

Application No: 20/3562M

Location: Site of former Knowle House, SAGARS ROAD, HANDFORTH

Proposal: Erection of 26 dwellings of which 13 affordable with improvement to existing access

Applicant: Mr Mark Cox, Morris Homes (North) Ltd

Expiry Date: 09-Apr-2021

## **SUMMARY**

The proposed development is considered to cause substantial harm to the openness of the Green Belt, and is therefore considered to be inappropriate development, which is harmful by definition. Further Green Belt harm arises from allowing the unrestricted sprawl of a large built-up area; by contributing towards neighbouring towns merging into one another, and; by encroaching into the countryside. Substantial weight is afforded to this harm.

Clarification is awaited regarding the landscape impact and the impact of the proposed development upon trees of amenity value.

Balanced against this, the proposal does provide 50% affordable housing (the tenure of which still needs to be explained), which is a significant social benefit of the scheme, and will meet an identified need, if a satisfactory explanation is provided for the tenure split as proposed. Ecological enhancements will also be secured in the event that planning permission is granted.

An acceptable design is achieved which included elements of local distinctiveness, there is no significant impact upon the living conditions of neighbours, flood risk, education and highways, which are all matters that carry neutral weight in the planning balance.

Whilst it is accepted that there has previously been some development on the land, no buildings exist and much of any former surface development has blended into the landscape, with an access drive the only remaining physical evidence of previous uses of the site. The introduction of 26 two-storey dwellings will result in substantial harm to the openness of this site and the wider Green Belt. This harm to the Green Belt is considered to be so substantial that it is not outweighed by the social benefits arising from the provision of 50% affordable dwellings and the identified enhancements to biodiversity.

The proposal therefore conflicts with the requirements of the Framework set out in paragraph 145 and 146, and policy PG3 of the CELPS, and is recommended for refusal.

## **SUMMARY RECOMMENDATION**

Refuse due to Green Belt impact

## **REASON FOR REPORT**

The application is for the erection of 26 dwellings, and under the Council's Constitution is required to be determined by the Northern Planning Committee.

## **DESCRIPTION OF SITE AND CONTEXT**

The site comprises an area of vacant land, some of which was previously occupied by a private nursing care facility, which was demolished (following a fire) in 1996. The site is located within the Green Belt as identified in the Macclesfield Borough Local Plan. The application site covers an area of approximately 1.07 hectares and was formerly the site of Knowle House. The site is bound to the west by Dobbin Brook which is located in a woodland corridor, to the south by an area of woodland and to the east by existing residential development. A narrow corridor links the site to Sagars Road to the north.

## **DETAILS OF PROPOSAL**

This application seeks full planning permission to erect 26 dwellings, of which 13 will be affordable, with improvements to the existing access.

## **RELEVANT HISTORY**

71134P - HEALTH CARE FACILITY TO INCLUDE 24 BED ACUTE CARE UNIT 12 BED NURSING CARE UNIT 12 NO. LOW DEPENDENCY UNITS ADMINISTRATIVE UNIT AND 16 NO. GARAGES

96/0564P - TWO 48 BEDROOMED NURSING HOMES – Refused 03.03.1996

96/1725P - REBUILDING OF KNOWLE HOUSE TO PROVIDE NURSING CARE UNIT (OUTLINE APPLICATION) – Withdrawn 13.01.1997

01/0507P - RESIDENTIAL DEVELOPMENT OF FOOTPRINT OF KNOWLE HOUSE (OUTLINE) – Refused 25.04.2001

02/1131P - REPLACEMENT DWELLINGHOUSE – Withdrawn 12.08.2002

13/3883M - RESIDENTIAL DEVELOPMENT OF 20 DWELLINGS AND ASSOCIATED WORKS – Refused 31.01.2014

## **POLICIES**

### **Development Plan**

Cheshire East Local Plan Strategy (CELPS)

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

PG3 Green Belt

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

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

Handforth Neighbourhood Plan (HNP)

H1 New Housing in Handforth  
H8 Landscape and Biodiversity  
H9 Trees and Hedgerows  
H11 Encouraging High Quality Design

H12 Surface water management  
H16 Congestion and Highway Safety  
H18 Promoting sustainable transport  
H19 Improving access to the countryside in Handforth and the surrounding area

### **Other Material Considerations**

National Planning Policy Framework (The Framework)  
National Planning Practice Guidance  
Cheshire East Design Guide

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

Environmental Health – No objections subject to conditions relating to air quality and contaminated land

United Utilities – No objections subject to conditions relating to drainage

Education – No objection subject to financial contribution to local school provision

