cheshire Green Belt, but is a Major Developed Site within the Green Belt.

PROPOSAL

The application title reads: "Outline application with all matters reserved except for access for a residential development of up to 25 dwellings with associated landscaping and infrastructure."

As the proposal sits outside the outline approval granted for Alderley Park in June 2016, because it proposes 25 units over the outline approval for 275, a separate application was required, and could not have been made under reserved matters as most of the recent approvals have been.

The outline application includes an illustrative layout showing the development utilizing the Bellway access and with the proposed dwellings running east-west mirroring some of the approved Bellway dwellings in the layout. The layout shows a mixture of town houses and apartments.

There is a level change on the site with the site accommodating the increase from the Bellway site to the sports pitch to the north. The level change is just over 4m and the submitted site sections indicate this can be addressed by having properties which could be 2 storeys to the north but 3 to the south.

The application is accompanied by an Environmental Statement (ES), so it can be seen in the context of the ES attached to the original outline.

RELEVANT PLANNING HISTORY

Alderley Park has been the subject of a significant number of planning applications in recent years, including a series of applications associated with the residential development of the southern campus, re-development of the Parklands office block (soon to be occupied by Royal London), a new leisure complex and more minor developments in the Mereside area. Of particular relevance to this application are:

15/5401M Full planning permission for the demolition of a number of specified buildings; and outline planning permission with all matters reserved for a mixed-use development comprising the following: • Up to 38,000 sqm of laboratory, offices and light manufacturing floorspace (Use Class B1); • Up to 1,500 sqm of retail, café, restaurant, public house and / or crèche floorspace (Use Classes A1, A3, A4 and D1); • Up to 275 residential dwelling-houses, where up to 60 units could be for retirement / care (Use Classes C2 and C3); • Up to a 100 bed hotel (Use Class C1); • Sport and recreational facilities including an indoor sports centre of up to a 2,000 sqm (Use Class D2); • Up to 14,000 sqm of multi-storey car parking providing up to 534 spaces (sui generis); • A waste transfer station of up to 900 sqm

of (sui generis); • Public realm and landscaping; • Other associated infrastructure – APPROVED June 2016

This application covered the whole of the Alderley Park Site, with the Heatherley Woods shown as being developed as mixed residential and sports uses in the land use parameters plan, with the illustrative masterplan (which was not an approved plan) indicating the site subject to this application being developed as a sports complex. Importantly the planning approval set volume limits on developments at Alderley Park.

Adjacent to the site are the following applications as referred to above:

18/0403M Reserved matters application following outline approval 15/5401M for detail of access, layout, scale, landscaping and appearance for a residential development comprising 50 residential dwellings in addition to new internal roads, boundary treatments and associated landscaping and infrastructure - LAND AT HEATHERLEY WOODS, ALDERLEY PARK, CONGLETON ROAD, NETHER ALDERLEY, SK10 4T - APPROVED 2018 Bellway Homes

17/0530M Reserved matters application for demolition of existing waste transfer station and redevelopment for a Full-Sized Sports Pitch (Use Class D2) including ground engineering works, erection of site boundaries and landscaping - ALDERLEY PARK, CONGLETON ROAD, NETHER ALDERLEY, MACCLESFIELD, CHESHIRE, SK10 4TJ – UNDETERMINED Ongoing discussions re levels/trees.

POLICIES

Cheshire East Local Plan Strategy – 2010-2030

PG 2	Settlement Hierarchy
PG 3	Green Belt
SC 5	Affordable Homes
SE 1	Design
SE 3	Biodiversity and Geodiversity
SE 4	The Landscape
SE 5	Trees, Hedgerows and woodland
SE 9	Energy Efficient Development
SE13	Flood Risk and Water Management
CO 1	Sustainable Travel and Transport

LPS 61 Alderley Park Opportunity Site

Macclesfield Local Plan (Saved policies)

NE 3 Landscape Conservation
NE11 Nature Conservation
GC 1 Green Belt – New Buildings
GC 4 Major Developed Sites in the Green Belt
DC3 Design – Amenity
DC8 Design – Landscaping
DC9 Design – tree protection

DC13 Design – Noise

Other Material Considerations

The National Planning Policy Framework

Alderley Park Development Framework

The EC Habitats Directive 1992

Conservation of Habitats & Species Regulations 2010

Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System

National Planning Practice Guidance

CONSULTATIONS (External to Planning)

Highways – No objections.

