

Application No: 18/2996M

Location: LAND NORTH OF PARKGATE INDUSTRIAL ESTATE, PARKGATE LANE, KNUTSFORD, CHESHIRE

Proposal: Reserved matters application pursuant to outline planning consent 13/2935M for siting, design, appearance and landscaping details for residential development (C3 Use Class)

Applicant: The Tatton Estate

Expiry Date: 30-Nov-2020

## **SUMMARY**

The proposed development seeks to provide a residential development of 234 dwellings on a site allocated for housing in the CELPS. The submission relates to the detail of the proposal in terms of its scale, layout, appearance and landscaping, and whilst the scheme has moved on since the refusal of an identical application in 2018, there still remains some issues to be addressed.

As proposed, there are aspects of the development that are inappropriate development in the Green Belt, and which do not preserve openness. At present there is a proliferation of fences within the Green Belt areas surrounding the development, which do not all appear to be necessary. It is therefore recommended that a revised plan is received to remove some of these fences, as well as reducing the extent of the cycle path spur to the east of the site.

In terms of other issues, the proposed residential mix does not accord with the objective of the KNP, which identifies the need for new housing which meets the need of smaller families, single people, and the elderly. The more dominant open market units in this scheme are the medium to larger 3 and 4 bed house types, and the more dominant affordable housing is 3 bed units where most of the need is for 1 bed units. Some switching of house types could provide the one bed units to satisfy this demand, and to comply with policies H1 of the KNP, and policies SE4 and SE5 of the CELPS.

Further specific details relating to the open space, landscape proposals and flood risk data are required to ensure that the reserved matters are consistent with the outline permission and the associated s106.

Some tweaking of the layout plans could achieve the back to back separation distance between dwellings of 21m advocated in the Design Guide, provide adequate car parking provision for plots 38, 68 and 210, ensure no private amenity space is included within the noise mitigation area, and ensure that no two and a half storey dwellings exceed 9m in height.

Comments from the tree officer relating to the impact of the development upon proximate trees, and in particular the validity of the suggestion by the Woodland Trust that a second veteran tree may be present on the site. Similarly comments from the conservation officer awaited regarding the impact upon the Registered Park & Garden. These matters will be reported as an update.

The provision of 235 new dwellings is clearly a benefit of the proposal, which will make a valuable contribution to the delivery of the Council's 5 year housing land supply. Other benefits relating to the development were secured at the outline stage, including 30% affordable housing, on site public open space, highways improvements, financial contributions towards recreation and outdoor sports provision, and towards education.

It is acknowledged that appears to be a lot of information outstanding, however the application has been with the Council for over two and a half years, and the application needs to progress. Members views on the proposal sooner rather than later are therefore crucial for any development on this site to progress. It is accepted that this is not an ideal residential site being located adjacent to an Industrial Estate and below the flight path of Manchester Airport, however the principle of the development was established in 2015 with the granting of the outline permission, and the site forms a key part of the housing land supply allocations in Knutsford. Consequently, it is considered that there are a number of minor points where further information can and is expected to be submitted by the applicant to address these issues and therefore the application can be recommended for approval, subject to conditions.

**Summary Recommendation:**

Approve subject to receipt of additional information, outstanding consultee responses and conditions

## **BACKGROUND**

The application was considered at the SPB meeting on 21 November 2018, where it was resolved to be *"deferred for further discussions/amendments regarding the application"*. An identical reserved matters application (18/2104M) was refused at the same meeting for the reasons listed in the Relevant History section below. Since the deferral the applicant has partnered with a national housebuilder – Bellway and sought to address the previous concerns with the application. Their final proposals for the site are now illustrated in the revised plans. A full re-consultation exercise has been undertaken on the revised plans.

## **DESCRIPTION OF SITE AND CONTEXT**

The site is an approximate 16 hectare greenfield site lying to the north east of Knutsford Town centre. Tatton Park is located to the north of the site, Parkgate Industrial Estate is to the south, Birkin Brook and a water treatment plant lie to the east and Parkgate Farm borders the site to the north west.

Part of the site is allocated for housing development under policy LPS 37 in the CELPS, with the remainder being within the Green Belt.

## DETAILS OF PROPOSAL

This application seeks approval for the reserved matters (siting, design, appearance and landscaping) following the outline approval 13/2935M, which granted consent for a residential development (use class C3) with associated woodland buffer, ecological mitigation and enhancements, and open spaces. The number of dwellings was not specified in the decision notice. Access was approved at the outline stage, and the current proposal seeks reserved matters approval for the appearance, landscaping, layout and scale for 234 dwellings.

## RELEVANT HISTORY

18/2104M - Reserved matters application pursuant to outline planning consent 13/2935M for siting, design, appearance and landscaping details for residential development (C3 Use Class) – Refused 23.11.2018 for the following reasons:

1. The proposal is an inappropriate form of development within the Green Belt and contrary to policy PG3 of the Cheshire East Local Plan Strategy, policy GC1 of the Macclesfield Borough Local Plan and the National Planning Policy Framework.
2. Insufficient information has been submitted to demonstrate compliance with policy SC4 of the Cheshire East Local Plan, and policy H1 of the draft Knutsford Neighbourhood Plan. The proposed residential mix does not accord with the objectives of the draft Knutsford Neighbourhood Plan, which identifies the need for new housing which meets the need of smaller families, single people, and the elderly. The more dominant open market units in this scheme are the larger 4 and 5 bed house types, which is contrary to policy H1 of the draft Knutsford Neighbourhood Plan, and subsequently policy SE4 of the Cheshire East Local Plan Strategy.
3. Assessment of the proposals against the Cheshire East Council Design Guide and Building for Life 12 indicates that there are issues in several fundamental areas of the design and layout, including: the mix of the properties proposed; the absence of a landscape character assessment; the character and density of the development; the definition of streets and spaces, and associated landscaping; the boundaries with surrounding open areas; the absence of boundary treatment details; the way in which plots turn corners; the extent of frontage parking and uninspiring, bland parking courts and general dominance of parked cars; the enclosure of the play area and lack of natural surveillance, and; the lack of external storage. The proposal is contrary to policies LPS 37, SD2 and SE1 of the Cheshire East Local Plan Strategy and the Cheshire East Council Design Guide.
4. The proposed junction arrangement close to the entrance of the site is too straight without any deflection, which will inevitably lead to vehicles merging, potentially at higher speeds, which will have significant highway safety implications, contrary to policy DC6 of the Macclesfield Borough Local Plan and paragraph 108 of the National

5. A landscape character assessment required by policy LPS 37 has not been submitted. This is required, not only to guide the scale and massing of new development, ensuring that it is acceptable in the surrounding landscape, but also to ensure a high quality design which reflects and respects the character of the area, built form and surrounding landscape. The submission is therefore contrary to policy LPS 37 of the Cheshire East Local Plan Strategy.
6. A heritage impact assessment has not been submitted and therefore insufficient information has been submitted to consider the impact of the proposal upon the significance of the adjacent designated heritage asset, the Grade II\* Tatton Park Registered Park and Garden, and as such the proposal is contrary to paragraph 189 of National Planning Policy Framework and policy SE7 of Cheshire East Local Plan Strategy.
7. The proposed mound between the housing and the industrial estate would result in the part of the public right of way (Knutsford FP 11) which is not being diverted being either on top of the mound or between the retaining wall/acoustic fence and the neighbouring industrial building. This will negatively affect the public right of way, and for this reason the proposed diversion route for FP11 is not acceptable, which is contrary to policy LPS 37 of the CELPS
8. Inadequate landscape detail has been provided. The submission is therefore not in compliance with the requirements of condition 7 of the outline permission, which sets out a range of detail that is required with the reserved matters submission, which has not been submitted. Accordingly insufficient information has been submitted to be able to confirm compliance with policies SE1, SE4, SD2 and LPS 37 of the Cheshire East Local Plan Strategy.
9. The scale of the dwellings on certain plots conflicts with plans approved under the outline consent 13/2935M. The proposal is therefore not in compliance with condition 4 of the outline permission.
10. An affordable housing scheme that is required by the s106 to be submitted with the first reserved matters application has not been submitted. Insufficient information has therefore been submitted to enable an assessment of compliance with policy SC5 of the CELPS.
11. A landscape scheme (providing a detailed specification for the public open space) that is required by the s106 (attached to the outline permission) to be submitted at the same time as the first reserved matters application has not been submitted.

