

Application No: 21/2976M
Location: Land Off Hazelbadge Road, Poynton, Cheshire
Proposal: Variation of condition 2 - approved plans on approval 17/6471M
Applicant: Mr Shaun McCarthy, Elan Homes Ltd
Expiry Date: 08-Apr-2022

SUMMARY

The proposal seeks to vary condition 2 (approved plans) on planning permission 17/6471M to change the approved house types. The requirement for the change has arisen due to a change in housebuilder looking to bring the development forward on the site. The amount of development and overall layout of the dwellings remains very similar to that previously approved, and therefore most of the issues associated with the proposed residential development remain unchanged.

Small changes have been made to the design of the house types during the course of the application in order to better reflect the requirements of the CEC design guide, local and neighbourhood plan policies, and provide a proposal that delivers a specific sense of place, having regard to the local distinctiveness of Poynton.

The comments received in representation are acknowledged, however, as with the previous application, the proposal is considered to comply with the development plan as a whole and is therefore a sustainable form of development. In accordance with policy MP1 of the CELPS, the proposals should therefore be approved without delay, with the same conditions and planning obligations as the extant permission 17/6471M.

RECOMMENDATION

Approve subject to s106 agreement and conditions

DESCRIPTION OF SITE AND CONTEXT

The site is an 8.28 hectare greenfield site lying to the west Poynton. The site is located at the northern end of Hazelbadge Road, which is a residential cul-de-sac. Lower Park Primary School and its playing field is located at the end of Hazelbadge Road, and the application site borders the east, west and northern boundaries of the school. Hazelbadge Road runs between the school's eastern boundary and the application site. Poynton Brook runs along the eastern boundary of the site and the railway line runs along the western boundary beyond existing woodland on the western side of the site. The woodland is formally protected by Tree

Preservation Order and there is also a linear group of protected trees in the centre of the site. A number of public rights of way also cross the site. The site is allocated for housing development under policy LPS 48 in the CELPS, which allows for the delivery of around 150 new homes.

DETAILS OF PROPOSAL

This application seeks to vary condition 2 (approved plans) on permission 17/6471m, which granted full planning permission for approval for full planning permission for the erection of 133 dwellings on land off Hazelbadge Road with associated access improvements, landscaping and public open space.

There has been a change in housebuilder looking to bring the development forward, and therefore a change to the approved house types is now proposed.

RELEVANT HISTORY

10438P - RESIDENTIAL (OUTLINE) – Withdrawn 30.08.1977

10309P - RESIDENTIAL DEVELOPMENT (OUTLINE) – Withdrawn 1.09.1977

35818P – HOUSING – Refused 13.01.1984

17/6471M - 133 dwellings on land off Hazelbadge Road with associated access improvements, landscaping and public open space – Approved 02.11.2020

POLICIES

Development Plan

Cheshire East Local Plan Strategy (CELPS)

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

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 Heritage Assets
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 48 Land adjacent to Hazelbadge Road, Poynton

Macclesfield Borough Local Plan saved policies (MBLP)

NE9 Protection of River Corridors
NE11 Nature conservation
NE16 Nature Conservation priority areas
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

Poynton Neighbourhood Plan (PNP)

EGB 1 Surface Water Management
EGB 4 Access to the countryside
EGB 5 Improving access to the countryside
EGB 7 Landscape Enhancement
EGB 8 Protection of Rural Landscapes
EGB 9 Nature Conservation
EGB 10 Wildlife Corridor
EGB 11 Development of Additional Facilities
EGB 15 Heritage Assets
HOU 2 Infrastructure for Strategic Housing Sites
HOU 6 Housing Mix
HOU 7 Environmental Considerations
HOU 8 Density and Site Coverage
HOU 9 Affordable Housing
HOU 11 Design
TAC 1 Walking & Cycling

Other Material Considerations

National Planning Policy Framework (The Framework)

National Planning Practice Guidance

Cheshire East Design Guide

CONSULTATIONS (External to Planning)

Environment Agency – No further comments to add to previous response to 17/6471M - No objection subject to conditions relating to groundwater and contaminated land

United Utilities – No comments to make

Network Rail – Provide comments on the following: S106 funds should be sought for improvements to Poynton Railway Station; requirements for open space; risk assessment for works close to railway; no encroachment onto Network Rail land; safety of railway; scaffolding; vibro-compaction machinery / piling machinery; drainage; excavation and earthworks; noise/vibration mitigation; agreement between Network Rail and developer.