Environmental Protection – Comments on amenity/quality of life, air quality and contaminated land have been received, but no objections have been raised subject to conditions/informative.

Flood Risk – Comments awaited

Housing – Whilst initially indicating that as permission has already been granted on this site affordable housing provision will be dealt with by the existing Section 106, following confirmation that this is not the case they object to the application on the basis it is a stand alone application and therefore there is a requirement for 8 (7.5) affordable dwellings – which is not proposed. This is discussed further below.

VIEWS OF THE PARISH COUNCILS

Nether Alderley Parish Council – “the Parish Council have no objections to this application subject to it being based on 25 dwellings and not 27 referred to in the Design and Access Statement.” They also indicate they would like to be involved in discussions on any 106 Agreement.

Over Alderley Parish Council – They write:

“1. That the application site refers to a location for which outline permission for development has already been approved in application 15/5401M, therefore, queries are raised as to why this application is seeking further outline permission rather than addressing reserved matters.

2. Concerns are raised that the proposed development density appears to be significantly greater than that of the adjacent Heatherley Woods development, therefore, is not consistent with surrounding development.

3. Concerns are raised regarding the lack of integration with the adjacent Heatherley Woods development. The indicative proposal shows backs of proposed properties facing fronts of consented properties which appears to be contrary to The Cheshire East Borough Design Guide (Vol. 2 section I).”

OTHER REPRESENTATIONS

None received

OFFICER APPRAISAL

Principal of Development/Green Belt

As mentioned above, the whole of Alderley Park falls within the Green Belt, but as set out in the policy section above, the built up areas of the site, which include the application site, are covered by policies LPS 61 Alderley Park Opportunity Site in the Cheshire East Local Plan, and Saved Policy GC 4 Major Developed Sites in the Green Belt of the Macclesfield Local Plan. The Alderley Park Development Framework, which builds on the LPS policy, clearly identifies the site as Previously Developed Land, which under policy LPS 61 allows for the construction of new buildings (Criteria 3) so long as the meet the criteria set out at 1. Which reads:

Criteria 1. Development shall be:

- i. For human health science research and development, technologies and processes; or
- ii. **For residential (around 200 to 300 new homes) or other high value land uses demonstrated to be necessary for the delivery of the life science park(96) and not prejudicial to its longer term growth; or**
- iii. For uses complimentary to the life science park and not prejudicial to its establishment or growth for this purpose.”

The development would take the residential development up to the maximum number allowed of 300 units, and a Section 106 agreement would ensure that profits are put back into the science park.

Criteria 2 is that the development shall be in accordance with the Alderley Park Development Framework. In this document the site is clearly shown as “Potential residential” in the indicative masterplan.

Criteria 3. States that construction of new buildings for uses in criterion 1 above shall be restricted to the Previously Developed Land (PDL) which is the case here.

Criteria 4 states that development would not have a greater impact on the openness and visual amenity of the Green Belt and the purposes of including land within it than existing development. This is examined further below.

Criteria 5 is primarily concerned with impact on Listed Buildings or other heritage impacts which are not relevant on this site, but does reference landscape assets which are considered further in this report.

These policies are reflected in the NPPF which at Paragraphs 143-147 considers development in the Green Belt. Whilst the construction of new buildings in the Green Belt should be regarded as inappropriate development – which is by definition harmful, there are exceptions listed at Para 145 including:

- “g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”

In summary then the proposed development of this site can be considered to be appropriate development in the Green Belt, on condition that it does not have a greater impact on openness than existing development. In this case it needs to be seen in the context of the built form as was at Alderley Park, as the proposed development is in an area which was previously developed with sizable structures and was originally envisaged to have been the location of the sporting facilities.

Whilst inevitably there have been changes made to the locations of specific developments on the site over the passage of time (all within the designated area of PDL), the overall volume of built development was fixed at the outline stage, and although this is a stand alone application it is still applicable here. The site in question, Heatherley Woods was occupied by a series of sizable commercial buildings which created a significant volume of development which has offset the residential development at Alderley Park as their volume is significantly less and in this case impact on openness is at worst neutral and in reality less. Whilst this is an outline application the parameters proposed would control the overall footprint and height of structures.