Insufficient information has therefore been submitted to enable an assessment of compliance with policy DC40 of the Macclesfield Borough Local Plan and policy SE6 of the Cheshire East Local Plan Strategy.

12. Insufficient information has been submitted to demonstrate the full extent of the impact of the development upon trees or woodlands that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area. Accordingly, compliance with policies SE3 and SE5 of the CELPS and paragraph 175 of the Framework cannot be confirmed.
13. Condition 29 of the outline permission requires a phasing plan showing the details of the ecology, landscape and open space works to be submitted as part of the first reserved matters application. Whilst a phasing plan for the housing has been submitted, the specific detail required by the condition has not been provided, and therefore there is conflict with condition 29 of the outline consent.
14. Insufficient information has been submitted to demonstrate that the proposed levels are acceptable, having regard to the requirements of conditions 6 and 22 of the outline permission and the 1 in 100 years plus climate change flood level.

18/2105D – Discharge of conditions 6, 19, 21, 23, 24, 25, 29, 39 and 41 on permission 13/2935M – Not determined to date

18/0337M - Variation of Conditions 4, 23, 33, 34 and 35 on approval 13/2935M - Outline application with all matters reserved except for means of access, for the erection of a high quality residential development (use class C3) with associated woodland buffer, ecological mitigation and enhancements, and open spaces – Withdrawn 23.01.2020

13/2935M - Outline application with all matters reserved except for means of access, for the erection of a high quality residential development (use class C3) with associated woodland buffer, ecological mitigation and enhancements, and open spaces – Approved 23.06.2015

08/2717P - Outline application for the erection of an employment development comprising class b1, b2 & b8 uses and associated highways works and landscaping buffer (resubmission of 08/0721P) – Not determined to date (s106 never completed)

08/0721P - Erection of employment development comprising class B1, B2 and B8 uses and associated highways works and landscaping buffer (outline with means of access only applied for) – Withdrawn 30.08.2008

## **POLICIES**

### **Development Plan**

Cheshire East Local Plan Strategy (CELPS)

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy  
PG4 Safeguarded Land  
PG6 Open Countryside  
PG7 Spatial Distribution of Development  
SD1 Sustainable Development in Cheshire East  
SD2 Sustainable Development Principles  
IN1 Infrastructure  
IN2 Developer Contributions  
SC1 Leisure and Recreation  
SC2 Indoor and Outdoor Sports Facilities  
SC3 Health and wellbeing  
SC4 Residential Mix  
SC5 Affordable Homes  
SE1 Design  
SE2 Efficient use of land  
SE3 Biodiversity and geodiversity  
SE4 The Landscape  
SE5 Trees, Hedgerows and Woodland  
SE6 Green Infrastructure  
SE7 The Historic Environment  
SE9 Energy Efficient development  
SE12 Pollution, land contamination and land stability  
SE13 Flood risk and water management  
CO1 Sustainable travel and transport  
CO3 Digital connections  
CO4 Travel plans and transport assessments

LPS 37 Parkgate Extension, Knutsford

Macclesfield Borough Local Plan saved policies (MBLP)

NE9 Protection of River Corridors  
NE11 Nature conservation  
NE17 Nature conservation in major developments  
NE18 Accessibility to nature conservation  
RT5 Open space standards  
H9 Occupation of affordable housing  
DC3 Residential Amenity  
DC6 Circulation and Access  
DC8 Landscaping  
DC9 Tree Protection  
DC14 Noise  
DC17 Water resources  
DC35 Materials and finishes  
DC36 Road layouts and circulation  
DC37 Landscaping  
DC38 Space, light and privacy  
DC40 Children's play / amenity space  
DC63 Contaminated land

## Knutsford Neighbourhood Plan (KNP)

C4 Utilities

D1 The Knutsford Design Guide

D2 Local Distinctiveness

D3 Landscape in New Development

D4 Sustainable Residential Design

E1 Connections to the Countryside

E2 Green and Blue Corridors

E3 Habitat Protection and Biodiversity

E5 Pollution

HW1 Health & wellbeing

HE2 Heritage assets

HE5 Historic Open Spaces, Woodlands, and Meres

H1 Housing mix

SL1 Open space in new developments

SL3 New sport and leisure facilities

T1 Walking in Knutsford

T2 Cycling in Knutsford

T3 Public transport

T4 Parking

## **Other Material Considerations**

National Planning Policy Framework (The Framework)

National Planning Practice Guidance

Cheshire East Design Guide

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

(The comments below are the most recent comments received in response to the re-consultation exercise on the revised plans during October 2020, unless otherwise stated)

**Historic England** – No comments to make

**The Gardens Trust / Cheshire Gardens Trust** – Concerned about the minimal amount of new planting adjacent to the Tatton Estate.

**Natural England** – No objection

**Cheshire Fire Brigade** – No comments received

**Cheshire Wildlife Trust** – Recommend that a decision is delayed until the appropriate calculations have been provided to demonstrate the proposals will result in a measurable net gain for biodiversity.

**Environment Agency** – Any flood related, land quality and ecological condition(s) from the outline application still apply

**United Utilities** – Make comments regarding an easement within the site and drainage (July 2018)

**Manchester Airport** – No objection subject to conditions relating to dust/smoke control, attraction of birds to the site, SuDS basins, birdstrike avoidance, lighting and solar voltaics.

**Flood Risk Manager** – Comments awaited

**Environmental Health** – Raise concerns regarding new noise sources at Parkgate Industrial Estate that have not been considered, the expansion of aircraft noise contours, and seek clarification of the acoustic fence position and the position of dwellings in relation the noise mitigation area.

**Housing Strategy & Needs Manager** – Object due to absence of 1 bed dwellings

**Education** – No comments received, however a s106 contribution was secured at outline stage so nothing further would be required on this reserved matters scheme.

**Public Rights of Way** – No objection

**Head of Strategic Infrastructure** – No objection

**ANSA** – Object due to lack of detail regarding open space proposals

**Cheshire Archaeology Planning Advisory Service** – No objection – relevant condition attached to outline permission

**Knutsford Town Council** – Support the application subject to minor changes to bin storage; ensuring native species are used in planting schemes and careful consideration being given to planting fruit trees near the play area.

## **OTHER REPRESENTATIONS**

31 letters of representation have been received from local residents, the Knutsford Community Groups, the National Trust and other interested parties. 24 letters were received objecting to the proposal on the following grounds:

- Insufficient planting between housing and Tatton Park
- Inadequate Visual Impact Assessments and resulting provisions
- Views from Tatton park need to be protected
- Loss of 16 hectares of grassland bounded by hedgerows and dense tree belts including Veteran trees in decline, and loss of areas of wetland / ponds
- Incremental development of Green Belt edge areas such as this our natural environment our natural environment is at significant risk
- Reduction, fragmentation and deterioration of habitats
- Draining and replacement of ponds that are significant landscape features that are unique to the area and of significant natural importance
- When was last ecological survey carried out?
- Air quality issues arising from industrial estate



- Site is on flight path
- Loss of countryside to housing estates
- Disruption and traffic for an already overwhelmed area
- Public walking path used by many and it will ruin the natural beauty
- New access should be created beneath railway line
- Impact on highways safety and congestion
- The bridge on Parkgate crossing the railway was originally designed for farm traffic, it is too narrow. Already too much traffic.
- Impact on local schools
- Not enough parking and access to the local shops on Parkgate Lane
- Impact upon visual amenity of area
- Detrimental to the health and well-being of local residents
- Loss of Green Belt farmland
- Increased light pollution
- Enough brownfield sites for development
- Does not represent the need for affordable housing for the young of Knutsford
- Residents on Parkgate Lane not sent planning notifications
- Loss of public access
- the long mooted pedestrian/cycle connection to connect Parkgate to the town centre via Mallard Close, Dog Wood then the Moor should be provided as part of this development
- Long, convoluted fenced-in alleyways to the rear of gardens provided but will never be used as they are so inconvenient and uninviting. Bins will be left of the street. Also an inefficient use of land. an alleyway through the middle of the terrace directly to rear gardens of mid-terraced properties would be better solution or attractive bin stores to front.
- Large areas of uninterrupted paving or tarmac should be avoided. Sometimes they are broken only by forgotten areas filled with gravel.
- The 'mews' streets risk being dominated by hard surfacing and parked cars.
- Trees in gardens needed
- 234 dwellings exceeds the quantum identified in the CELPS of "around 200 new homes"
- Is the topography of the land for the play and pitch areas suitable to the purposes intended?
- Is the co-location of the play area next to the ecology area satisfactory and is it of the required size?
- Is CEC content that these formal open spaces, as proposed, are outside the net developable area contrary to the S106 Agreement for the Outline consent?
- As this development is predominately small family homes, should the LAP and LEAP be in place early in the occupancy of the first homes?
- Is it prudent to put additional housing in areas originally identified as Flood Zones and has the effect of potential run-off into the ecologically sensitive Birkin Brook been assessed?
- Should the housing mix include one-bedroomed properties?