Housing Strategy & Needs Manager – No objection

Lead Local Flood Authority – No objection subject to conditions relating to FRA and surface water drainage as recommended under 17/6471M

Environmental Health – No objection subject to conditions relating to contaminated land

Education – No comments received

Public Rights of Way – Initially objected due to obstruction of 2 rights of way, but now remove objection as developer has submitted formal application to diverts PROWs.

Head of Strategic Infrastructure – No objection

ANSA – No comments received

Cheshire Archaeology Planning Advisory Service – No comments received

NHS Eastern Cheshire Clinical Commissioning Group – No comments received

Poynton Town Council – Maintains its opposition on following grounds:

- Access along Hazelbadge Road poses risk to pupils and other pedestrians
- Alterations to Chester Road junction also dangerous
- Poynton Neighbourhood Plan adopted since previous approval
- Are approved flood remediation measures still adequate (flooding incident in 2019)?
- Major differences in appearance and roof massing. Apartments have more institutional appearance
- Should be no increase in height, floor area, changes in overlooking or massing.
- Stub road that leads only to the northern boundary of the site should be removed and grassed over as with previous permission

OTHER REPRESENTATIONS

12 letters of representation have been received objecting to the proposal on the following grounds:

- Chester Road already over trafficked
- Congestion on Hazelbadge Road, cars block driveways
- Development too big
- Impact on health and safety of school pupils, staff, parents and carers
- Public should be notified of changes to all conditions
- Should this not be a new application not a variation?
- Flood risk
- Mitigation of underground tanks not sufficiently effective
- Opens up prospect of further developments towards Greater Manchester boundary
- Impact on wildlife
- Houses should be available to local people
- Meeting between residents and developer requested
- Road link to north should be removed
- Public footpath has been rerouted along the line of the former derelict colliery railway which is contaminated land. The footpath is elevated and will overlook houses on Hazelbadge Road.
- Plans do not cover what is intended for the large area of contaminated land to the west of the site next to the railway
- The flood retention/attenuation SUDS scheme does not appear on new plans
- Development of this size requires two highway access points
- Where is the traffic plan modelling data referred to justify the current proposal?
- Highway works proposed at the Hazelbadge Road/Chester Road intersection are not shown on the plans
- Parking by train passengers / school drop off already takes place on Hazelbadge Road and Wayside Drive – development will make this worse
- Proposal will push parking problem onto Wayside Drive / east section of Hazelbadge
- Impact of construction traffic on primary school pedestrians
- Impact of construction traffic parking
- Introduction of double yellow lines will not alone solve traffic and parking issues
- Any time limit on parking spaces needs to consider all potential users
- Hazelbadge currently has approximately 50 on street parking spaces. 12 short stay spaces are proposed and are not sufficient for those being lost
- Plans do not show how they differ from approved plans
- Cheshire East should take account of Neighbourhood Plan
- The visibility splays proposed between Hazelbadge Road and Chester Road remain inadequate to address the visibility issues
- Has a further review of wildlife been undertaken given time that has passed
- No response from planning officer or department to query
- No collation of data regarding pollution

7 letters have been received making the following general observations:

- Road link to north breaks wildlife corridor – should be removed
- What measures will prevent unwanted access to meadow and maintain wildlife corridor?
- Applicant should not interfere with public right of way
- Has due diligence been conducted on this new business to ensure they can deliver in line with all conditions
- Loss of privacy arising from diverted PROW along Hazelbadge Road
- Path adjacent to stream should be improved
- The play area has not been allocated any play equipment. Can the developer agree to include play equipment for the children to use?
- Some trees left on site will be located in gardens and will become very large taking up whole gardens

KEY ISSUES

PRINCIPLE OF DEVELOPMENT

The application site is an allocated Strategic Site for housing in the CELPS. Site LPS 48 states that the development of Land adjacent to Hazelbadge Road over the Local Plan Strategy period will be achieved through:

1. The delivery of around 150 new homes;
1. Incorporation of green infrastructure including:
 - i. An appropriate level of amenity open space and children’s play space;
 - ii. The creation of links with footpaths to the north and east; and
 - ii. Pedestrian and cycle links to new and existing residential areas, employment areas, shops, schools and health facilities including improved pedestrian links to the town centre and the railway station.
2. Open space provision to accommodate the need for enhanced or new indoor and outdoor sports facilities to accommodate the additional demand from the housing. Provision should be in accordance with an adopted up to date and robust Playing Pitch Strategy and Indoor Sports Strategy.