The NPPF advises that substantial weight must be given to the harm to the Green Belt. Any other harm additional to that of inappropriateness must also be considered. The proposal, due to its scale and nature, will have no significant impact on the openness of the Green Belt, and cause no other harm to the purposes of Green Belt (NPPF para. 143).

In conclusion then, the development is considered to constitute appropriate development in the Green Belt and to fully comply with the Development Plan, and therefore there are no objections in principle to the development.

Highways

The access road to serve the dwellings is an existing approved road serving the adjacent development. The proposed access points to the site are acceptable in design terms and therefore given that access is the only matter to be determined then no objections are raised on highways grounds. Parking can readily be accommodated within the layout but would be looked at in more detail at any reserved matters stage.

Landscape and visual Impact

Comments from the Council's landscape architect is awaited on this matter and any comments received will be reported as a late item to Members. It must however be remembered that the site is currently clear of any existing planting, well screened by woodland and this is an outline application so no significant issues are anticipated.

Trees/Woodland

This application is supported by a Preliminary Arboricultural Impact Assessment . Woodlands located to the west and east of the site are protected by the Cheshire East Borough Council (Nether Alderley-Alderley Park No.3) Tree Preservation Order 2018 (W5/ W6).

The woodland to the east of the site (W6 of the TPO) is designated as Ancient Replanted Woodland. Part of this woodland and the woodland to the west (W5 of the TPO) are designated as Priority Woodland Habitat in the DEFRA Priority Woodland Habitat Inventory.

Proposed tree losses are limited to a group of four Leyland Cypress and a small section of Yew hedge which will have no significant adverse impact in terms of the wider amenity of the area.

Para 5.3 of the Assessment makes reference to Forestry Commission/Natural England Standing advice on buffer zones between development and ancient woodland, which suggests a minimum buffer of 15 metres. The Assessment suggests that the 15 metre buffer zone is not considered necessary in arboricultural terms as there is no material impact, nevertheless this has a bearing in terms of Policy SE 3

Whilst the position of the proposed Apartment Block 1 is located outside the Root Protection Area (RPA) of trees within the protected woodland (W5 of the TPO /Priority Woodland Habitat) the relationship/social proximity of the Apartment Block to the woodland is such that there will be future pressure from residents to prune or remove trees which is identified in BS5837:2012 Section 5.3.4 (d).

The tree officer recommends the proposed illustrative layout plan should be amended to reflect these design considerations. However as this is an outline application, and siting is not sought for approval, the matter is capable of being addressed at the detailed design stage.

Should this application be approved conditions should be attached requiring any reserved matters application to be supported by an Arboricultural Impact Assessment, Tree Protection Scheme and Method Statement in accordance with BS5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations.

Building design/layout

Whilst this is an outline application, with all matters reserved, an illustrative layout and site sections/indicative street-scenes have been received. These indicate that the properties will have their gardens in effect to the front facing the Bellway houses, with parking to both and front and rear of units, all to accommodate the level change on the site. Whilst Over Alderley Parish Council have expressed some concerns about this – which is understandable, the drawings indicate the buildings will have a frontage design with pedestrian access to the front. This matter would of course need to be addressed more fully at the reserved matters stage, but an acceptable design can be readily achieved.

Over Alderley Parish Council have raised the issue of density. Whilst it is true, if built in the form envisaged, the density of this small residential scheme will be greater than the Bellway scheme adjacent, but as that is dominated by larger often detached properties, this scheme will help to vary the mix of houses in Alderley Park which is fully supported, with no harm to the overall scheme.

Amenity

The site sits adjacent to residential accommodation to the south, but adjoins a proposed sports pitch to the north which could give rise to amenity issues if not properly addressed. A Noise Impact Assessment (NIA) has been submitted with the application.

The NIA details the full-sized sports pitch site setting: The site is approximately 12m to the north of the nearest proposed residential façade and 6m from the boundary of the nearest garden. The proposed development comprises an all-weather sports pitch. It is understood that there is no flood lighting proposed so the pitch will only be used during daylight hours. The hours of operation are therefore likely to be limited to 10:00 to 17:00hrs. It is also understood that it is anticipated that there will only be a limited number of bookings per week.