- Cycle/footway around the site and outside should be 3m wide at all points
- Route out of the site should connect to Haig Road and the proposed future cycle path to Dog Wood
- Is adequate cycle storage provided?
- Is there enough room for a gate and access at the sides of semi-detached houses where no garage has been provided?
- Effective travel plan is required
- The bus stop is marked in position on a road but no detail has been provided so it is not possible to assess its suitability

4 letters of support have also been received noting that:

- Proposal will allow first time buyers to get on the property ladder with housing prices that are potentially affordable
- Team have worked incredibly hard to deliver requests from CEC SPB, Town Council, Neighbourhood Plan
- Will deliver huge benefits to the town
- Will enable lots of investments on the Estate including new jobs especially for the Food, Farming and Environment strategy, film studios and Wedding Barn

In their letter of objection the Knutsford Community Groups also highlight the following positive aspects of the proposals:

- The detailed landscape and maintenance plans,
- Landscape and heritage character assessment
- Cycle and pedestrian access within the site.
- The 'flight of fantasy' play area equipment and seven-a-side football pitch is eagerly anticipated.
- The design of the various housing types with their dedicated car parking and private gardens are a significant improvement on previous schemes.
- The proposals meet the Knutsford Neighbourhood Plan Policies D1 Design Guide and H1 Housing Mix in respect of two- and three-bedroom homes.
- The electric charging points, provision of rainwater butts, and solar panels on some affordable homes are welcomed.
- It is excellent that a pre-build phase will deliver the diverted PROW and playing pitch.

3 letters make the following general observations:

- No objection to the housing but surely it will require another access road other than Parkgate Lane
- Are the existing amenities sufficient to support an additional estimated 700 people in the area

## **OFFICER APPRAISAL**

### **Principle of development**

The application site is an allocated Strategic Site for housing in the CELPS. Site LPS 37 states that the development of the Parkgate Extension over the Local Plan Strategy period will be achieved through:

- Phased provision of around 200 new homes;
- Incorporation of green infrastructure;
- Implementation of a landscaping scheme, including SuDS and boundary treatments, ecological mitigation and pond treatment required to detract large water birds;
- Pedestrian and cycle links to new and existing residential areas, shops, schools and health facilities including a permanent diversion route of public footpath (Knutsford FP11) and at least three 20 metre wide links between the housing area and the woodland buffer;
- An approximate 50 metre acoustic buffer/bund/fence for noise mitigation between the proposed housing and the industrial estate and employment allocation;
- Dwellings within mapped areas of noise mitigation will require mitigation to outdoor amenity space;
- Appropriate contributions towards education facilities.

The number of dwellings was not specified on the decision notice for the outline planning permission, therefore a proposal for 234 dwellings does accord with the outline permission. As noted above, LPS 37 allows for around 200 new homes. 234 would be a 17% increase from the broad figure of 200 specified in the policy. Subject to the development complying with other relevant planning policies, it is considered that such a number could be considered to meet the requirement of “around 200 dwellings” in LPS 37. The delivery of the site for residential development will contribute towards the Council’s housing land supply and assist in meeting the development requirements of Knutsford and the wider Borough. The further requirements of policy LPS 37, and other relevant policies, are considered below.

### **Green Belt**

As noted above part of the application site is located within the Green Belt. A parameters plan approved as part of the outline permission identifies the developable area of the site outside of the Green Belt. It is primarily the areas to the north and west of the application site that are located within the Green Belt.

The following items are shown to be provided within the Green Belt, although confirmation is required that no further development in the Green Belt is proposed by the submission of detailed landscape plans:

- Trim trail
- Playing field
- Benches along PROW
- 1m wide surfaced PROW and spur to west corner

- Dog bin / litter bin
- Timber knee rail around suds basin
- 3m wide spur from cycle lane to east of site
- Post and rail fence around eco areas
- Creation of ponds and suds basins
- Paddock fencing

Many of these items are required to be provided by the outline permission and the associated s106 agreement.

The provision of appropriate facilities for outdoor sport, outdoor recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it is one of the identified exceptions to inappropriate development in the Green Belt listed in paragraph 145 of the Framework and policy PG3 of the CELPS.

In this case, the majority of these features are considered to be appropriate facilities for outdoor sport and recreation and are considered to preserve openness and not conflict with the purposes of including land in the Green Belt. That is except for the 3m wide spur from cycle lane to east of site, which extends a long way beyond the playing field, but does not link to another cycle route. It is considered that this level of encroachment is too much and unnecessary, and the cycle path should stop at the playing field to minimise the impact upon the Green Belt.

The features that are not facilities for outdoor sport and recreation include the suds basins and ponds which are engineering operations that preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt in accordance with paragraph 146 of the Framework and policy PG3 of the CELPS. These features are also not inappropriate in the Green Belt.

This then leaves the proposed fencing and knee rails. The construction of new buildings is inappropriate in Green Belt. The Town & Country Planning Act defines a building as “any structure or erection...” and in this context fencing and railings are included as buildings. Policy PG3 and paragraphs 145/146 provide a list of exceptions of types of buildings that are not inappropriate development. The proposed fencing and railings are not considered to meet any of the identified exceptions and are therefore inappropriate development in the Green Belt.

Policy PG3 of the CELPS reflects paragraph 145 of the Framework where it states that within the Green Belt, planning permission will not be granted for inappropriate development, except in very special circumstances. The fencing and railings are provided for safety or ecological purposes are anticipated to be relatively low level (details have not been provided). However, there are a lot of fences proposed which come in close proximity to one another and which fragments the open areas of the site within the Green Belt, thereby serving to reduce openness. Whilst the safety and ecological requirements for the fencing and railings is noted and is a material consideration in favour of it, given the amount of fencing proposed and its impact on the openness of the Green Belt, these factors are not considered to outweigh the identified harm to the Green Belt by reason of inappropriateness and loss of openness. It is however considered that some of the fencing could easily be removed from the proposal

through the submission of a revised plan. Subject to the receipt of this plan, it is recommended that permitted development rights for fencing should then be removed by condition.

## Housing

### Affordable Housing

30% of the dwellings on site were secured as affordable housing as part of the outline permission, in accordance with policy SC5 of the CELPS. As a development of 234 dwellings, 70 dwellings are required to be provided as affordable dwellings. The s106 agreement on the outline permission requires 65% (45 units) to be provided as affordable rent with the remainder (25 units) as intermediate.

Cheshire Homechoice data shows the current rented demand in Knutsford to be:

	How many bedrooms do you require?						
First Choice	1	2	3	4	5	5+	Total
Knutsford	177	80	44	17	15	0	333
% of total	53	24	13	5	5	0	

The Strategic Housing Manager also advises that the current need for Intermediate dwellings in Knutsford is the same as other sites in Cheshire East, where there is a need for singles, couples and those either making a new household or in need of a larger property to be accommodated.