The proposal for 133 dwellings has already been accepted as meeting the definition of “around 150 new homes” and is therefore considered to be acceptable in principle. The substantial detail of the proposal has also previously been found to be acceptable following the granting of permission 17/6471M. The key issue to consider with the current proposal is whether the changes to the proposed house types introduce any new issues.

HOUSING

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 HOU 9 of the PNP requires 30% affordable housing to be provided and should be indistinguishable from open market housing.

Although in a different “house type”, the proposed affordable units remain the same as previously approved in terms of numbers, size and location. 40 units will be provided, with 26 affordable rent units and 14 units as intermediate tenure. As with the extant permission there

will be 13 x 1 bed, 16 x 2 bed and 11 x 3 bed units and are considered to be adequately indistinguishable from the open market units in terms of design and materials.

No objections are raised by the Housing Strategy and Needs Manager. The proposal is therefore considered to continue to comply with policies SC5 of the CELPS and HOU 9 of the PNP. The affordable housing provision will be secured as part of the s106 agreement.

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. Policy HOU 6 of the PNP seeks to ensure the delivery of a mix of housing types and tenures which meet the needs of current and future residents of Poynton, including young families and elderly people.

The approved scheme proposed:

16 x 5 bed units
25 x 4 bed units
37 x 3 bed units
27 x 2 bed units
28 x 1 bed units

The current proposal changes this to:

11 x 5 bed units
30 x 4 bed units
39 x 3 bed units
25 x 2 bed units
28 x 1 bed units

Taken together with the specifics of the affordable provision outlined above, the proposed residential mix is considered to meet the requirements of policy SC4 of the CELPS, and policy HOU 6 of the PNP.

OPEN SPACE

The local plan allocation (LPS 48) states that the development of this site should include “*an appropriate level of amenity open space and children’s play space*” and “*Open space provision to accommodate the need for enhanced or new indoor and outdoor sports facilities to accommodate the additional demand from the housing. Provision should be in accordance with an adopted up to date and robust Playing Pitch Strategy and Indoor Sports Strategy.*”

Public Open Space

Policy SE6 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 connectivity 20sqm

This policy states that it is likely that the total amount of 65sqm per home (plus developer contributions for outdoor sports) would be required on major greenfield and brownfield development sites.

Policy EGB 11 of the PNP seeks the provision of small pocket parks, picnic areas and informal open spaces, in particular when new housing areas are being proposed and developed.

The open space proposals remain as previously approved with some on site provision, including an equipped children's play area, and substantial areas of amenity greenspace and green infrastructure. Contributions towards off site allotments are also required under the extant permission, which will be carried through as part of this proposal and secured by s106 agreement.

Policy SC2 of the CELPS requires major residential developments to contribute, through land assembly and / or financial contributions, to new or improved sports facilities where development will increase demand and / or there is a recognised shortage in the locality that would be exacerbated by the increase in demand arising from the development.

The contributions towards off-site provision of sports facilities (indoor and outdoor) secured as part of the s106 agreement on the extant permission will still apply to this latest proposal.

Given that no change is proposed to the secured open space and sports provision, the proposal is considered to comply with the open space and sport and recreation requirements of LPS 48, policies SC2 and SE6 of the CELPS and policy EGB 11 of the PNP.

EDUCATION & HEALTHCARE

One of the site-specific principles of LPS 48 in the CELPS is "contributions to education and health infrastructure". Policy HOU 2 of the PNP requires proposals on strategic sites in Poynton to make provision for infrastructure.

The same contributions towards primary, secondary and SEN places secured under 17/6471M will apply to the current proposal.

The same contributions towards Priorsleigh Medical Centre and McIlvride Medical Centre secured under 17/6471M will apply to the current proposal.