The NIA states: that the assessment indicates that there is potential for noise from the sports pitch to give rise to levels that are slightly above the BS 8233:2014 guideline values. However, the assessment is based on pessimistic assumptions. In reality levels are likely to generally be below the guideline values. Nonetheless, guidance has been provided to install solid, close-boarded timber fencing along the boundary between the sports pitch and the nearest noise sensitive receptor to help reduce noise levels. In addition to this, a strategy of best practice guidance is outlined to ensure that noise emissions are minimised as far as reasonably possible and a strategy is in place in the unlikely event that any issues arise.

The NIA submitted in support of the full-sized sports pitch details a noise mitigation strategy to ensure that noise emissions are minimised as far as is reasonably possible.

Ecology

Non-Statutory Designated Sites

The Alderley Park Local Wildlife Site (LWS) occurs within the eastern boundary of the application site. The local Wildlife Site (LWS) is protected by local Plan Core Strategy Policy SE3.

The section of the LWS that occurs within/adjacent to the application site supports ancient semi-natural woodland. The significance of this is discussed below.

Ancient Semi-natural Woodland

Ancient woodland habitats are considered to be irreplaceable habitats and receive particular protection through paragraph 175 d) of the NPPF. The submitted ecological assessment and design and access statement advises that the proposed development will not result in the direct loss of ancient woodland habitat the illustrative layout plan shows the provision of a 15m undeveloped buffer adjacent to the woodland.

However, the red line of the application site does extend some distance into the ancient woodland and the illustrative layout plans suggest that levels changes will be required in the vicinity of the proposed undeveloped buffer to facilitate the proposed development.

Consequently, it was advised that the proposed development has the potential to have an adverse impact upon the Local Wildlife/ancient woodland, contrary to Local plan policy SE3 and the NPPF.

It was recommended that the applicant provided an overlay of the proposed development on the existing air photography to enable the extent of the proposed development in respect of the ancient woodland to be determined. It was also advised that clarification should be sought in respect of the extent of levels changes and 'new embankments' required in the eastern part of the site in the vicinity of the ancient woodland.

Priority woodland to west

Woodland located within the western part of the site appears on the national inventory of priority habitat. Habitats of this type are a material consideration. The construction of Apartment Block 1 is likely to result in the loss of the existing extent of this habitat with a corresponding loss of biodiversity. It was advised that the proposed illustrative layout plan must be amended to show the retention of the existing extent of priority woodland on site.

Following on from the above the applicant's have submitted a revised tree survey and the Ecologist has reported;

"The arboriculture impact assessment demonstrates that no trees would be lost and there is a 15m buffer between the nearest building and the root protection area of the nearest tree in the adjacent ancient woodland. 15m is the minimum undeveloped buffer that is required to safeguard ancient woodland in accordance with current best practice guidance. There is still concern that this buffer will not be retained as 'undeveloped' as there appear to be levels changes and an embankment proposed in this area as shown on the submitted layout plan.

Before we can be satisfied that the proposed development would not have an impact on the adjacent woodland we need to be satisfied that an 'undeveloped' buffer can be provided, which is free from all engineering operations."

The applicant has submitted a further statement setting out how the site is mainly made up of bare ground following previous demolition works, and as such impact on ecology would be negligible. No hard engineering is required in this buffer area, and the applicant has proposed a Grampian style condition to require a method statement and ecological enhancement scheme for the buffer, with the information to be provided at the reserved matters stage.

Great Crested Newts

Surveys undertaken to inform the determination of the outline application for the wider Alderley Park site recorded the presence of great crested newt at a pond located with 100m of the proposed development.

The recorded population however appeared very small and the application site, which has largely been cleared, provides limited habitat for amphibians.

The potential impacts of the proposed development relate mainly to the low risk of any newts that venture onto the site being killed or injured during the construction process. In order to address this risk the applicant's ecological consultant has recommended a suite of 'reasonable avoidance measures'.

It is advised that provided these measures are implemented the proposed development would be unlikely to result in a breach of the Habitat Regulations. Consequently, it is not necessary for the Council to have regard to the Habitat Regulations during the determination of this application. An appropriate condition is recommended.