The affordable housing statement submitted with the application confirms that 45 units will be provided as affordable or social rent and the 25 intermediate units will be provided as shared ownership properties as follows:

#### *Affordable / social rent*

24 x 2 bed house

21 x 3 bed house

#### *Intermediate*

6 x 2 bed house

19 x 3 bed house

Given the demand outlined in the table above, the absence of 1 bed properties is a notable omission from the affordable housing scheme. This is also the reason why the Strategic Housing Manager has objected to the proposal. Policy SC5(3) of the CELPS states that the “affordable homes provided must be of a tenure, size and type to help meet identified housing needs and contribute to the creation of mixed, balanced and inclusive communities where people can live independently longer”. Policy H1 of the KNP requires affordable housing to be delivered in line with policies within the CELPS.

The applicant's affordable housing scheme is based on the Cheshire Homechoice data highlighted in the Housing Officer's comments to the originally submitted scheme from May 2018, which identified the following demand at that time:

59x 1 bedroom  
46x 2 bedroom  
19x 3 bedroom  
7x 4+ bedroom

The original reserved matters scheme proposed the following mix of affordable units:

- 30 x 1 bed apartments (3-storey)
- 18 x 2 bed apartments (3-storey)
- 8 x 2 bed semi-detached / terraced (2-storey)
- 15 x 3 bed semi-detached (2-storey)

This mix did provide units to meet the identified need. However, the current mix of affordable units does not appear to achieve this, particularly as it now appears that the demand for 1 bed properties is three times what it was in May 2018 (177 compared to 59), and provision of 1 bed units has been removed from the proposal entirely.

The applicant has stated that this is a Reserved Matters permission and in the case of the preceding outline permission bedroom size / mix is not cited as a Reserved Matter, a conditional requirement, or a lawful obligation within the s106 agreement, for determination now.

The proposed tenure split is acceptable, and the dwellings are well pepper -potted throughout the site. However, the affordable units comprise 3 house types – the Millington, the Maurice and the Wilbraham. Policy SC5(5) of the CELPS requires market and affordable homes to be indistinguishable and achieve the same high design quality. The design quality is maintained, however whilst the Millington is an open market house type, the Maurice and the Wilbraham are not. The Maurice is the only terraced property within the development and as such it is considered that more could have been done to make the market and affordable units indistinguishable.

The applicants have offered to include the provision of four one-bed units in place of a pair of semis, which will assist in providing a small contribution to the one bed-requirement. A revised plan is awaited and will be reported as an update.

### Residential Mix

Policy SC4 of the CELPS states that new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. Similarly, policy H1 of the KNP prioritises smaller house types and requires new residential development on the strategic sites to primarily seek to deliver the following types of market housing (including those for private rental):

- 2/3 bedroomed family housing and that is suitable for downsizing with gardens and associated parking
- Housing for older people or those with reduced mobility, either as one or two storey properties or as higher density apartments, which are designed with the specific needs of those users

- Nursing and care homes and sheltered accommodation for the elderly.

The proposed development comprises the following open market units:

- 4 x 2 bed bungalows
- 14 x 2 bed 2-storey dwellings
- 63 x 3 bed 2-storey dwellings
- 18 x 3 bed 2.5-storey dwellings
- 67 x 4 bed 2-storey dwellings

When combined with the affordable units (which are all 2-storey dwellings) the mix is as follows:

- 46 x 2 bed properties
- 121 x 3 bed properties
- 67 x 4 bed properties

The Hawke housetype accounts for 8 of the 2 bed units and is shown to have two bedrooms and a study. The Hawke housetype is actually identical to the Millington housetype but has a study rather than a third bedroom. It is considered that the Hawke housetype should be treated as a 3 bed property. Indeed the code given to it in the accommodation schedule on the site layout plan is as a 3 bed property.

The explanatory text for policy H1 of the KNP states that:

*“The Cheshire East Strategic Housing Market Assessment (SHMA) from 2016 identifies the need for new housing which meets the need of smaller families, single people, and the elderly. This in part is justified when looking at the demographic changes that are apparent in the Town, including an aging population and a growth of families with older children and those typically in the age bracket as a ‘first time buyer’. This is reflected in the feedback received from residents within Knutsford during every consultation on the Neighbourhood Plan.”*

It is acknowledged that the provision of 4 bungalows is a positive aspect of the development and does contribute towards the requirement for housing for older people as set out in policy H1 of the KNP. However, in terms of market housing in general (and treating the Hawke as a 3-bed property), 6% are 2-bed properties, 54% are 3-bed properties and 40% are 4-bed properties. This suggests a dominance of 3 and 4 bed properties rather than the 2 and 3 bed properties referred to in policy H1 of the KNP. When this is added to the absence of any 1 bed units, it is considered that the development does not prioritise smaller housing types as required by policy H1 of the KNP.

### **Open Space**

A minimum of 40sqm per dwelling of public open space was secured as part of the outline consent. The s106 agreement requires the open space to include formal and informal recreation areas, a fenced central play area and amenity space with LEAP and LAP, seating, signage and informal amenity area with sports pitch, trim trail footpaths, seating and signage of which a minimum of 2,000sqm must be within the Developable Area (but not on the industrial buffer mound).

The submitted landscape masterplan suggests that 2,574sqm of open space is provided within the developable area. However, the majority of this is shown to be in the “LEAP/LAP play area”, which accounts for 1,076sqm. The balance is said to be provided in pockets across the site, but its not clear where the 1,500sqm are within the development. The applicant’s revised planning statement outlines that 2,574sqm of formal public open space is being provided within the developable area. However, this appears to include narrow grass verges and areas not suitable for play or amenity use and should be removed from the total.

ANSA have commented on the application from an open space perspective and noted that the proposed play area is stated as 1,076sqm but indicative plans give no detail on how this amount of play can be successfully achieved. There are no plans showing how the play area will be laid out, how free play areas will be provided within the fenced area, paths, seating, signage or number and types of equipment and necessary safety zones. The suggested play equipment is welcomed, it is imaginative and creative equipment that could create a special and character driven play area, but it is only indicative, and no detail is given. The play area is also located directly adjacent to the ecological area, this will undoubtedly have an impact on the design and layout of the play area and more detail is required to show that they are compatible close neighbours. The applicant has not demonstrated that 2,000sqm of meaningful Public Open Space can be provided within the developable area. Concern is also raised by ANSA regarding the proposals for the trim trail, which are only indicative and is likely to be hidden from view by the proposed community orchard.

The revised planning statement goes on to state that the north eastern part of the site contains circa 20,000sqm of open space. This is only the case if the fenced off ecological area that has no public access and the suds basin, fenced with a timber knee rail, are included. Figure 01 on the Landscape Masterplan shows other open space totals which include substantial fenced parts of the site where public access will not be possible or desirable, landscaped bunds and SUDS. This is not open space provision available to the public for amenity use. The Management Plan submitted for the site should directly relate to the final proposals and designs and with the lack of such detail in open space design, the management plan is incomplete.

The s106 requires the proposed sports pitch to meet Sports England Natural Turf for Sport standard. To demonstrate that will be achieved the applicant should have submitted a sports turf agronomists report and proposal for the pitch detailing the works required to establish such a pitch. The agronomists report would also have identified the required maintenance of the pitch would could then have been included or referenced within the management plan for the site, to ensure the pitch, once established, could provide a playable facility for many years. This has not been provided.

However, as with the original reserved matters submission, an adequately detailed specification for the Public Open Space has not been submitted as required by the s106. These details are awaited and will be reported as an update.

### **Living conditions**

Saved policy DC38 of the MBLP states that new residential developments should generally achieve a distance of between 21m and 25m between principal windows and 14m between a



principal window and a blank elevation. This is required to maintain an adequate standard of privacy and amenity between residential properties, unless the design and layout of the scheme and its relationship to the site and its characteristics provide a commensurate degree of light and privacy between buildings.

However the CE Design Guide states separation distances should be seen as guide rather than a hard and fast rule. The Design Guide does however acknowledge that the distance between rear facing habitable room windows should not drop below 21m. 18m front to front will also provide a good level of privacy, but if this applied too rigidly it will lead to uniformity and limit the potential to create strong streetscenes and variety, and so this distance could go down as low as 12m in some cases.

The only residential property within proximity of the site is at Parkgate Farm, but this is approximately 90 metres away from the nearest of the proposed dwellings.