This continues to ensure compliance with this element of LPS 48 of the CELPS and HOU 2 of the PNP.

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 nearest existing residential properties are located along the eastern spur of Hazelbadge Road and a separation distance of over 30 metres is achieved between these existing dwellings and the proposed development. One of the letters of representation notes that the public footpath has been re-routed along the line of the former derelict colliery railway (adjacent to the south east boundary of the site), and that the footpath is elevated and will overlook houses on Hazelbadge Road. This footpath diversion was approved as part of the previous permission, and therefore the proposed variation remains consistent with the extant permission in this regard. The footpath is also located further away than the existing footpath along Hazelbadge Road. Whilst the new footpath will be slightly elevated it is located over 14m from the front elevations of the nearest properties compared to the 7m of the existing footpath. As such the proposed footpath is not considered to result in a significant loss of privacy compared to the existing situation.

Properties to the east on Kirkstall Close, Furness Close, Whitby Close and Easby Close are over 45 metres from the nearest of the proposed dwellings on the opposite side of the vegetated Brook corridor. These relationships with the nearest existing dwellings are considered to result in acceptable standards of amenity for existing and proposed residents having regard to the distance guidelines set out above.

Similarly the layout within the site still ensures the relationships between the new dwellings result in acceptable standards of space, light and privacy for future occupants. As with the extant permission the development is therefore considered to be in accordance with policies DC3 and DC38 of the MBLP.

NOISE

Policy SE12 of the CELPS seeks to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality, surface water and groundwater, noise, smell, dust, vibration, soil contamination, light pollution or any other pollution which would unacceptably affect the natural and built environment, or detrimentally affect amenity or cause harm. Developers will be expected to minimise and mitigate the effects of possible pollution arising from the development itself, or as a result of the development (including additional traffic) during both the construction and the life of the development. Where adequate mitigation cannot be provided, development will not normally be permitted.

Policy DC14 of the MBLP states that development may be permitted provided that the effects of noise can be mitigated by soundproofing measures.

As part of the original application the applicant provided an acoustic report which considered the impact of the noise from the nearby road, rail and school on the proposed development in accordance with BS8233:2014 Guidance on Sound Insulation and Noise Reduction for

Buildings Department of Transports (1988) Calculation of Road Traffic Noise (CRTN). This is an agreed methodology for assessing noise of this nature.

The noise report identified that railway noise is sufficiently low, and no mitigation measures are necessary in respect of railway noise. However, acoustic fencing was recommended for the gardens of houses that will be nearest to the school and its playing field. The proposed mitigation was secured by condition and will continue to apply to this development.

Subject to the conditions referred to above, the proposal will comply with policy SE12 of the CELPS and DC14 of the MBLP.

AIR QUALITY

As noted above, policy SE12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. The proposed amendments raise no new concerns in terms of air quality.

As part of the original permission a number of mitigation measures were the subject of conditions, which will apply again. These include a travel plan for the site, the provision of electric vehicle infrastructure across the site, and the provision of anti-idling signage in order to prevent accumulations of poor air quality in the area around the school, particularly where the designated short stay parking bays will be. Subject to these conditions, the proposal will comply with the air quality aspects policy SE12 of the CELPS.

PUBLIC RIGHTS OF WAY

The requirements of PNP policies EGB 4 and EGB 5 relate to retaining and enhancing existing footpaths and cycle ways, and diversions of PROWs should demonstrate benefits for wider community.

There are three public rights of way within the site, and as part of the previous permission, following the receipt of revised plans, it was proposed to divert Public Footpaths Poynton with Worth nos. 43 & 46 (which head north-east and north west respectively) through the green infrastructure to the east of the site, away from estate roads. At the time Rights of Way team confirmed that these proposals achieved the requirement to seek off road diversion routes for the public footpaths affected by development and were therefore a welcome amendment. They also noted that there would be a number of details to iron out when an application to divert under s.257 TCPA is made. The proposals for the public rights of way situation remains the same with this application as it was for the previous permission. The diversion of footpaths 43 and 46 through the green infrastructure to the east of the site, away from estate roads is considered to represent a clear public benefit as an amenity feature for the wider community.

The other public right of way Footpaths Poynton with Worth no. 88 is unaffected by the proposal.