Housing Strategy and Needs Manager – Object due to absence of affordable housing statement explaining provision / tenure of affordable units

Head of Strategic Transport - No objections subject to further access details and conditions relating to cycle parking and a construction management plan

LLFA – No objections subject to conditions relating to drainage  
Styal Parish Council – Object on Green Belt grounds

Handforth Parish Council – No objection (but reserve the right to make further comment) - The site is brownfield and currently derelict, overgrown and an eyesore. The developer is proposing a 50% affordable homes allocation from 26 dwellings. Applicant must adhere to the 50% affordable housing. Younger people and those with local connections should be prioritised for housing at this site. The Parish Council also require that should the applicant remove or fell any mature trees, these be replaced on a like for like basis and be subject to an ongoing management plan. Finally the Parish Council require that any CIL or S106 arrangement be discussed fully with the Parish Council and be invested locally.

### **REPRESENTATIONS**

22 letters of representation have been received from local residents and interested parties objecting to the proposal on the following grounds:

- No more development is needed in this area
- Economic consequences of Covid will lead to a lessening of demand
- Affordable housing in the last proposal was £300,000, affordable to whom?
- Major disruption already being experienced due to adjacent housing development of 250 houses
- Submission is rehashed version from 2013 – several outdated statements

- Local infrastructure cannot accommodate increase in population
- Increased traffic and risk to safety
- Loss of open space
- Inappropriate in Green Belt
- No gain to biodiversity
- Impact on ecology and trees
- Does not improve the economic, social and environmental conditions of the area
- No change to the site or the access to it, since previous refusal, yet the current proposal is for even more housing on the same size site
- Over development
- Poor access to site
- Transport Plan dates back to the 2013 application
- Weight limit on Sagars Rd
- Increased noise and light pollution
- Increased flood risk
- Impact on house values
- Grossly unfair to inflict further burden upon local residents and the local infrastructure
- No provision for social housing
- threat to the sustainability of the Dobbin Brook
- Shortfall in parking
- Lack of on-site open space
- Number of homes within the Handforth exceeds that which is strategically required.

7 letters of representation have been received raising no objection and / or supporting the proposal for the following reasons:

- Affordable housing is exactly what people need
- The site needs developing as it is a blot on the landscape
- Makes more sense to build on sites like this first then decide how much additional land is required
- Ideal for young first time buyers
- Land has no visibility to the public, has no pasture or crop fields, no woodland and would have no material impact on its natural surroundings
- houses are smaller and potentially lower value end of the market than the other permitted developments
- overall density of development is lower than many other developments and the layout appears likely to provide an attractive environment
- The development can be required to contribute fully by S106 agreements to education and health facilities ,financial support for public open space, offsite sports facilities and affordable housing
- If not developed could become site for anti-social behaviour

## **APPLICANT'S SUPPORTING INFORMATION**

The information that has been submitted alongside the plans and drawings include:

- i) Design & Access Statement
- ii) Planning Statement
- iii) Flood Risk Assessment
- iv) Phase 1 contaminated land report
- v) Ecological Assessment & Design Strategy
- vi) National Vegetation Classification Survey
- vii) Biodiversity Net Gain Assessment
- viii) Arboricultural Impact Assessment
- ix) Site Investigation report
- x) Landscape & Visual Appraisal
- xi) Transport Statement

The planning statement concludes:

- Housebuilding plays a significant role in creating and supporting employment.
- Economic benefits for local authorities through New Homes Bonus payments and ongoing Council Tax. Occupants will support the vitality and viability of nearby Handforth Centre, consistent with policies PG2 and PG7.
- The provision of affordable housing will contribute to the diversity of the housing stock
- Meets an identified need for affordable housing within Handforth
- A variety of property sizes and tenures will ensure a socially cohesive and inclusive development
- Will make beneficial use of brownfield site, consistent with Policy SE2 of the Local Plan Strategy and paragraph 118 of the National Planning Policy Framework.
- Located in a sustainable location, with a variety of alternatives to the use of the private car for access to shops, services and employment.
- No adverse impact on ecological receptors - there will be a comprehensive landscaping scheme and measures to enhance habitats.
- There will be some loss of openness within the site. However, the degree of containment and limited views mean that the impact of this within the landscape will be limited.

## **OFFICER APPRAISAL**

### **Housing Land Supply**

The Cheshire East Local Plan Strategy was adopted on the 27th July 2017 and forms part of the statutory development plan. The plan sets out the overall strategy for the pattern, scale and quality of development, and makes sufficient provision for housing (36,000 new dwellings over the plan period, equating to 1,800 dwellings per annum) in order to meet the objectively assessed needs of the area.