There are several instances within the layout where the distances between dwellings fall below those standards recommended above. Front to front relationships are generally in accordance with the specified separation distances with none of these falling below 12m. The closest relationships being on the corner turning properties, which can be expected. However, some back to back relationships do fall below the 21m specified in the Design Guide, some as low as 18m, which does give rise to some concern regarding outlook and privacy for future occupants of the site.

## **Noise**

In addition to being subject to any noise from the adjacent industrial estate, the application site is in very close proximity of the flight path for Manchester Airport. As such the site will be subject to noise from overhead aircraft with the developable area of the application site lying between the 60dB and 63dB airport noise contours. To put that in some context, 57dB is commonly taken to be the average level of daytime aircraft noise marking the approximate onset of significant community annoyance (Aviation Policy Framework, 2013). However, the principle of the development has been approved, and therefore, subject to compliance with the outline permission, the proposal will comply with policy SE12 of the CELPS and DC14 of the MBLP relating to noise and soundproofing, and the relevant section of LPS 37 of the CELPS.

Noise mitigation measures were secured as part of the outline consent which included the provision of acoustic glazing, acoustic insulation and mechanical ventilation and heat recovery systems to avoid the need to open windows for ventilation (condition 33); the provision of an acoustic fence along the southern boundary with the Parkgate Industrial Estate (condition 34), and noise mitigation to be provided for outdoor amenity areas if positioned (wholly or partially) within a specified area of the site (condition 35).

Condition 33 will be complied with on completion of the dwellings in accordance with the stated specification. The acoustic fence is proposed in accordance with the outline consent in accordance with condition 34. In terms of condition 35, from the information on the submitted plans and the applicant's "Statement of Compliance" parts of the external amenity space of plots 3 and 4 do encroach into the area covered by condition 35, but no scheme of noise mitigation for these areas has been submitted. The reserved matters proposals therefore

currently conflict with condition 35 of the outline permission, albeit to a very small degree. A revised plan tweaking the position of these dwellings will overcome this minor conflict.

### **Air Quality**

Air quality impacts were also addressed at the outline stage, and mitigation measures were secured as part of that consent and will need to be complied with. The mitigation included requirements for a travel plan, a dust management plan and electric vehicle charging points.

### **Public Rights of Way**

The development affects Public Footpath Knutsford No. 11, as recorded on the Definitive Map of Public Rights of Way, and this has been the subject of a diversion order in preparation for this development. The Order has been confirmed; however until the new route is constructed and certified as satisfactory, the route of the existing route remains legally recorded. This is acknowledged in the Transport Statement. A small part of the existing PROW at the south west corner of the site remains unaffected. The remainder is diverted around the northern edge of the ecological area at the north of the site.

Policy LPS 37 of the CELPS requires the development of this site to provide a permanent diversion route of public footpath (Knutsford FP11), which is satisfactorily provided with the proposed development. The PROW unit also raises no objection to the proposal.

### **Accessibility**

*“Pedestrian and cycle links to new and existing residential areas, shops, schools and health facilities including a permanent diversion route of public footpath (Knutsford FP11) and at least three 20 metre wide links between the housing area and the woodland buffer”* are criteria listed under LPS 37 stating how the development of the Parkgate Extension will be achieved over the Local Plan Strategy period. In addition, one of the site specific principles of the development is to *“Improve the connectivity and accessibility into and out of the site to the town centre and wider local area with the provision of, or contribution to, cycle paths and pedestrian linkages”*.

As part of the consideration of the application for commercial development (accessed from Haig Road) on the southern part of LPS 37, it was identified that there are footways on both sides of Haig Road that provide good pedestrian access to the site. The Highways Authority has also confirmed that Haig Road carriageway is suitable for cyclists without further improvements being made. FP11 was unaffected by the proposal.

In terms of the proposed residential development, this is accessed directly from Parkgate Lane. Whilst sections of Parkgate Lane do not have a footway, access to the development was approved as part of the outline consent and has therefore been found to be acceptable. No requirements for improvements to provide improved footway / cycleway linkages to the town centre were required as part of the outline permission.

### **Highways**

Whilst access was approved as part of the outline permission, this reserved matters submission seeks approval for the internal road layout of the site. A number of internal road layouts have been submitted for reserved matters approval on this site, and this latest version is a fundamentally different scheme to that previously submitted.

In general, this is a much better road layout than the previous submissions, the main access road is linear but is broken up with features to reduce speeds and there is a loop connection to the dwellings on the southern boundary of the site. The latest scheme has reduced the amount of cul-de-sacs in the development and the minor roads have been indicated as shared surface roads which are suitable for use in low traffic speed situations.

The level of parking provided across the development is almost in accordance with CEC car parking standards of two spaces per dwelling as a minimum. However, plots 38 and 210 do not appear to have any allocated car parking, and the driveway serving plot 68 is too short to accommodate two spaces.

With regard to accessibility, the main access has 2m footway on the northern side and 3m combined footway/cycleway on the southern side that is continuous through the development.

In summary, the internal road layout has improved considerably since the previous submission, and the Head of Strategic Transport raises no objections to the proposal. If the site layout plan is amended to provide adequate car parking for plots, 38, 68 and 210, which requires only very minor changes, no significant highways issues will be raised.

## **Trees / Landscape**

### Trees

Policy SE 5 of the CELPS outlines that development proposals which will result in the loss of, or threat to, the continued health and life expectancy of trees, hedgerows or woodlands (including veteran trees or ancient semi-natural woodland), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area, will not normally be permitted, except where there are clear overriding reasons for allowing the development and there are no suitable alternatives.

Condition 25 of the outline permission requires an arboricultural impact assessment to be submitted with the reserved matters submissions. One has been received in accordance with this condition.

With the original reserved matters submission, concerns were raised regarding the extent of information relating to the impact of the development upon trees, including a veteran tree (T1), social proximity and shading, and the impact of the proposed drainage scheme upon trees.

Amended comments from the Council's tree officers are awaited to establish whether adequate information has now been submitted, and whether the impact upon trees is acceptable. These comments will be reported as an update. An objection has also been received from the Woodland Trust highlighting tree T2, a mature English Oak which also displays veteran characteristics and a sizeable trunk girth, which has not been recognised as a veteran tree within the arboricultural report, which will also be considered by the tree officer

and reported as an update. If it is a veteran tree, it will require a buffer zone of 15x the stem diameter, with all proposed works removed from within the root protection area.

### Landscape

Policy D3 of the KNP states that planning applications which demonstrate sensitive landscape solutions integrated into the design proposals will be supported. Policy SE4 of the CELPS requires, as a minimum, for all development to conserve the landscape character and quality of an area.

The landscape officer has raised a number of concerns regarding the proposed development. The open space proposals are one particular area where this concern is evident in terms of the amount of amount space and the cramped appearance of it within the developable area. Compared to previous proposals, the large area at the site entrance is now proposed for grazing rather than amenity and recreation. It is also not clear why a large earth mound is proposed in the paddock to the north of the entrance.

The landscape buffer along the boundary of the industrial estate should comply with condition 4 of outline planning consent which states that reserved matters applications should be in accordance with the approved Site Parameters Plan and should be in broad accordance with approved Indicative Sections plan. However, the 30m and 20m offset distances (landscape buffers), as shown on the approved cross sections, are measured from the site boundary to the front or rear garden boundaries and not to the house frontages. The depth of planting on the approved cross sections measure 17.5 metres and 19 metres. On the proposed layout the house frontages on plots 122 and plots 37 to 56 are offset from the site boundary by about 30 metres (and in some cases less than 30m), and the space available for screen planting is a maximum width of 15 metres with a long stretch (of about 110m), opposite plots 37 – 50 & plot 122, where the planting belt is only 10 metres wide. A pumping station and substation are also located within the landscape buffer. Some tweaking of the positions of buildings within the landscape buffer are therefore required.

Other issues raised by the landscape officer include the SUDs ponds should be designed as attractive balancing ponds rather than unnatural, engineered depressions that are dry for most of the year. The proposed woodland at north-eastern end of the site should be omitted because it will enclose the footpath. This part of the site is already surrounded by mature off-site woodland.