ACCESSIBILITY

Policy TAC 1 of the PNP expects new housing development to provide new footpath and cycle routes and prioritise safe accessibility considerations. The CELPS allocation for this site (LPS 48) requires “the creation of links with footpaths to the north and east; and pedestrian and cycle

links to new and existing residential areas, employment areas, shops, schools and health facilities, including improved pedestrian links to the town centre, and the railway station.”

Pedestrian and cycle access will be provided from the same location as the vehicular access off Hazelbadge Road, which will provide suitable links to those facilities specified in LPS 48. In addition to this, as noted above, the development includes diverted public rights of way routes through the green infrastructure within the site, which connect into the wider PROW network.

There are existing cycle lanes along Chester Road which start to the east of the pedestrian crossing on Chester Road and lead to the shared surface in the town centre. These lanes have faded over time and do require re-painting. Given that this will be the main route to the town centre for cyclists and having regard to the requirements for cycle lane provision in policy LPS 48, a financial contribution towards the painting of the cycle lanes was secured as part of the s106 attached to the extant permission, which again will apply to this application.

In terms of the accessibility of the site for pedestrians and cyclists, the proposal is considered to comply with the relevant requirements of LPS 48 and policy TAC 1 of the PNP.

HIGHWAYS

The proposed variation to the approved plans does not include any changes to the approved highways details, including the Chester Road / Hazelbadge Road junction. The previously approved plans will therefore still apply to any permission granted for this application. Parking within the site will continue to be compliant with current Cheshire East parking standards which state that for a principal town or key service centre, the following apply:

- 1 parking space per 1 bedroom dwelling
- 2 parking spaces per 2/3/more bedroom dwelling

The extant permission also secured the following highways related planning obligations:

- £5,000 towards the provision of a bus stop opposite Hilton Grove
- £10,000 towards the upgrading of existing cycleways
- £731,500 towards the construction of the Poynton Relief Road
- £7,000 towards enabling a Traffic Regulation Order for works to Hazelbadge Road

These obligations will still apply to the current application, and any permission subsequently granted.

As they did at the time of the previous application, Network Rail has provided extensive comments on the application, which again include a request for financial contributions towards:

- *Level access to the ticket office area – Currently access is via the gate adjacent to the station building, this would require mods to the door & potentially ramps - £15k*
- *Cycle hoops adding to both sides of the station – £10k*
- *Resurfacing of the road leading up to the station building with additional car parking & traffic management - £30k*
- *Improve platform surfaces - £30k*
- *Store room to be converted for community use - £10k*
- *Overall cosmetic investment in the station facilities (painting, glazing in windows, new fencing etc) - £25k*

These appear to be existing issues that are not necessary to make the development acceptable in planning terms; not directly related to the development; and not fairly and reasonably related in scale and kind to the development. Accordingly, they cannot be sought from the applicant. The other comments raised by network rail can be addressed by an informative / note on the decision notice to make the applicant aware of their obligations towards the railway. This same conclusion was reached with the original application.

The proposed variation raises no significant highway safety or traffic generation issues, in accordance with policy DC6 of the MBLP.

TREES / LANDSCAPE

Trees

The majority of the mature trees associated with the site are protected as part of the MBC (Poynton – Lower Park Road) Tree Preservation Order 1974. The Arboricultural officer has confirmed that the proposed variation does not result in any significant arboricultural implications compared to the extant permission, and no objections are raised to the proposal subject to the same conditions as 17/6471M. The proposal is considered to comply with policy DC9 of the MBLP and SE5 of the CELPS.

Landscape

Policies EGB 7 and EGB 8 of the PNP require the diverse landscape, and landscape features of Poynton to be conserved and enhanced. Similar requirements are set out in policy SE 4 of the CELPS.

Given that the layout of the proposed development remains almost identical to that previously approved, there is no significant change to the landscape impact of the proposal. The standard landscape conditions on 17/6471M remain relevant to the current proposal to ensure compliance with the above landscape policies.

ECOLOGY

Policy SE 3 of the CELPS seeks to ensure that all development positively contributes to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests. Policies EGB 9 and EGB 10 of the PNP expect development to avoid adverse impacts on the nature conservation value of sites, or if this is not possible minimise such impact and seek mitigation of any residual impacts, and also seek to protect the biodiversity of the identified wildlife corridor (areas along Poynton Brook).