Badger

The badger survey undertaken to inform the submitted Ecological Assessment was undertaken over 12 months ago and so must be considered to be out of date. It was advised that an updated badger survey should be undertaken and submitted in support of the application. This has now been completed and nothing further was found.

Lighting

To avoid any adverse impacts on bats resulting from any lighting associated with the development a condition is recommended requiring any additional lighting to be agreed with the LPA. An appropriate condition is recommended.

Hedgehogs

This priority species may occur within the wooded parts of the application site. If planning consent is granted features to facilitate the movement of this species can be secured through the ecological enhancement condition discussed below.

Ecological enhancement

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with Local Plan Policy SE 3.

It is therefore recommended that the applicant submits an ecological enhancement strategy prior to the determination of the application or if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

Flood Risk/Drainage

Comments from the Flood Risk Team are awaited, however no significant issues are anticipated as the drainage systems at Alderley Park have been the subject of extensive discussions on various applications in recent times, and subject to appropriate mitigation measures (which are proposed in the application) to control flows all matters should be capable of being addressed.

Air Quality

Modern Ultra Low Emission Vehicle technology (such as all electric vehicles) are expected to increase in use over the coming years (the Government expects most new vehicles in the UK will be ultra low emission). As such it is considered appropriate to create infrastructure to allow home charging of electric vehicles in new, modern, sustainable properties.

The developer has stated that electric vehicle charging points will be added to the dwellings. In order to ensure that these are fit for purpose and future proof a condition ensuring this is required. It is also recommended that a condition be attached requiring the installation of ultra efficient boilers in the dwellings.

Contaminated Land

The Contaminated Land team has no objection to the above application subject to the following comments with regard to contaminated land:

- The application is for a proposed use that would be particularly vulnerable to the presence of contamination.
- No site specific information has been submitted. As such it is recommended that conditions 16 -18 of 15/5401M be carried forward. The first part of this condition is for a preliminary risk

assessment. This should be undertaken for the current application area only, focusing on the previous uses of this area of the former Pharmaceutical research and development facility.

- It is also requested that an imported soils condition be included on the decision notice.

As such, and in accordance with the NPPF, a number of conditions and informatives are recommended.

Affordable Housing

This Outline Application is located on the site covered by the Outline Application for 275 dwellings and subsequent S106 signed 10th June 2016. The S106 secures an offsite commuted sum payment of £2.1 Million towards the Affordable Housing.

This Application as presented is separate to the Outline application with the commuted sum. As such this is viewed by Housing as a standalone application.

The Cheshire East Local Plan (CELP) and the Councils Interim Planning Statement: Affordable Housing (IPS) states in Settlements with a population of 3,000 or more that we will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified 'windfall' sites of 15 dwellings or more or larger than 0.4 hectares in size. The desired target percentage for affordable housing for all allocated sites will be a minimum of 30%, in accordance with the recommendations of the Strategic Housing Market Assessment carried out in 2013. This percentage relates to the provision of both social rented and/or intermediate housing, as appropriate. Normally the Council would expect a ratio of 65/35 between social rented and intermediate housing.

This is a proposed development of 25 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 8 (7.5) dwellings to be provided as affordable dwellings.

The CELP states in Policy SC5 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 Alderley Edge as their first choice is 274. This can be broken down to 121x 1 bedroom, 67x 2 bedroom, 58x 3 bedroom, 16x 4 bedroom and 12x 5 bedroom dwellings.

5 units should be provided as Affordable rent and 3 units as Intermediate tenure.

If there is an agreed onsite provision that is below 30% or a commuted sum is agreed, Housing will require an Overage/Clawback clause to be agreed. This is to cover any uplift in value on the development during it's completion and any connected raise in commuted sum amounts or increased on site provision for Affordable Housing.

If the application is to be a Full or Reserved Application an Affordable Housing Statement will have to be produced and agreed with the council that confirms the following:

- (a) the Agreed Mix;

- (b) the timing, location and distribution of the Affordable Housing within the Site, ensuring that the Affordable Housing is pepper-potted throughout the Site and not segregated from the Open Market Housing;
- (c) details of how the proposed design and construction of the Affordable Housing will ensure that the Affordable Housing is materially indistinguishable (in terms of outward design and appearance) from the Open Market Housing of similar size within the Development;

The Cheshire East Plan (CELP) and the Councils Interim Planning Statement: Affordable Housing (IPS) requires that the affordable units should be tenure blind and pepper potted within the development, the external design, comprising elevation detail and materials should be compatible with the open market homes on the development thus achieving full visual integration and also that the affordable housing should be provided no later than occupation of 50% of the open market dwellings

Housing prefer that the affordable housing meets the HCA's housing quality indicator (HQI) standards.

