

Application No: 24/2602M
Application Type: Outline Planning
Location: New Barn Farm Chelford Road, Ollerton, Knutsford, Cheshire East, WA16 8SZ
Proposal: Demolition of existing equestrian buildings, construction of dwellings and alterations to access
Applicant: SF (NW) Ltd

Summary:

- The application seeks outline residential development.
- Indicative plans submitted with the scheme show 13 dwellings.
- The site is within the Green Belt.
- The site is currently a commercial livery and stables and is considered to be previously developed.
- The openness of the Green Belt is impaired by the existing development.
- The proposals, on balance, would not have a greater impact on the openness of the Green Belt, passing the tests in CELPS Policy PG3.
- The proposals would not cause substantial harm to the openness of the Green Belt, passing tests in the NPPF.
- It is considered the site, on balance, is in a sustainable location, especially given its lawful commercial use and its associated existing transport impacts.
- The scheme would provide 30% Affordable Housing, on-site open space provision, and an education contribution.
- There are some concerns to the layout proposed on the indicative scheme, in that the housing mix is rather unbalanced, but this could be remedied at reserved matters stage.
- Local concerns are mainly regarding the amount of residential development in this rural area, and the drainage of the site.
- There are no technical objections to the scheme.

Summary Recommendation:

APPROVE subject to conditions and S.106 legal agreement.

1. REASON FOR REFERRAL:

1.1. The application relates to a '*Small-Scale Major Development*¹', and under the terms of the Constitution it is required to be determined by the Northern Planning Committee.

¹ residential developments of 20-199 dwellings or between 1ha and 4ha

1.2. This application was also subject to a 'call-in' request from Councillor Anthony Harrison. Councillor Harrison sought the call-in for the following reasons: -

1.2.1. That the proposed development is considered to be of a significant scale (*13 dwellings*) for this rural parish, particularly as the site is adjacent to an already approved residential development site (*22/0783M; 10 dwellings*); and;

1.2.2. That local issues relating to drainage and watercourse pollution are likely to be exacerbated by the proposed residential development which will have a detrimental impact on wildlife and adjoining land.

2. DESCRIPTION OF SITE AND CONTEXT:

2.1. The application site extends to approximately 1.13 hectares and is located on the north side of Chelford Road, in Ollerton, between Chelford and Knutsford.

2.2. The site comprises stable buildings, associated storage and an indoor riding arena and ancillary residential accommodation.

2.3. The site is within the Green Belt but forms part of a cluster of developments. These include an industrial site to the east (with planning permission for residential redevelopment), and a home furniture shop and dwelling to the south on the opposite side of the road. There are other commercial businesses (including a timber merchant), a short distance to the east.

2.4. The site is screened from Chelford Road by mature landscaping.

3. DESCRIPTION OF PROPOSAL:

3.1. The application seeks outline planning permission for the demolition of the existing buildings, removal of paraphernalia associated with the existing uses and redevelopment of the site for residential purposes.

3.2. This application includes details of access and scale. All other matters are reserved for subsequent approval. An indicative layout and indicative landscaping scheme have been provided illustrating how 13 dwellings could be accommodated on the site.

3.3. The indicative proposal would include alterations to the existing access from Chelford Road and the construction of 9 four-bedroom detached, and 4 two-bedroom semi-detached dwellings. The semi-detached units would be affordable dwellings.

4. RELEVANT PLANNING HISTORY:

Application Site:

- 4.1. A positive Certificate of Lawful Existing Use was issued on 15 August 2007 for the existing dwelling to be occupied in connection with the use of the equestrian centre, under reference 06/2928P.
- 4.2. Planning Permission was granted on 23 November 2009 for the use of land and buildings for livery, training centre and horse-riding school, under reference 09/0482M. This permission also included parking, and the alterations to an existing building to form an office, reception, storage, and rest room.
- 4.3. Planning Permission was granted on 8 April 2010 for the construction of a building to provide an indoor riding arena on an existing manège, under reference 09/4311M.
- 4.4. Planning Permission was granted on 4 October 2012 for an extension to the existing residential accommodation into the adjoining reception area, under reference 12/2269M.