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

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

- Where a local planning authority cannot demonstrate a five year supply of deliverable housing sites (with appropriate buffer) or:

- Where the Housing Delivery Test Measurement 2020 indicates that the delivery of housing was substantially below (less than 75% of) the housing required over the previous three years.

In accordance with the NPPF, the council produces an annual update of housing delivery and housing land supply. The council's most recent Housing Monitoring Update (base date 31 March 2020) was published on the 11th March 2021. The published report confirms a deliverable five-year housing land supply of 6.4 years.

The 2020 Housing Delivery Test Result was published by the Ministry of Housing Communities and Local Government on the 19 January 2021 and this confirms a Cheshire East Housing Delivery Test Result of 278%. Housing delivery over the past three years (8,421 dwellings) has exceeded the number of homes required (3,030). The publication of the HDT result affirms that the appropriate buffer to be applied to the calculation of housing land supply in Cheshire East is 5%.

In the context of five year housing land supply and the Housing Delivery Test, relevant policies concerning the supply of housing should therefore be considered up-to-date and consequently the 'tilted balance' at paragraph 11 of the NPPF is not engaged.

### **Green Belt**

The site lies in the Green Belt as identified in the Macclesfield Borough Local Plan and Cheshire East Local Plan Strategy. The submitted planning statement suggests that the site is previously developed land. Given that there was once a care building on this site, it is fair to say that the land has been previously developed. However, the definition of previously developed land in the Framework states that it excludes, *"land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time."* In this case the buildings have been cleared from the site and all that exists is a largely vegetated site, with patches of building rubble and some evidence of hardstanding, much of which has been encroached upon with vegetation. The majority of any permanent structure or fixed surface structure has blended into the landscape in the process of time and reverted to a greenfield site. However, it is accepted that the access driveway into the site can still be seen as a hard surface, and this element of the site can be considered as previously developed land.

As noted above, the applicant's position is that the whole site is previously developed land. They maintain that the remains of the former care home structure have not blended into the landscape as foundations and hardstandings are clearly present

If it is accepted that the site is previously developed land as defined in the Framework, then paragraph 145(g) is relevant to the determination of this application where it states, that one of the exceptions to inappropriate forms of development is:

*"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.”

Policy PG3 of the CELPS pre-dates this policy within the Framework, and as a consequence the tests for the redevelopment of previously developed sites in the Green Belt in policy PG3 are less permissive than those in the Framework. As the most up to date policy document, paragraph 145(g) is the most relevant to the current proposal, the weight afforded to PG3 is reduced as it is partially out of date.

The site, including the access road, extends across an area of over 1ha, and 26 dwellings are proposed across the whole site. No areas of open space are retained other than narrow arrows to the site boundaries where the existing tree cover is located.

In their planning statement, the applicant refers to an appeal decision in Warwickshire which considers paragraph 145(g) and which states that for inappropriate development to exist the harm to the openness of the Green Belt must be substantial, which the Inspector notes “is a high bar”. The applicant states that in terms of the current application any impact on openness is contained to the site due to the surrounding woodland tree cover that provides a high degree of visual enclosure, reducing the perceived sense of openness. In terms of the wider Green Belt the applicant refers to the approved developments at sites at Clay Lane/ Sagars Road (224 dwellings) and Stanneylands (174 dwellings) which are sites that have been released from the Green Belt, and compared to the impact of these developments the proposal would have a very limited impact on the openness of the Green Belt, and will fall a long way short of the high bar of substantial harm in paragraph 145(g).

Whilst the applicant’s position is acknowledged it has to be noted that at present there are no buildings on this site, there is only a small amount of hardstanding. The proposal involves the provision of 26 dwellings across the entirety of the site. This results in an extension of the existing built form from the houses on Knowle Park (to the east) by approximately 128m at its widest point into what is currently a distinctly open site. Whilst the density of the houses lessens as the development moves westwards further into the Green Belt away from the existing houses to the east, a substantial built up frontage will still present itself to the remaining Green Belt and countryside beyond the site. The largest dwellings are located along this north western boundary, some of which have ridge heights of 9.3m. These are not small dwellings and they will have a substantial impact upon the openness of the Green Belt in their own right, let alone when added together with the rest of the development.

The site can be clearly viewed from the footpath that runs along the north western boundary of the site along Handforth Brook, and therefore the dwellings will be seen by those walking along this path as a substantial built environment as opposed to the open vegetated site that can currently be seen. No open space is proposed within the site to give some relief to the built form and provide some acknowledgement to the open Green Belt location of the site. Instead virtually every inch of the site with the exception of those areas along the boundaries afforded protection by the presence of trees, is covered by buildings, roads, car parking, domestic gardens and fences all of which combines to have a substantial impact upon the openness of the site, which is currently virtually uninterrupted.