The nature conservation officer has confirmed that the proposed variation to the approved plans raises no significant nature conservation issues. The proposal will continue to comply with the above policies.

LAYOUT / DESIGN

Policy HOU 11 of the PNP lists similar criteria for any new housing development to meet in order to achieve a high standard of design and new development should be compatible with

the existing character of Poynton. HOU 8 of the PNP requires proposals for new dwellings to reflect the height, form, extent and pattern of surrounding development and character of the local area including site coverage by hard surfaced areas, and policy HOU 7 is a general policy that seeks to protect heritage assets, landscape and biodiversity, recreational areas and open space, and to ensure surface water flooding is not exacerbated.

Amongst other criteria, policies SE1 and SD2 of the CELPS expect all development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of height, scale, form and grouping; choice of materials; external design features; massing of development - the balance between built form and green/public spaces; green infrastructure; and relationship to neighbouring properties, street scene and the wider neighbourhood.

Paragraph 135 of the NPPF states that Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme. Therefore it is important to ensure that there is no dilution of design quality in the proposed amendments in terms of scale, materiality, architectural detailing, etc.

The principle and substantial detail of the proposal has previously been accepted by the granting of permission 17/6471M, and given the layout remains virtually the same there is no reason to reach an alternative conclusion with the current proposal in terms of how well connected the site is, accessibility to the facilities and services of Poynton and public transport.

As noted above in the Housing section of this report, the proposal seeks to provide a broad and balanced range of housing to meet local requirements, which comprises 11 x 5 bed units, 30 x 4 bed units, 39 x 3 bed units, 25 x 2 bed units, 28 x 1 bed units. These units incorporate 30% affordable housing and are provided in a range of house types and apartments.

In terms of character, some concern was initially raised regarding the detailing on the proposed house types and whether they projected the high-quality architectural details evident within the local area. As a result, amended plans have been submitted following a review of the vernacular of Poynton.

Elevations to several of the house types have been amended to include minor changes to the fenestration in terms of wider or taller windows, flat roof bay windows, introduction of more brick detailing, changes to porches and a reworking of dual aspect units.

Feature / wayfinding house types are provided at key nodes within the site. The house types used as landmarks, header buildings and corner turners utilise a mix of Tudor boarding, Cheshire brick, proud brick patterns and render as well as exposed rafter ends. Some incorporate Juliette balconies, such as the dual aspect Hartland, adding addition activity to the streets on which they are located. Bays are also used on the primary and secondary elevations on a number of dual aspect properties.

The houses that make up the majority of the site use simpler elevations. Cheshire brick forms the main body of the elevation, broken up with a banded course of brickwork with a saw-toothed detail. Exposed rafter ends are used to eaves with barge boards to the gables. Simple, unfussy

gabled porches or lean-to porches are included of a number of these units. Same gables incorporate a vent detail to add interest.

Sections have also been provided to demonstrate that the massing of the proposed units is similar to existing properties that border the site.

The density of the development remains as previously approved – 31 dwellings per hectare of the developable area of the site, or of the entire site it is 16 dwellings per hectare.

A variety of building heights are proposed, up to 10.7m for the tallest of the three-storey apartments, which is lower than the tallest building in the approved scheme, which had a height of 11.2. Some properties have chimneys which help to create an interesting and varied roofscape and skyline.

The existing features within the site which are predominantly the tree cover to the east alongside the Brook, the woodland to the west, and the central belt of protected trees, continue to be retained in the proposed layout, given the similarity to the extant permission.

Similarly, the defined street hierarchy remains as approved with streets, lanes and shared drives identified, and areas of public space are well defined. The woodland to the west will continue to be fenced off with railings in the interests of public safety due to the contamination issues associated with this area; however, the ecological value of the woodland will be retained, and will provide an attractive green buffer to the railway line beyond.

A mix of parking solutions is encouraged by the Design Guide to ensure that the street scene is not dominated by vehicles, and a mix of different parking solutions is provided across the site, very similar to that previously approved. Also, as with the extant permission, features that encourage sustainable forms of transport, such as secure cycle provision has been provided for those properties that do not have garages, including the apartments.