Others:

- 4.5. The site located immediately adjacent, (known as Oakwood Nurseries), has been approved for redevelopment, as outline planning permission was approved in July 2023, for up to 10 dwellings, (reference 22/0783M).
- 4.6. That site was slightly smaller than this application site, being some 1 hectares in size. That site comprised 12 warehouse type buildings and greenhouses, which were formerly used by a nursery and landscaping business with an office and gravelled car parking area.
- 4.7. That approval secured 30% Affordable Housing (3 units), Public Open Space including play space provision (comprising of a Local Area for Play) (LAP), and also an on-site provision of allotments.
- 4.8. The reserved matters detailing the layout, scale, landscaping, and appearance of the 10 dwellings has recently been submitted to the Local Planning Authority.

5. NATIONAL PLANNING POLICY

- 5.1. The National Planning Policy Framework (NPPF) was first published by the Government in March 2012 and has since been through several revisions. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF is a material consideration which should be taken into account for the purposes of decision making.
- 5.2. Following consultation in the summer, the Government has now published an updated version of the National Planning Policy Framework (NPPF) applicable in England. The key points of note in the new document are: -

- The Standard Method to assess the level of housing need increases by circa 20% in England;
- A six-year housing land supply requirement comes into effect for local authorities with a local plan housing requirement over five years old, where it is 80% or less of the level set by the new Standard Method;
- The introduction of Grey Belt and clarification on circumstances whereby Green Belt land can be released for development;
- The level of affordable housing required on housing sites removed from the Grey / Green Belt;
- The approach to the sequential test for assessing Flood Risk; and
- The transition arrangements for the application of the new NPPF for decision taking and plan making.

Previously Developed Land (PDL) in the Green Belt the NPPF:

5.3. With specific relation to this site, paragraph 154g has been amended, which states that an exception to development in the Green Belt includes *“limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt”*.

5.4. The definition of Previously Developed Land has also been updated to read as follows. *“Land which has been lawfully developed and is or was occupied by a permanent structure **and any fixed surface infrastructure associated with it**, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). **It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed.** Previously developed land excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure **or fixed surface structure** have blended into the landscape”*. Changes emphasised in **bold**.

6. DEVELOPMENT PLAN POLICIES:

6.1. By virtue of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

6.2. For the purposes of considering the current proposals, the development plan consists of the Cheshire East Local Plan Strategy (CELPS), The Site Allocations and Development Policies Document (SADPD), and in some regard, The Ollerton with Marthall Neighbourhood Development Plan (NDP).

Cheshire East Local Plan Strategy (CELPS) 2017:

6.3. CELPS was adopted in July 2017 and sets out policies to guide development across the borough over the plan period to 2030. The relevant policies of the CELPS are summarised below:

- 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
- SC3 Health and Well-being
- SC4 Residential Mix
- SE1 Design
- SE2 Efficient Use of Land
- SE3 Biodiversity and Geodiversity
- SE4 The Landscape
- SE5 Trees, Hedgerows and Woodland
- SE8 Renewable and Low Carbon Energy
- SE9 Energy Efficient Development
- SE12 Pollution, Land Contamination and Land Instability
- SE13 Flood Risk and Water Management
- CO1 Sustainable Travel and Transport
- CO4 Travel Plans and Transport Assessments
- Appendix C Parking Standards

Site Allocations and Development Policies Document (SADPD) 2022

6.4. The Site Allocations and Development Policies Document (SADPD) is the second part of the Cheshire East Local Plan and provides detailed planning policies and land allocations in line with the overall approach set out in the Local Plan Strategy. The SADPD was adopted as part of the development plan at the Full Council meeting on 14 December 2022. The relevant policies of the SADPD are summarised below: -