Beyond the site, the applicant suggests that the approved developments to the north and south of the site will help to dilute the impact on openness that the proposed development will have. However, it is considered that these developments have the opposite effect. The approved developments to the north and south increase the importance of the remaining openness between the settlements of Handforth and Wilmslow. Any reduction in the openness of this area will serve to merge the two settlements in this location. The impact of the proposed development is therefore considered to result in substantial harm to the openness of the site and the wider Green Belt. It is therefore not necessary to consider the second strand of paragraph 145(g) in terms of whether the development would contribute to meeting an identified affordable housing need within the area of the local planning authority, in order to conclude that the proposal is inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

In addition to the harm by reason of inappropriateness the development conflicts with 3 of the 5 purposes Green Belt serves, notably by allowing the unrestricted sprawl of a large built-up area; by contributing towards neighbouring towns merging into one another, and; by encroaching into the countryside.

The proposal therefore conflicts with the requirements of the Framework set out in paragraph 145 and 146, and policy PG3 of the CELPS.

### **Affordable Housing**

Policy SC5 of the CELPS states that “In developments of 15 or more dwellings (or 0.4 hectares) in the Principal Towns and Key Service Centres at least 30% of all units are to be affordable”. Policy H2 of the HNP reflects these requirements. Policy SC5 also requires affordable homes to be of a tenure, size and type to help meet identified, and to allow people to live independently for longer; be dispersed throughout the site, unless there are specific circumstances or benefits that would warrant a different approach, and; market and affordable homes should be indistinguishable and achieve the same high design quality. Normally the Council would expect a ratio of 65/35 between social rented and intermediate housing.

This is a proposed development of 26 dwellings therefore in order to meet the Council’s Policy on Affordable Housing there is a requirement for 8 dwellings to be provided as affordable dwellings. In this case the applicant is providing 13 affordable units which is 50% Affordable Provision on this site, in order to satisfy the Green Belt requirements set out above.

Housing officers have advised that the current number of those on the Cheshire Homechoice waiting list with Handforth as their first choice is 257. This can be broken down as below:

	How many bedrooms do you require?						
First Choice	1	2	3	4	5	5+	Grand Total
Handforth	139	78	35	9	8	0	269

Based on this data, the Housing Officer recommends that an affordable housing mix of 1, 2 and 3 bedroom dwellings together with older person provision should be provided. Of the 13

Affordable units 9 units should be provided as Affordable/Social rent and 4 units as Intermediate tenure.

The applicant is providing a mix of 1, 2 and 3 bedroom properties and within that is 1 ground floor apartment, which would be suitable for someone where stairs were not wanted (older person provision). However, the proposed tenure departs from the Council's usual requirement of 65% social rented and 35% intermediate housing. The proposed split in tenure for the affordable units is to be 54% affordable rent and 46% intermediate housing, but no evidence or reasoning has been provided to explain why. Further information is awaited from the applicant on this and will be reported as an update.

In terms of the requirement for the affordable units to be dispersed throughout the site, this is not achieved within the proposed layout. The affordable units are tightly grouped together in the south east corner of the site, and there is not considered to be any reason why they could not be more widely dispersed on a site of this scale in order to better contribute to the creation of mixed, balanced and inclusive communities. The mews units (the majority of which are the affordable units) have a very simple form, and do not include the detailing provided on the larger units. There are three open market mews units (Camberley house type), which are very similar to the affordable Lyndhurst units. Therefore whilst it will be clear which are the majority of the affordable units, some can be said to be indistinguishable from the Camberley open market unit.

The Housing officer has stated that an Affordable Housing Statement should be submitted. However, with the exception of the tenure details outlined above, adequate details were provided within the Planning Statement in order to assess the affordable housing provision within the site, and therefore a separate document is not considered to be necessary.

At present there is considered to be some conflict with policy SC5 in terms of the "pepper-potting" of the affordable units. Further details regarding the tenure split and any implications of this will be reported as an update.

### **Residential Mix**

Policy SC4 of the CELPS and H2 of the HNP require new residential development to maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. In addition, to meet the needs arising from the increasing longevity of the borough's older residents, the council will require developers to demonstrate how their proposal will be capable of meeting, and adapting to, the long term needs of this specific group of people.

There is clearly a dominance of larger 4 and 5 bed properties in the open market properties proposed on this site. 8 of the 13 open market dwellings have 4 or more bedrooms, with 2 x 3 bed properties and 3 x 2 bed. However, when combined with the affordable provision of 1, 2 and 3 bed properties, the mix is considered to be sufficient to meet the requirements of policy SC4 of the CELPS and H2 of the HNP.