Housing's preference is that the affordable housing is secured by way of a S106 agreement, which: -

- requires them to transfer any rented affordable units to a Registered Provider
- provide details of when the affordable housing is required
- includes provisions that require the affordable homes to be let or sold to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Councils allocations policy.
- includes the requirement for an affordable housing scheme to be submitted prior to commencement of the development that includes full details of the affordable housing on site.

Details of Registered Providers of social housing can be obtained from the Development Officer in Strategic Housing

The submitted application includes no provision for affordable housing and it should be noted that current planning policy requires the provision of 30% affordable housing for a development which includes this number of dwellings.

The Alderley Park Development Framework which was agreed at Cabinet in June 2015, states that "opportunities should be explored to deliver some affordable housing" as part of the development and as such we would like to see some on-site affordable housing. The same report also states that "any proposals which suggest a relaxation on normal affordable housing policy must be supported by a detailed viability appraisal."

It is understood that normal planning policy may not be applied to this application due to the fact that it is for an important supporting development and as such a reduced amount of affordable housing is likely to be acceptable. It is also acknowledged that some of the affordable housing provision may be satisfied by payment of a commuted sum - which is to be secured by way of a s106 agreement – to be used for the delivery of off-site affordable housing in the local area.

Any affordable housing which is provided on-site should be delivered as an affordable housing product which is recognised by the council and at a discount which adheres to the council's policy. The supporting Planning Statement for this application proposes that any affordable housing would be in the form of 'key worker' accommodation. However key worker accommodation does not meet the council's definition of affordable housing.

As there is no mention for the provision of affordable housing in this specific Outline application and no given reason for this omission, and as such housing do not support the application as submitted.

The proposal is to provide 25 units, which is over and above the already consented 275 granted in outline and as such will not be covered by the original Section 106 Agreement. The original 106 included two elements of non-standard housing provision, a financial contribution towards off site provision, and a number of key worker houses aimed at employees of Alderley Park who would not be able to afford houses in the local area. This was an approach endorsed by Members who were mindful of the need to re-invest capital receipts from the residential land sales into the life science provision in the park.

Here the applicant writes:

“In line with principles and objectives already established in the site wide planning permission it is proposed that the outline planning application at Heatherley Woods will provide a total of 15% affordable housing. For the detailed reasons set out in that planning permission, this is an appropriate and proportionate level of affordable housing bearing in mind the fundamental requirement to pay all profits received from residential sales into the Alderley Park Reserve, for the sole function of funding the re-purposing of the site into a multi occupier life sciences hub of national significance. This approach does not therefore necessitate any clawback mechanism. The re-purposing of Alderley Park is a key objective of Local Plan Strategy site allocation LPS61. This outline planning application is therefore fully consistent with the established position with regards to the quantum of affordable housing to be provided.

Alderley Park now proposes an enhancement over the established position for this site so that the entire 15% affordable housing be provided on site. This is a better solution than that secured in the original site wide permission (which only provided 7.5% on site), is more sustainable and complies with policy objectives. It will also ensure the affordable housing is delivered in a timely manner which is important to Alderley Park and their occupiers. Furthermore, Alderley Park is proposing to widen the opportunity for anyone employed at Alderley Park or who provides essential services to the Park to also qualify for the affordable housing scheme. This means there is no proposed restriction to qualifying key workers. This responds directly to the comments of the Strategic Housing Officer. As the Council will be aware there is a specific receptor site for the affordable housing within the heart of the life sciences Park at Block 26, where full planning permission has been granted for external works to facilitate the use of the building for modern, high quality residential accommodation.”

In short Alderley Park are proposing to add to the provision of key worker housing, which is already being developed in one of the former office buildings in the park which has the benefit of the necessary consents. Key worker housing is not affordable housing in the strict sense, but does meet an important demand for rented accommodation for life science employees at Alderley Park and is governed by previously agreed wording in a 106 Agreement which can be applied here. The offer above could extend to any employees on site, not just life science workers.

