

APPLICATION NO: 18/4921C

LOCATION: Land Off, LONDON ROAD, HOLMES CHAPEL

PROPOSAL: Residential development of 25 no. dwellings (and a change in tenure of plots 120, 121 and 304 of permission 19/3855C to affordable rent) - (revised application)

CONSULTATIONS

The following consultation response has been received since the preparation of the report:

ANSA / Greenspaces – No objection subject to financial contributions of £75,000 towards existing Public Open Space facilities in the vicinity of the site and £25,000 towards existing Recreation Open Space and outdoor sport.

OFFICER COMMENT

Public Open Space and Recreation

The development of the wider site includes the provision of a Neighbourhood Equipped Area for Play (NEAP). The Council's ANSA / Greenspaces Officer has confirmed that with the additional 25 units, a commuted sum would now be required. This is because it would not be possible to increase the size of the play area any further as it is already constrained by the consented layout for the larger development. Based on 25 units, the following commuted sums would be required to accommodate the additional residents generated by the proposal;

- POS [play and amenity] in the absence of additional on site facilities, financial contributions of £75,000 would be required to make additions amendments and improvements to existing POS facilities in the vicinity of the development.
- With reference to ROS [outdoor sports], in the absence of on site facilities a financial contribution of £25,000 would be required in line with the Council's Playing Pitch Strategy.

Comments are yet to be received from the Council's Indoor Sports Officer. In the absence of such comments, it is recommended that authority be delegated to the Head of Planning, in consultation with the Chairman and Vice-Chairman of the Strategic Planning Board to secure any further financial contributions towards Indoor Sport should they be requested and required.

Subject to the s106 securing the above, financial contributions would mitigate the impacts of the proposed development in lieu of onsite provision and would make the scheme policy requirement in these areas in accordance with Policies SE 6, SC 1, SC 2 and SC 3 of the CELPS.

OFFICIAL

Ecology

As reported on page 132 of the Agenda Reports Pack, the proposed additional houses would result in the loss of an area of wildflower grassland habitat proposed under reserved matters consent 19/3855C. The loss of this proposed habitat would result in the development of this site making a reduced contribution to biodiversity. To offset this, the applicant, in discussion with the Council's Nature Conservation Officer (NCO), has calculated the impact and proposed a financial contribution of circa £15,729. The NCO has also suggested biodiversity net gain can be secured by amending the site wide landscaping proposals. This would be secured under condition no. 17. (Submission of a landscape and habitat management plan), which is already recommended on page 135 of the Agenda Reports Pack

Subject to the additional habitat creation measures, the proposals would achieve a net gain for biodiversity

CIL Regulations.

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The provision of financial contributions in lieu of public open space, recreation open space, and indoor and outdoor sports provision (subject to further comments) and biodiversity net gain are necessary, fair and reasonable to provide a sustainable form of development, to contribute towards sustainable, inclusive and mixed communities having regard to environmental harm and to comply with local and national planning policy. These elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of the development proposed.

RECOMMENDATION

Delegate to the Head of Planning, in consultation with the Chairman and Vice-Chairman of the Strategic Planning Board to secure any further financial contributions towards indoor sports provision (should they be requested by ANSA) and APPROVE the application subject to a s106 legal agreement and the conditions on pages 134-135 of the Agenda Reports Pack (as amended by this update) as follows:

APPROVE subject to conditions, a formal deed of variation to the existing S106 Agreement attached to the outline consent (to secure the balance of 3 affordable rented units) and a S106 Agreement making provision for:

- **Affordable Housing comprising 30% (65% of which will be for affordable rent and 35% for shared ownership)**
- **Education contributions of £43,385 (primary), £ 49,028 (secondary)
Total: £92,413**
- **NHS contribution of £54,432**
- **Public Open Space contributions of £75,000 towards additions amendments and improvements to existing POS facilities in the vicinity of the development.**
- **Outdoor Sports contributions of £25,000 in line with the Council's Playing Pitch Strategy**
- **Highway and pedestrian improvements contribution of £120,675 towards Chester Road / London Road junction**
- **Indoor Sports contributions tbc**
- **Biodiversity financial contribution of £15,729**