### **Design and Impact on Character of the Area**

Between them, the Framework and Local Plan Policies SE1 and SD2 of the CELPS and H11 of the HNP seek that all development should be: locally distinctive; high quality; sustainable; well-designed and durable responding to the heights, scale, form and grouping, materials,

massing, green infrastructure and relationship to existing built form in the immediate as well as wider areas.

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. BfL12 uses a traffic light system, with the aim of eliminating reds, whilst maximising the number of greens.

#### Connections - GREEN

The site is located within a semi-rural location immediately adjacent to the settlement of Handforth. The sole vehicular access will be from Sagars Road, which will also be used by pedestrians and cyclists, and provide links to the existing surrounding development and facilities within Handforth.

#### Facilities and services - GREEN

The development is within a 10 minute walk to shops, schools, healthcare, community facilities and public transport within Handforth centre, and is within a 5 minute walk to Meriton Road Park. All these local facilities are therefore accessible on foot from the application site

#### Public transport - GREEN

The scheme is within a 10 minute walk of public transport facilities – bus stops and a local train station serving local areas as well as providing links to national destinations.

#### Meeting local housing requirements – AMBER

As noted above, the development provides a range of 1, 2, 3, 4 and 5 bed dwellings with a variety of tenures (TBC). However affordable dwellings should be more widely spread out across the application site.

#### Character - AMBER

The design and access statement demonstrates evidence of research on local character details, which has been translated onto the architectural features of the house types proposed. These details include rendered elevations, stone cills/brick heads, projecting bays, threshold details, chimneys, brickwork, roof tiles and boundary treatments. As noted above the development should be much less dense to better relate to its Green Belt location, and the publicly accessible woodland corridor along the north western boundary. A deeper buffer zone between the houses and the woodland would help this. The scale and height of some of the dwellings is also a concern, and further analysis of local building heights and the local context would have achieved a better outcome.

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

The main landscape features of the site are the trees and woodland to the edges of the site. The majority of existing landscape features are being retained, subject to comments from the Forestry officer. A key feature of the site is of course its open nature, which is not retained.

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

Despite the relatively small scale of the proposal there is evidence of a hierarchy within the street design. Where required buildings positively address corners with dual aspect properties. Opportunities for landscaping within the street layout is limited.

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

Due to the scale of the development it will be easy to orientate within this site. A feature building is provided at the junction of the two streets within the layout.

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

The street width and form of them should identify these streets as mixed environments for pedestrians and cyclists, as well as vehicles.

### Car parking - **RED**

A mix of parking solutions is encouraged by the Design Guide to ensure that the street scene is not dominated by vehicles. Many of the plots do still have the parking spaces to the front of the units. This is particularly evident with the terraced blocks / affordable units. Car parking will be a dominant feature of the site in this area and very limited scope for landscaping is available. This will be a detrimental feature of the development.

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

Other than to the site boundaries, no open space is proposed within the site. Therefore public and private spaces are easily identifiable, but the lack of open space does mark this down.

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

External storage facilities are shown to be provided for the detached plots with garages. However, there is no provision for the terraced dwellings, which will inevitably result in additional built form in this Green Belt location.

### Design conclusions

Whilst there are some areas where improvements could be made, overall the proposals are considered to achieve an acceptable standard of design when considered against the requirements of policies SD2 and SE1 of the CELPS, H11 of the HNP and the CEC Design Guide.

## **Trees / landscaping**

### Trees

Policy SE5 of the CELPS states *“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”*.

Trees within and immediately adjacent to the site are not afforded statutory protection by a Tree Preservation Order and the site does not lie within a Conservation Area. However, there are many mature trees along the site boundaries that do make a significant contribution to the amenity and landscape character of the area.

The latest Arboricultural Impact Assessment is still being considered by the Council's forestry officer and his comments on the application will be reported as an update, together with assessment against policy SC5 of the CELPS. Key issues to be considered will be the extent

of tree felling, incursions into RPAs, issues along the long access road and potentially any social proximity issues from the woodland.

### Landscaping

As part of the submission a Landscape and Visual Appraisal has been submitted, this indicates that it has been undertaken in accordance with the Guidelines for Landscape and Visual Impact Assessment 3rd Edition (GLVIA3). This identifies the baseline landscape and identifies that the site is located within the boundary of the Cheshire East Green Belt, that the site is also located within the area identified as Open Countryside in The Cheshire East Local Plan Strategy. The appraisal identifies that the application site is located within the National Character Area NCA61 Shropshire Cheshire and Staffordshire Plain. The appraisal also identifies that the application site is located within the boundary of the Lower Bollin LCA 10a) and identifies the guidance offered for that particular landscape character area.