For the reasons outlined above it is considered that the proposal will comply with policies HOU 7, HOU 8 and HOU 11 of the PNP policies SE1 and SD2 of the CELPS and the Cheshire East Design Guide.

ARCHAEOLOGY

Policy SE 7 of the CELPS and EGB 15 of the PNP seek to ensure that development aims to conserve and enhance heritage assets, including their setting.

The heritage aspects of the proposal relate to the western part of the application site, which includes brick works and brick kilns and to the south west a gas works, which are located within the area proposed for landscaping, where no development is proposed. The level of impact on these areas of archaeological potential was previously found to be acceptable and the proposed variation raises no reason to adopt a different view now.

Accordingly, the proposal is considered to comply with the archaeological / heritage aspects of policy SE7 and LPS 48 of the CELPS, and policy EGB 15 of the PNP.

FLOODING

Policy SE13 of the CELPS states that developments must 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, in line with national guidance. Policy EGB 1 of the PNP identifies that Poynton is at risk of flooding, and states that a local Flood Risk Mitigation Plan should be coordinated by the relevant authorities.

The LLFA and the EA would be the appropriate authorities to be involved in a Flood Risk Mitigation Plan as and when it is prepared. Both these organisations were consulted on the previous and the current application and are satisfied that the flood risk can be managed on site. The proposed variation to condition 2 raises no additional flood risk concerns.

CONTAMINATED LAND

There are areas of contaminated land within the site, most notably to the western side of the site, within the area of the former Poynton Brick Works and Poynton Gas works, which appears to have undergone no demolition or remedial works since closure.

The proposed variation of the plans condition raises no new contaminated land issues, and the same advice and conditions are recommended by the contaminated land officer.

Subject to these conditions relating to a remediation strategy, a verification report, the testing of imported soil, and a condition relating to any unforeseen contamination, the proposal will comply with policy DC63 of the MBLP and policy SE12 of the CELPS.

OTHER MATTERS

Many of the points raised in representation to the application, not addressed above, relate to the principle of the development, such as traffic generation, highway safety, flood risk, scale of development, impact on wildlife, etc. This application is to vary the approved plans condition on the extant permission to introduce new house types, the principle of the development has already been accepted, and cannot be re-visited as part of this application.

However, one of the issues raised does relate to the provision of the access road leading to the field to the north of the site. This was removed as part of the previous permission. The current plans do show a short section of carriageway leading to the north, but between it and the northern boundary there is 15m of grassed open space. This is considered to show the road link to the field removed. The section of carriage way shown on the plans is required for the turning of coaches for the school, as it was at the time of the original application.

S106 HEADS OF TERMS

A deed of variation to the existing s106 agreement will be required to relate it to the current application. The s106 agreement will secure:

- 30% affordable housing
- Off site ecological mitigation contribution of £46,137
- Open space provision and management
- Education contributions of:

- £260,311 (primary)
- £310,511 (secondary)
- £91,000 (SEN)
- Indoor sports contribution of £22,500
- Recreation and outdoor sport contribution of £96,000
- Allotments and community gardens contribution of £61,875
- Healthcare contribution of £132,336
- Contribution to Poynton Relief Road of £731,500
- £7,000 to fund TRO
- £5,000 to fund bus stop opposite Hilton Grove
- £10,000 contribution towards cycle lane improvement

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 affordable housing, off site ecological mitigation, indoor and outdoor sport (financial) mitigation, Highways (financial) mitigation, the cycle lane contribution and healthcare (financial) mitigation are all necessary, fair and reasonable to provide a sustainable form of development, to contribute towards sustainable, inclusive and mixed communities and to comply with local and national planning policy.

The development would result in increased demand for school places at the secondary school within the catchment area which currently have no projected spare capacity. In order to increase the capacity of the school which would support the proposed development, a contribution towards secondary and SEN school education is required based upon the number of units applied for. This is considered to be necessary and fair and reasonable in relation to the development.

All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of the development

CONCLUSIONS

The proposal seeks to vary condition 2 (approved plans) on planning permission 17/6471M to change the approved house types. The requirement for the change has arisen due to a change in housebuilder looking to bring the development forward on the site. The amount of development and overall layout of the dwellings remains very similar to that previously approved, and therefore most of the issues associated with the proposed residential development remain unchanged.