Condition 7 of the outline planning permission requires specific details to be submitted as part of the landscape scheme submitted with the reserved matters, which have not all been received with reference to the latest layout plans. The proposed hard surfacing does not appear to be in accordance with the materials stated within the Design Guide.

It is anticipated that these issues could potentially be dealt with by condition.

### **Heritage Impact**

The application site is located adjacent to the Grade II\* Registered Park & Garden of Tatton Park, a designated heritage asset. The Gardens Trust are a Statutory Consultee with regard to proposed development affecting a site included by Historic England on their Register of Parks & Gardens. The Gardens Trust identify Grade II\* Parks & Gardens, such as Tatton Park, as *“particularly important sites, of more than special interest”*.

Paragraph 189 of the Framework states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

This is reflected in Policy SE7 of Cheshire East's adopted Local Plan Strategy which also states in paragraph 3 that:

*"The council...will seek to avoid or minimise conflict between the conservation of a heritage asset and any aspect of a development proposal by: a. Designated Heritage Assets:  
i. Requiring development proposals that cause harm to, or loss of, a designated heritage asset and its significance, including its setting, to provide a clear and convincing justification as to why that harm is considered acceptable. Where that case cannot be demonstrated, proposals will not be supported."*

Policy HE2 of the KNP states that planning applications which result in the loss of, cause unacceptable harm to, or negatively impact on, the significance of heritage assets (designated or non-designated) will be resisted. The impact on significance will be considered against policy SE 7 of the Cheshire East Local Plan.

A Heritage Impact Assessment has now been submitted with the current application in accordance with these policies.

The Garden Trust has noted the green space between the proposed housing and the Tatton estate which contains a community orchard and an eco-zone. However, they are concerned about the minimal amount of new planting adjacent to the Tatton estate.

Section 2.25, Statement of Significance, states that *'there is the potential to glimpse views of the development from within the park and has been identified as an element which could potentially harm the significance of the asset'*. This will become a greater issue as the Shawheath Plantation is managed and thinned, thus opening up views of the housing. Accordingly they strongly recommend that a buffer barrier is created across the entire north/north-west boundary, similar to the proposed buffer zone that runs along the entire south/south-east boundary, to mitigate the visual impact.

These comments are acknowledged and there may be potential for additional planting to take place, however it must be remembered that the principle of development has already been accepted by the outline permission, which included the potential for dwellings up to 12m in height. The tallest buildings within the proposed development are 10.7m, which would potentially have less visual impact.

## **Ecology**

### Statutory Designated sites

The application site falls within Natural England's SSSI Impact Risk Zones relating to Tatton Mere. Natural England have been consulted on this application and raised no objections on

the basis that they consider that the proposed development will not have a significant adverse impact upon designated sites.

Under the Habitat Regulations the Council is required to undertake an 'Assessment of Likely Significant effects'. An assessment was undertaken in support of the outline application that concluded no significant effects were likely. This assessment has been updated in respect of the reserved matters application. The assessment concludes that the proposed development is not likely to have a significant impact upon the features for which the statutory site was designated. Consequently, a more detailed Appropriate Assessment is not required.

#### Conditions

The following conditions attached to the outline planning permission are relevant to ecology matters in the reserved matters submission:

- Conditions 23 and 24 on and off site habitat provision and management
- Condition 29 Ecology, landscape and open space phasing plan.
- Condition 39 Updated badger survey
- Condition 41 Revised ecological mitigation strategy.
- Condition 43 GCN mitigation strategy

Conditions 23, 24 and 43 require approval prior to any of the approved development taking place. Condition 29 requires details to be submitted for the approval of the Local Planning Authority as part of the first reserved matters application. Condition 39 requires a further badger survey to be submitted concurrently with the reserved matters applications. Condition 41 requires reserved matters applications to be supported by a revised ecological mitigation method statement for each phase of development.

The following conditions are considered to be most relevant to the reserved matters application as they have the potential to affect the layout of the proposal:

#### Condition 23 – On site habitat provision

A single document (On and Off-Site Habitat Creation Scheme Bowland Ecology August 2020) has been submitted for the discharge of conditions application (18/2105D) for both conditions 23 (on-site habitat) and 24 (off-site habitat).

The On and Off-Site Habitat Creation Scheme includes a plan (appendix 7) showing the location of the various proposed habitats throughout the site. There are however inconsistencies between this drawing and the submitted landscape plans. The landscape plans will need to be updated to accurately reflect the habitat provision, which could be dealt with by condition.

#### Condition 29 – Ecology, landscape and open space phasing plan

The proposed development will be delivered in phases. The submitted phasing plan shows the landscaping scheme, habitat creation and open space being delivered in phases in tandem with the built element of the scheme. This means that it would potentially be many years before the landscape, habitat creation and open space works would be delivered. The

nature conservation officer advises that is likely to simpler and more cost effective to deliver the landscape and habitat creation works all at the same time. As noted in the open space section of this report, the areas of open space require some clarification. Once this clarification is received it is recommended that the phasing plan be amended to deliver of the landscape, habitat creation and open space works with the first phase of development or be separated from the phasing of the built development aspects of the scheme.

#### Condition 39 - Updated badger survey.

An acceptable updated badger survey has been submitted. The survey has identified a number of setts located outside the red line of the application site and includes outline mitigation measures. The nature conservation officer advises that the proposed development will result in the loss of an area of suitable badger foraging habitat, however this will be at least partly mitigated through the landscaping scheme associated with the development and the overall impact is unlikely to be significant in the long term.

#### Condition 41 - Revised ecological mitigation strategy

An acceptable mitigation strategy has been submitted in accordance with the requirements of this condition.

#### Condition 43 – GCN mitigation strategy

The proposed development will result in a ‘High’ level adverse impact upon great crested newts as a result of the loss of two ponds, loss of terrestrial habitat and the risk of animals being killed or injured during the construction phase.

In the UK, the EC Habitats Directive is transposed as The Conservation of Habitats and Species Regulations 2010. This requires the local planning authority to have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development, the planning authority must consider the three tests in respect of the Habitats Directive, i.e. (i) that there is no satisfactory alternative, (ii) that the development is of overriding public interest, and (iii) the favourable conservation status of the species will be maintained. Evidence of how the LPA has considered these issues will be required by Natural England prior to them issuing a protected species license.

Current case law instructs that if it is considered clear, or very likely, that the requirements of the Directive cannot be met because there is a satisfactory alternative or because there are no conceivable “other imperative reasons of overriding public interest” then planning permission should be refused. Conversely if it seems that the requirements are likely to be met, then there would be no impediment to planning permission in this regard. If it is unclear whether the requirements would be met or not, a balanced view taking into account the particular circumstances of the application should be taken.

#### *Alternatives*

It is clear that there is no alternative way a residential development could be provided on this site without having an impact on the GCN habitat. Taking this into account it would be reasonable to conclude that there are no satisfactory alternatives.

### *Overriding public Interest*

As the proposal is contributing to the Council's housing supply, including affordable properties, it would also be reasonable to conclude that the proposal is helping to address an important social need.

### *Mitigation*

An acceptable mitigation strategy has been submitted. The strategy however details two potential options, one a conventional licenced approach with mitigation and habitat creation undertaken on site and off-site (as per condition 23) or alternatively the development may be entered into Natural England's District Licencing Scheme. If the scheme is entered into the district licencing scheme, then less mitigation will be provided on site and the scheme would not deliver the off-site habitat creation measures.

The nature conservation officer advises that both the conventional licencing and district licencing approach are acceptable to maintain the favourable conservation status of great crested newts, however the applicant must confirm with approach they intent to take prior to the determination of the application. In addition, the off-site habitat creation measures were secured by means of a condition at the outline stage therefore under the outline consent the off-site measures must be delivered regardless of the licencing option taken.

On the basis of the above it is considered that the requirements of the Habitats Directive would be met.

### **Layout / Design**

Chapter 12 of the NPPF sets out national policy for achieving well-designed places. The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve.

Paragraph 127 of the NPPF sets out 5 important broad criteria to ensure well functioning, attractive and sustainable places are achieved through development decisions. Without being overly prescriptive, the development of this site should be sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change (such as increased densities). Paragraph 130 advises that "*permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards...*".