Unfortunately the appraisal fails to identify that the site lies within the boundary of a designated landscape area as it was assessed as part of the Local Landscape Designations Study in 2018 – formerly Areas of Special County value (ASCVs) and that the site is now located within the Bollin Valley Local landscape Designation Area, an area identified as an ‘Intricate valley landscape with a strong sense of place, defined by its picturesque pattern of meadows, frequent mature tree specimens and tracts of woodland. Dense woodland slopes form a solid backdrop and distinctive natural landmark in the wider landscape’, and also, ‘Tranquil, wooded and enclosed/ insular in places owing to incised landform and dense tree cover. Wooded slopes often provide a backdrop to views including from nearby urban areas, creating a textured and rich landscape. A verdant and picturesque character is found where the river meanders through grassy fields with mature trees, creating a parkland atmosphere. There are strong feelings of relative tranquillity despite the proximity of Manchester Airport and other development’.

While the site was formerly developed it does exhibit characteristics of the wider designated landscape and consequently must be appraised as a designated landscape; as a consequence of this the appraisal underestimates the site in both its landscape and visual appraisals. In reality the site must be considered as part of the Bollin Valley corridor, rather than an area considered to be ‘ordinary’ in terms of its landscape and scenic quality, rarity, perceptual aspects and associations. Whilst there are no public rights of way across the site there is an off-site informal pedestrian connection along Dobbin Brook.

Policy SE4 of the CELPS indicates that in Local Landscape Designation Areas Cheshire East will seek to conserve and enhance the quality of the landscape and protect it from development which is likely to have an adverse effect on its character and appearance, and that where development is considered to be appropriate that measures will be sought to integrate it into the local landscape. The submission does include a Planning Layout Plan (Drawing No: N259/P/PL01) as well as an illustration in the Design and Access Statement on ‘Integrating into the neighbourhood’. The Design and Access Statement also includes a Landscape Masterplan which offers only minimal information and no indication that the proposed development would attempt to either conserve or enhance the quality of the landscape or protect it from development which is likely to have an adverse effect on its character and appearance in its current form. Accordingly, the proposal is currently considered to be contrary to policy SE4 of the CELPS.

However, some additional landscape information has been submitted and discussions are ongoing with the landscape officer in terms of whether this adequately addresses these concerns or whether the landscape impact should amount to another reason for refusal. Further details will be provided as an update.

## **Ecology**

Policy SE3 of the CELPS requires all development to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests.

### Quality of submitted survey

The submitted botanical survey was undertaken in October, which is late in the year for surveys of this kind. Whilst the survey did not identify the grassland on site as being of significant nature conservation value it is possible that plant species may have been missed or the abundances of some species may have been underestimated. The nature conservation officer has discussed this matter with the applicant's consultant and he advises that the timing of the survey does not pose a significant constraint on the reliability of the submitted survey.

### Woodland Habitat and Local Wildlife Sites

The application site is included on the national inventory of priority woodland habitats. Woodland habitats are however limited to only the western and southern edges of the application site. The woodlands that occur adjacent to the southern and western site boundaries form part of the Dobbin Brook Clough Local Wildlife Site. Habitats of these types are a material consideration.

The proposed development will result in the loss of a small number of trees and overgrown hedgerows on the site's southern boundaries. The vegetation lost on the southern boundary is outside the boundary of the LWS. The nature conservation officer advises that the transition habitats between the open grassland on site and adjacent woodland are of significant value and contribute to the ecological value of the LWS and priority woodland. An acceptable buffer between the woodland and development, including woodland understory planting, has been included on the revised Landscape Structure Plan.

### Hedgehogs and polecat

These two priority species are known to occur in the broad locality of the proposed development and so may occur on the application site on at least a transitory basis. Therefore the proposed development may result in a localised adverse impact upon these species.

If planning consent is granted, following advice from the nature conservation officer it is recommended that the precautionary reasonable avoidance measures detailed in the submitted Ecological Assessment (paragraph 4.3.2) be secured by a condition together with the provision of gaps in garden fences as detailed in the ecological enhancement condition discussed below.

### Amphibians and reptiles

I advise that these two species groups are unlikely to be present on site or significantly affected by the proposed development.

### Badgers

No evidence of badger activity was recorded on site during the submitted survey. This species is however known to occur in vicinity of the application. As the status of badgers on a site can change in a short time scale, if planning consent is granted a condition should be attached which requires the submission of an updated badger survey prior to the commencement of development.