Whilst Housing are not supportive of this approach – and were not supportive of the approach for the outline application, the proposed provision is consistent with the consented scheme, (albeit without the financial contribution), with an increased provision as set out above.

CONCLUSIONS

The proposals are considered to be appropriate development in the Green Belt and in line with policies in the Development plan, NPPF and the Alderley Park Development Framework.

This application falls outside the outline planning consent granted in 2016 in that it proposes an additional 25 units, which would take the number of consented units up to 300 as allowed for in the Local Plan allocation.

Whilst there are level issues that will need to be carefully considered at the reserved matters stage, to ensure there is no impact on areas of adjacent trees/woodland, and to achieve a satisfactory form of development especially with regards to adjacent properties this can readily be achieved.

The development will bring additional monies into Alderley Park to be invested in the life sciences over and above those already achieved and contribute to further key worker housing.

There will be a neutral impact on trees/ecology with enhancements to be achieved at the reserved matters stage. Amenity impacts are capable of being addressed through appropriate mitigation and satisfactory access can be achieved. Environmental impacts can be addressed through conditions.

Accordingly the application is recommended for approval, subject to the signing of a Section 106 Agreement.

SECTION 106

In line with the previously approved site-wide outline application a section 106 agreement will accompany the application and is required to secure the following:

- Profits to be re invested in life science development
- 15% affordable housing to be provided on site under the established Life Science Employee Housing Scheme or an updated Scheme that could be extended to other Alderley Park employees.

The wording can be copied across for the outline consent and pro rata applied to this smaller scheme.

CIL REGULATIONS

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010, it is necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following: a) Necessary to make the development acceptable in planning terms; a) Directly related to the development; and b) Fair and reasonably related in scale and kind to the development. It is considered that the contributions required as part of the application are justified meet the Council's requirement for policy compliance. All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development. The non-financial requirements ensure that the development will be delivered in full. On this basis the S106 the scheme is compliant with the CIL Regulations 2010.

Whilst the original outline approval was granted prior to CIL being introduced, this proposal will be CIL liable, and an appropriate payment will need to be made. The applicant highlights the following:

Parish Hall Works – this is not covered by the 123 list but the applicant does not believe that a financial sum would be warranted in the s016 due to the impact of an additional 25 houses i.e. we do not believe that the CIL lawfulness tests would be met for a contribution. This will not be part of the legal agreement therefore however it is worth noting the Council's policy for the payment of a proportion of CIL to the Parish (s):

In areas where the CIL levy operates, Parish Councils will receive a 'neighbourhood proportion' of the CIL money raised within their Parish. This neighbourhood proportion is up to 25% of CIL receipts in areas with an adopted Neighbourhood Plan and up to 15% (capped at £100 per existing council tax dwelling) in areas without a Neighbourhood Plan.

Our assumptions based on the outline scheme before the Council is that based on a CIL rate of £71 per sqm gives a total liability is £239,057. 15% of this will be payable to the Parish as they do not have an adopted Neighbourhood Plan, so again for illustrative purposes they would receive £35,858 approx. receipt.

Highways and Education are captured by CIL.

COMMENT ON REPRESENTATIONS

The majority of the points raised have been addressed in the main body of the report, but to clarify the application is for 25 dwellings not 27.

RECOMMENDATION

Approve subject to a Section 106 Agreement and subject to the following conditions;

- 1. Outline timescales**
- 2. Approved plans/documents**
- 3. Materials**
- 4. Landscaping**
- 5. Landscape maintenance**
- 6. Arboricultural Impact Assessment**
- 7. Tree Retention/Protection**
- 8. Levels**
- 9. Noise mitigation measures**
- 10. Dust management plan**
- 11. Electric vehicle infrastructure**
- 12. Ultra Low Emission Boiler(s)**
- 13. Importation of soils**
- 14. Contaminated land assessment**
- 15. Contaminated land verification report**
- 16. Measures to deal with unexpected contamination**
- 17. Foul and surface water on separate systems**
- 18. Surface water drainage**
- 19. GCN measures**
- 20. Lighting**
- 21. Ecological mitigation measures (including within the 25m Woodland buffer)**

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