Amongst other criteria, policy SD2 of the CELPS expects all development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of:

- a. Height, scale, form and grouping;
- b. Choice of materials;
- c. External design features;
- d. Massing of development - the balance between built form and green/public spaces;
- e. Green infrastructure; and
- f. Relationship to neighbouring properties, street scene and the wider neighbourhood



This is also reflected in policies H1 (the Knutsford Design Guide) and H2 of the KNP.

Policy SE1 of the CELPS expects housing developments to achieve Building for Life 12 (BfL12) standard, and that development proposals consider the wider character of a place in addition to that of the site and its immediate context, to ensure that it reinforces the area in which it is located. These principles are also reflected in the CEC Design Guide. The applicants BfL assessment resulted in 11 greens and 1 amber (for facilities and services). The relevant BfL12 headings are considered below, incorporating comments from the Council's design officer:

#### Connections - **AMBER**

The site is located within a semi-rural location, to the north east of the Knutsford settlement, positioned between the Parkgate Industrial Estate and Tatton Park. The site is accessed from a single point of access from Parkgate Lane. Footpath 11 which crosses the site provides connectivity to the east, towards Mobberley. To reach the nearest shops / facilities, and Knutsford town centre, access would be along Parkgate Lane and Mobberley Road. There are no other points of access for either vehicles, bicycles or pedestrians but the reasons for this are accepted given the location of the site and the proximity of the industrial estate to the south and the need for an acoustic barrier as set out in the outline application.

With regard to internal connections the main spine road flanked by the 'lanes' and the 'mews' is generally a permeable and legible arrangement. The perimeter cycleway is very welcomed but there could potentially be more pedestrian/cycle connections to this as it is likely that informal desire paths will emerge. However, it is largely as a result of the limited external connections, albeit as a result of unavoidable factors, that it is only possible to award an amber here.

#### Facilities and services - **AMBER**

For a development of this size there are no new proposed facilities other than the LEAP and the sports pitch to the north east, both of which are of course welcomed, although a more central position for the play area would be preferable. Connections to existing facilities are not particularly strong with Knutsford town centre being almost a mile to the south west, with limited public transport connections and only very limited provision being closer in the small local centre on Parkgate Road. As a result of all of this it is agreed that the applicant's own assessment as an amber, is correct in this instance.

#### Public transport - **AMBER**

The number 88 bus which travels between Knutsford and Wilmslow has its nearest bus stop on Manor Park North, which is not particularly convenient for residents of the site, as it is located within the housing estate on the opposite side of Mobberley Road but is still a non-car option for travel between Knutsford and Altrincham. The train station is approximately 2kms from the site. Whilst there is a mention of a potential bus stop within the application documents at the south west entrance of the site, it is not considered to be likely that this will become operational. As such this development remains rather disconnected. If the re-routed bus service could be ensured, then this amber would change to green.

#### Meeting local housing requirements - **RED**

The quantum of affordable housing and tenure split is provided in accordance with policy SC5 of the CELPS. The affordable homes are pepper-potted reasonably well across the site albeit with greater concentrations adjacent to the industrial park and almost none located overlooking the POS. There is also a concern over the open market mix which is rather limited and focussed too heavily on 3 and 4-bed homes. Given the evidence from Cheshire Homechoice regarding the demand for 1 bed properties, and none are provided, it cannot be concluded that the development meets local housing requirements. It is noted that neither Knutsford Town Council nor the Knutsford Community Groups object to the proposed housing mix, but for the reasons above, a red, rather than amber, is awarded here.

### Character - **AMBER**

On a general note, the design of this scheme has changed considerably since the 2018 iteration which was more formal, especially towards the south and centre, with taller buildings, a mini-crescent and a markedly more perimeter block approach. The revised scheme appears to be more 'suburban estate' in approach and utilises modified standard housetypes. Whilst the move from a more bespoke design approach is unfortunate, the use of re-elevated standard housetypes is acceptable (as detailed in the CEBDG, 2017iii, p27-28) and the modified housetypes selected are clean and unfussy which is appreciated. The move to a less formal layout is also considered to be appropriate in this edge of town location.

There are also identifiable character areas within the development, marked by changes in density and layout, as well as by housetype and elevational treatment. Density rightly lessens towards the northern boundary as the formality of the layout breaks down further. The 'Tatton Red' housetype range located along the main spine road, similar homes with black fascias, doors and windows with occasional incidences of Tudor boarding along the lanes and mews and the tiled and 'conservation green' housetypes along the rural fringe. The sections of Tudor boarding and tiling are small and there is a liberal smattering of white rendered dwellings, mainly along the central street.

What is not stated clearly (or could not be found) is how these materials and design cues have been drawn from the local vernacular. The Cheshire East Borough Design Guide Volume One (CEC, 2017ii) contains a section on the 'North Cheshire Fringe' that includes Knutsford, which is included as a sample settlement (p. 33). This section mentions elements like mock Tudor detailing and red Cheshire brick and even colours from the character area colour palette (fig ii:30, p.32) such as the heritage green, all of which have been used here and this is of course welcomed.

Whilst many of the decisions taken are positive ones, the Design Guide may however provide cues to design detailing and materials that could further embed the proposed development into Knutsford and raise this from an Amber to a Green.

### Working with the site and its context - **AMBER**

The site is open with few remarkable features, with the exception of off-site woodland to the north and east boundaries. The site is relatively level but it has a number of constraints and opportunities that are identified well in the DAS (p.6). Perhaps most pressing is its location behind the Parkgate Industrial Estate on what is essentially an enclosed back-land plot. The location understandably limits access and connectivity, as described above, but also means that measures to mitigate sound and visual impact are required. To this end the native planting on a bund, with an acoustic fence is entirely necessary and of course welcomed.

The opposite issue is apparent to the north with the start of the Green Belt and the attractive trees and landscape towards Tatton Park beyond. A softer, reduced density of housing is also apparent here. However, the Gardens Trust has suggested that more planting is required to protect the Registered Park & Garden at Tatton Park. Across the site existing hedgerows and mature trees are retained wherever it is feasible to do so and featured in the design.

The points raised elsewhere in this report regarding the open space, the residential mix, the shortfall in car parking, and below standard separation distances between dwellings do suggest that the proposal is currently too much for the site. Accordingly an amber is given here.

#### Creating well defined streets and spaces - **AMBER**

Both buildings and landscaping enclose streets effectively and this is appropriately managed across the character areas as the layout becomes more informal to the northern edge. The use of hedgerows to achieve this is positive.

Houses and their front doors do address the street and dual aspect housetypes such as the Bollington which has good levels of fenestration to the street facing elevations are used on corners reasonably effectively. It is felt that this could perhaps have been handled more effectively with the use of some angled corner turning houses in key locations such as the entrance to the site (plots 5 and 19) and perhaps at the centre of the site (plots 106 and 139). Interestingly, a “small number of angled housetypes” are referred to in the BFL12 statement but don’t appear to have been included in the submitted layout? As a result of this an amber light is awarded here.

#### Easy to find your way around - **GREEN**

The aforementioned character areas and the way that these are defined by the hierarchy of streets utilising a variety of surface materials, along with the use of different housetypes (especially the inclusion of some bungalows) all aid legibility. This is further aided by the offset square on the main street, with the public art area of POS and the location of the LEAP. A green light is awarded.

#### Streets for all - **GREEN**

There is a hierarchy of streets with an entrance avenue leading to a central spine street with mews and lanes off this, all delineated by changes in width and carriageway materials. It can be seen that the guidance provided in the Cheshire East Borough Design Guide (CEC 2017iii, p.34-54) has been referred to but the designation of the mews and lanes appears inconsistent in places.

The central street has sections of hedge planting which help to provide structure and the raised off-set square with the public art area provides punctuation and a handy reference point. It is expected that the overall approach adopted will limit vehicle speeds and create streets that can and will be used as social spaces and as such a green light is awarded.

#### Car parking - **AMBER**

A mix of parking solutions is encouraged by the Design Guide to ensure that the street scene is not dominated by vehicles.