#### Bats

Only one tree affected by the proposed development has been identified as having potential to support roosting bats. As this tree only has low potential, roosting bats are not reasonably likely to be affected by its removal. The submitted ecological assessment includes a recommendation for this tree to soft felled as a precaution.

Whilst the application site offers limited opportunities for roosting bats, the woodland edge surrounding the application site is likely to be used extensively for bats to commute and forage. To avoid any adverse impacts on bats resulting from any lighting associated with the development it is recommended that if planning permission is granted a condition should be attached requiring any additional lighting to be agreed with the LPA.

#### Nesting Birds

If planning consent is granted standard conditions would be required to safeguard nesting birds.

#### Non-native plant species

A number of non-native plant species are present on site. If planning consent is granted a condition requiring the submission and implementation of a management plan for these species would be required. This can be dealt with through the suggested habitat creation and management plan condition.

#### Ecological enhancement

Local Plan Policy SE 3(5) requires all development proposals to seek to contribute positively to the conservation of biodiversity. In order to assess the biodiversity losses and gains resulting from the proposed development the applicant has undertaken a calculation using the Biodiversity Metric methodology. This calculation shows that the proposed development would result in a net loss of biodiversity amounting to 1.38 biodiversity units. The applicant's ecological consultant has advised that 1.69 biodiversity units are required to ensure the proposed development delivers a 10% biodiversity net gain.

If the Committee is minded to approve this application and seek a commuted sum to fund offsite habitat creation in order to achieve Biodiversity net gain, it should be calculated on the basis of the following costs which are taken from the Council's draft Biodiversity Supplementary Planning Document:

Cost per unit (of grassland creation): £10,035

Admin fee to cover officer and partner time and expenses per unit: £1,200.

The total commuted sum would therefore be calculated on the rate of £11,235.00 per unit.

A commuted sum of  $(1.69 \times £11,235.00 =) £18,987.15$  would therefore be required to deliver a 10% biodiversity net gain.

In order to secure the delivery and long-term management of the on-site habitat creation measures proposed as part of the development it is also recommended that in the event that

planning consent is granted a condition is attached requiring the submission of a habitat creation method statement and a 30 year habitat management plan for the retained and newly created habitats on site.

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. The applicant has submitted proposals for the incorporation of bat and bird boxes, habitat piles and features to facilitate the movement of hedgehogs, all of which are considered to be acceptable.

Subject to the financial contribution towards offsite habitat creation and conditions the proposal will comply with policy SE3 of the CELPS.

### **Highways**

Policy DC6 of the MBLP seeks to ensure safe access is provided for new developments. The proposed priority junction access is located in the same position as the existing access and is at the end of the adopted section of Sagars Road. Beyond the access point, Sagars Road is a private road.

The width of the access has been indicated as 4.8m wide with one 1.8m footway on the eastern side. The access radii are 6m to east and 2m as to the west Sagars Road is private. Whilst, the proposed access infrastructure is acceptable to serve the proposed 26 dwellings, for adoption purposes the Authority would need a 2m footway on one side and preferably a 2m verge on the other side and so adoption of the road is likely to be a problem.

There is turning head provided at the end of the access road that can accommodate refuse vehicles and swept paths have been provided to indicate that refuse vehicles can access the site and have sufficient room for turning manoeuvres.

The level of parking provided for each of the units is in accordance with CEC parking standards for key service centres such as Handforth.

A Transport Statement has been submitted with the application, and whilst several of the representations refer to it being out of date as it does not reference all recent development, the level of traffic impact arising from the scheme would only have a very minor impact on Sagars Road.

The Head of Strategic Transport raises no objections to the proposal, and overall, the proposed development will have an acceptable highways impact. Further details have been provided to address the comments above relating to adoption and a response from the Highways Officer will be reported as an update.

Conditions relating to details of cycle parking and a Construction Management Plan are recommended should the application be approved.

### **Living conditions**

MBLP policies DC3 and DC38 seek to protect the amenity of residential occupiers. Policy DC3 states that development should not significantly injure the amenities of adjoining or nearby residential property and sensitive uses due to matters such as loss of privacy, overbearing effect, loss of sunlight and daylight and traffic generation and car parking. Policy DC38 of the



MBLP set out guidelines for space between dwellings, and 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 CEC 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.

A number of two-storey dwellings are located adjacent to the site to the east. The proposed dwellings have angled relationships with the main habitable windows on these existing properties and having regard to the distances involved, the specific relationships with existing properties comply with the objectives of policy DC38 and provide an acceptable amount of space, light and privacy.