Small changes have been made to the design of the house types during the course of the application in order to better reflect the requirements of the CEC design guide, local and

neighbourhood plan policies, and provide a proposal that delivers a specific sense of place, having regard to the local distinctiveness of Poynton.

The comments received in representation have been given due consideration in the preceding text, however, as with the previous application, the proposal is considered to comply with the development plan as a whole and is therefore a sustainable form of development. In accordance with policy MP1 of the CELPS, the proposals should therefore be approved without delay, with the same conditions and planning obligations as the extant permission 17/6471M.

Accordingly a recommendation of approval is made subject to conditions and the prior completion of a s106 agreement to secure the following:

	Requirement	Triggers
Affordable Housing	30% (40 units) of total dwellings to be provided (65% (26 units) Affordable Rent / 35% (14 units) Intermediate)	No more than 80% open market occupied prior to affordable provision within each phase
Off site Ecological Mitigation	£46,137 towards Kerridge Hill Nature Reserve	Prior to commencement
Open Space	a) Open space scheme to be submitted a) Management scheme to be submitted	Prior to commencement Prior to occupation
Indoor Sports Contribution	£22,500 towards Poynton Leisure Centre	Prior to occupation
Recreation & Outdoor Sports Contribution	£96,000 towards Deva Close Playing Fields, Poynton	Prior to commencement
Allotments & Community Gardens Contribution	£61,875 towards existing facilities and new opportunities in Poynton	Prior to commencement
Education	Primary £260,311 Secondary £310,511 SEN £91,000	50% Prior to first occupation 50% at occupation of 67 th dwelling

Healthcare	£132,336 towards development of Priorsleigh Medical Centre and McIlvrive Medical Centre	50% Prior to first occupation 50% at occupation of 67 th dwelling
Poynton Relief Road Contribution	£731,500 towards Poynton Relief Road	50% Prior to first occupation 50% at occupation of 67 th dwelling
Traffic regulation Order Contribution	£7,000 to fund the required traffic regulation order for works on Hazelbadge Road	Prior to occupation
Bus Stop Contribution	£5,000 to facilitate the provision of a bus stop opposite Hilton Grove	Prior to occupation
Cycle Lane Contribution	£10,000	Prior to occupation

And subject to the following conditions:-

1. Commencement of development by 2 November 2023
2. Development in accord with approved plans
3. Submission of details of building materials
4. Landscaping submission of details
5. Landscaping (implementation)
6. Tree retention
7. Tree protection
8. Construction specification/method statement for access road serving Plots 1-4 and for footpath adjacent to trees T24- T46
9. Arboricultural method statement
10. Levels details to be submitted which provides for the retention of trees on the site
11. Service / drainage layout which provides for the long term retention of the trees to be submitted
12. Implementation of noise mitigation measures
13. Electric vehicle infrastructure to be provided
14. Anti idling signage to be provided
15. Remediation Strategy to be submitted
16. Verification report to be submitted

17. Testing of any imported soil
18. Reporting of any unforeseen contamination
19. Implementation of Highway improvements
20. Construction management plan to be submitted
21. Amended travel plan to be submitted
22. No infiltration of surface water drainage into the ground is permitted
23. Development to be carried out with GCN mitigation strategy (to include 5m buffer zone to north of site)
24. Implementation of the reasonable avoidance measures detailed within section 6.8 of the Ecological Assessment Report (bats)
25. Development to be carried out in accordance with the submitted badger mitigation strategy.
26. Nesting birds survey to be submitted
27. Implementation of Reptile Reasonable Avoidance Measures
28. Details of proposed external lighting scheme to be submitted
29. Foul and surface water shall be drained on separate systems.
30. Surface water drainage scheme to be submitted
31. Development to be carried out in accordance with submitted Flood Risk Assessment
32. Obscure glazing to be provided
33. Construction Environmental Management Plan to be submitted
34. Details of railings to western boundary of site to be submitted. Railings to be retained in perpetuity.
35. Construction Management Plan to demonstrate out how any indirect adverse impact on Poynton Brook will be avoided to be submitted.

In the event of any changes being needed to the wording of the Board'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 Chair or Vice Chair of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Board's decision.