As noted above the car parking is slightly deficient, but a revised plan should be able to easily address the current shortfall. Otherwise car parking provision is adequate and the strategy is a mixed one comprising mainly in-curtilage parking to front and side, a number of garages and two small parking courts which is broadly supported.

However, there are a number of areas where the predominance of frontage parking bays is too high resulting in the likelihood of cars being overly dominant in the streetscape. With reference to the main street, the groups of 8 adjacent bays to plot nos. 30-35 and 69-72 are problematic. Whilst it is appreciated that these are both located opposite hedges / gardens and thus the impact is limited, it is felt that given the prominent location on the main street these would benefit from some breaking up with landscaping.

Elsewhere, the frontage bays around nos. 110-114 and 100-104 are directly opposite other similar grouped bays, and whilst they are broken up with street trees and some landscaping, they still create areas that would appear to be dominated by car parking.

Plot nos. 166-171 and 38-47 have long runs of frontage bays including 12 in a stretch serving 6 homes in the former location. The Design Guide states that: "No more than five properties in one group should be served by frontage parking and landscaping should subdivide bays" and in most cases this is adhered to but in some places, as indicated it is felt that this needs work. It is notable that most of the dwellings affected by too much frontage parking are the allocated affordable properties.

The two small 8-bay parking courts (although they may not be described as such) serving plot nos. 131-138 are well overlooked, separated with landscaping and abut the cycleway and this is reasonably successful creating the impression of a square. However, it is unclear if these are allocated or unallocated bays. Subject to the parking numbers being increased to meet standards, this is awarded an amber light.

#### Public and private spaces - **AMBER**

The provision of a LAP and LEAP, a sports playing pitch, a fitness trim trail and a community orchard are positive aspect of the scheme. However, as noted above further information relating to the quantum and detail of the open space is required to ensure satisfactory levels and standards of open space are provided.

With regard to private open space and the definition between public and private, this is generally well-handled, with more formal boundary treatments to the main street and greater openness and informality to the northern edge. Hedgerows are effectively deployed to enclose space and whilst in some of the areas that are over-reliant on frontage parking bays, it is less easy to differentiate between public and private, the overall approach is good. An amber is awarded here, but this could elevate to a green if the open space queries are resolved.

#### External storage and amenity - **AMBER**

All homes appear to have reasonably sized rear gardens with access to these from the street so recycling and cycle storage should not prove a problem. However, as this is not indicated there is a potential that it will not be delivered and as a result of this an amber light is awarded here.

### General

It is clear that the BFL12 assessment above is a little less favourable than the one undertaken on behalf of the applicant. Whilst there are more ambers, there is only one red light which could be increased to amber at least if one bedroom properties were provided. The number of ambers perhaps reflects the constraints that the site has to work with but it is considered with other changes some of the ambers could easily be elevated to green.

One point not covered by the BFL12 questions is sustainability and it is noted that 36 of the dwellings have solar panels. There was no requirement on the outline permission for these to be provided, and as such it is a commendable feature of the scheme.

Condition 4 of the outline permission requires the reserved matters to be in accordance with parameters plan BB\_00\_001 Rev B. This plan identifies the areas of the site where two and three-storey dwellings can be constructed, and the maximum height of dwellings in these areas. The development is generally in accordance with this parameters plan. However, condition 4 also states that *"In relation to the heights of each building, two and a half storey properties shall have a ridge height no higher than 9m"*. The Tatton housetype is a two and a half storey property and has a ridge height of 10.7m. This housetype therefore conflicts with the requirements of the outline permission and will require amending.

### **Flooding**

CELPS policy LPS 37 requires proposals to avoid development on the eastern boundary of the site which falls within Flood Zones 2 and 3. Based on the information provided by the applicant within their Flood Zone Technical Note, it appears that some development is located within the modelled extent of Flood Zone 2.

The Environment Agency refers to the applicant's technical note on Flood Zones in their consultation response acknowledging that it compares flood level data to (more accurate) proposed site levels. However, they note that the flood level data used in the analysis is generic rather than site-specific and does not include adjustments for climate change on flood flow/levels in Birkin Brook over the lifetime of the development.

Therefore, until a more detailed analysis of flood level data is carried out they maintain that the relevant flood risk conditions on the outline permission still apply. The most relevant condition is condition 22 that requires finished floor levels to be set no lower than 600mm above the 100 year climate change flood level. Whilst this is a matter that simply requires approval prior to the commencement of development (and could be dealt with separately as a discharge of condition application), condition 6 also requires levels details to be submitted with the reserved matters, and therefore needs to be addressed now, prior to determination. Condition 7 also requires levels details to be considered with the reserved matters. Therefore until the information requested by the EA is provided by the applicant, the levels details cannot be approved. Further details will be reported as an update.

## **Contaminated Land**

Contaminated land matters were considered and appropriately conditioned at the outline stage. No further contaminated land matters are raised by the proposed reserved matters.

## **BALANCE OF ISSUES & CONCLUSIONS**

The proposed development seeks to provide a residential development of 234 dwellings on a site allocated for housing in the CELPS. The submission relates to the detail of the proposal in terms of its scale, layout, appearance and landscaping, and whilst the scheme has moved on since the refusal of an identical application in 2018, there still remains some issues to be addressed.

As proposed, there are aspects of the development that are inappropriate development in the Green Belt, and which do not preserve openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 of the Framework states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. At present there is a proliferation of fences within the Green Belt areas surrounding the development, which do not all appear to be necessary. It is therefore recommended that a revised plan is received to remove some of these fences, as well as reducing the extent of the cycle path spur to the east of the site.

In terms of other issues, the proposed residential mix does not accord with the objective of the KNP, which identifies the need for new housing which meets the need of smaller families, single people, and the elderly. The more dominant open market units in this scheme are the medium to larger 3 and 4 bed house types, and the more dominant affordable housing is 3 bed units where most of the need is for 1 bed units. Some switching of house types could provide the one bed units to satisfy this demand, and to comply with policies H1 of the KNP, and policies SE4 and SE5 of the CELPS.

Further specific details relating to the open space, landscape proposals and flood risk data are required to ensure that the reserved matters are consistent with the outline permission and the associated s106 agreement.

Some tweaking of the layout plans could achieve the back to back separation distance between dwellings of 21m advocated in the Design Guide, provide adequate car parking provision for plots 38, 68 and 210, ensure no private amenity space is included within the noise mitigation area, and ensure that no two and a half storey dwellings exceed 9m in height.

Comments from the tree officer relating to the impact of the development upon proximate trees, and in particular the validity of the suggestion by the Woodland Trust that a second veteran tree may be present on the site. Similarly comments from the conservation officer awaited regarding the impact upon the Registered Park & Garden. These matters will be reported as an update.

The provision of 235 new dwellings is clearly a benefit of the proposal, which will make a valuable contribution to the delivery of the Council's 5 year housing land supply. Other benefits relating to the development were secured at the outline stage, including 30% affordable housing, on site public open space, highways improvements, financial contributions towards recreation and outdoor sports provision, and towards education.

It is acknowledged that there is a lot of information outstanding, however the application has been with the Council for over two and a half years, and the application needs to progress. Members views on the proposal sooner rather than later are therefore crucial for any development on this site to progress. It is accepted that this is not an ideal residential site being located adjacent to an Industrial Estate and below the flight path of Manchester Airport, however the principle of the development was established in 2015 with the granting of the outline permission, and the site forms a key part of the housing land supply in Knutsford. Consequently, it is considered that if further information can be submitted by the applicant to address the points that have been raised above, the application can be recommended for approval, subject to conditions.

*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 Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Board's decision.*

Application for Reserved Matters

RECOMMENDATION: Approve subject to following conditions

1. To comply with outline permission
2. Development in accord with approved plans
3. Materials as application
4. Landscaping - submission of details
5. Landscaping (implementation)
6. Details of SUDs features to be submitted
7. Measures to prevent attraction of birds to site during construction to be submitted
8. Measures to control dust and smoke during construction to be submitted
9. Prior to the installation of any rooflights / solar panels a glint and glare assessment to be submitted
10. All exterior lighting to be capped at the horizon with no upward light spill