In terms of the relationships between dwellings within the development site, these also meet the general aims of the design guide and do provide an acceptable amount of space, light and privacy for future residents. No significant issues are therefore raised with regard to living conditions and the proposal is considered to comply with policies DC3 and DC38 of the Local Plan.

### **Open space**

Policy SE 6 of the CELPS sets out the open space requirements for housing development which are (per dwelling):

- Children's play space – 20sqm
- Amenity Green Space – 20sqm
- Allotments – 5sqm
- Green Infrastructure (GI) connectivity 20sqm

The proposed development will therefore trigger a requirement for public open space provision and recreation and outdoor sport provision, which is not being provided on site. In the absence of any on site provision, commuted sums will be required for offsite provision.

Based on 26 family dwellings, the required contribution for public open space will be £78,000. The commuted sum will be used to make play and amenity additions, improvements and enhancements at local open space facilities

The recreation and outdoor sport contribution based on the 13 open market dwellings will be £13,000 and will be used, as above, for recreation and outdoor sports additions, improvements and enhancements at local sports facilities.

### **Education**

Following consultation with the Council's Education Team, it is confirmed that the development is not expected to impact upon primary or SEN school provision, but it will impact upon secondary schools.

The development is expected to generate 4 secondary aged children who would not have a school place in the locality based on current forecasts. Therefore a financial contribution would be required which would be spent at Wilmlow or new local secondary provision.

The contribution is calculated as follows:

4 secondary children x £17,959 x 0.91 = £65,371

### **Flooding**

Policy H13 of the HNP and SE13 of the CELPS require developments to integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within the borough and provide opportunities to enhance biodiversity, health and recreation.

The LLFA has no objection in principle to the proposed development. However, a detailed drainage strategy will be required, and subject to this condition the development will comply with policy SE13 of the CELPS, and H13 of HNP.

### **Comments on representations**

Many of the matters raised in representation are considered in the preceding text. In terms of those that are not, it is advised that housing figures in the CELPS are minimum figures, there is no policy (other than Green Belt policy in this case) preventing additional dwellings being provided over and above strategic housing numbers.

Disruption arising from construction is an inevitable consequence of development sites. Given the scale of the current proposal, it is not considered that the impact will be so great to cause significant disruption to the local area.

In terms of the pressure on local infrastructure, again the development is relatively small scale, and financial contributions can be secured where identified as necessary in this report. The extent of traffic arising from the current proposal will not have such a significant impact to affect the weight limit on Sagars Rd.

The impact on house values is not a material planning consideration and cannot be afforded any weight in the determination of this application.

### **BALANCE OF ISSUES & CONCLUSION**

The proposed development is considered to cause substantial harm to the openness of the Green Belt, and is therefore considered to be inappropriate development, which is harmful by definition. Further Green Belt harm arises from allowing the unrestricted sprawl of a large built-up area; by contributing towards neighbouring towns merging into one another, and; by encroaching into the countryside. Substantial weight is afforded to this harm.

Clarification is awaited regarding the landscape impact and the impact of the proposed development upon trees of amenity value.

Balanced against this, the proposal does provide 50% affordable housing (the tenure of which still needs to be explained), which is a significant social benefit of the scheme, and will meet an identified need, if a satisfactory explanation is provided for the tenure split as proposed. Ecological enhancements will also be secured in the event that planning permission is granted.

An acceptable design is achieved which included elements of local distinctiveness, there is no significant impact upon the living conditions of neighbours, flood risk, education and highways, which are all matters that carry neutral weight in the planning balance.

Whilst it is accepted that there has previously been some development on the land, no buildings exist and much of any former surface development has blended into the landscape, with an access drive the only remaining physical evidence of previous uses of the site. The introduction of 26 two-storey dwellings will result in substantial harm to the openness of this site and the wider Green Belt. This harm to the Green Belt is considered to be so substantial that it is not outweighed by the social benefits arising from the provision of 50% affordable dwellings and the identified enhancements to biodiversity.

The proposal therefore conflicts with the requirements of the Framework set out in paragraph 145 and 146, and policy PG3 of the CELPS, and is recommended for refusal for the following reason:

**1. The proposal is an inappropriate form of development in the Green Belt due to the proposal causing substantial harm to the openness of the Green Belt. The proposal also conflicts with the purposes of Green Belt by allowing the unrestricted sprawl of a large built-up area; by contributing towards neighbouring towns merging into one another; and by encroaching into the countryside. The proposal is therefore contrary to the requirements of the Framework and policy PG3 of the CELPS.**

*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.*

*Should this application be the subject of an appeal, authority is delegated to the Head of Planning in consultation with the Chairman of the Northern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.*