- PG9 Settlement Boundaries
- GEN1 Design principles
- ENV1 Ecological network
- ENV2 Ecological implementation
- ENV5 Landscaping
- ENV6 Trees, hedgerows, and woodland implementation
- ENV7 Climate Change
- ENV12 Air quality
- ENV14 Light pollution
- ENV15 New development and existing uses
- ENV16 Surface water management and flood risk

- ENV17 Protecting water resources.
- HOU2 Specialist housing provision
- HOU8 Space, accessibility, and wheelchair housing standards
- HOU10 Backland development
- HOU11 Extension and alterations
- HOU12 Amenity
- HOU13 Residential standards
- HOU14 Housing density
- HOU16 Small and medium sized sites
- INF1 Cycleways, bridleways, and footpaths
- INF3 Highways safety and access
- INF9 Utilities
- REC1 Open space protection
- REC2 Indoor sport and recreation implementation
- REC3 Open space implementation
- REC5 Community facilities

Ollerton with Marthall Neighbourhood Development Plan (NDP)

6.5. The Ollerton with Marthall NDP is at Regulation 14 (Pre-submission Consultation) stage. This began on the 1 May 2022, and closed on the 13 June 2022.

6.6. Only **limited weight** can be given to the policies below as this consultation is undertaken by the parish council and the LPA do not see the extent of any resolved objections and a judgement is made as to whether the NDP is in conformity with the Core Strategy and national policy.

- ENV2 Trees, Hedgerows and Watercourses
- ENV3 Surface Water Management and Sewerage
- HOU1 Housing
- HOU2 Housing Mix and Type
- HOU3 Design

7. Relevant supplementary planning documents or guidance

7.1. Supplementary Planning Documents and Guidance do not form part of the Development Plan but may be a material consideration in decision making. The following documents are considered relevant to this application:

- SUDS SPD
- Environmental Protection SPD
- Ecology and Biodiversity Net Gain SPD
- Developer Contributions SPD
- Cheshire East Design Guide SPD
- Housing SPD
- Housing Strategy 2013-2023
- Nationally Described Spatial Standards

8. CONSULTATIONS (External to Planning):

8.1. Ollerton with Marthall Parish Council:

Object to the scheme for the following reasons: -

- Ollerton and Marthall is washed over by the Green Belt and careful consideration should be afforded to maintain the openness of space and avoid harm caused by inappropriate development.
- Green Belt designation is planning policy designed to manage growth and protect against inappropriate development and urban sprawl. Ollerton has no additional housing need; no strategic sites are identified in the CELPS; and it is not an 'infill village' in the SADPD.
- Approval of housing on this site has the potential to accelerate the process of urbanisation as other sites can argue 'precedent' and 'infilling'. Lack of housing need and of any Development Plan spatial provision or policy requirements for housing in this area justifies Objection.
- Despite this being a small parish, Ollerton has seen a significant amount of development.
- Chelford road is facing urbanisation at an accelerated rate, and this is changing the rural character of this community.
- The Parish Council are greatly concerned regarding the environmental impact of both developments on Marthall Brook, there is a recognised issue right now even before the construction of any housing.
- Being a small Parish, it is established that Ollerton does not have any housing targets and has currently seen a large amount of development given the limited infrastructure available. Unfortunately, the type of housing we would like to see, which would benefit the community, is not being built, just luxury high value properties.
- Another major issue is that buildings which have an employment function are being converted at an alarming rate into dwellings (causing loss of employment sites) and then further unnecessary agricultural buildings are requested.
- The Parish Council would like Members to consider dark skies at night and the impact on wildlife, the urbanisation of this area by two large housing developments will impact light pollution. Especially as both developments are close to the golf driving range which erected lighting without planning consent and existing lights cause issues with residents who are facing the flood lights.
- The most recent application Ollerton has failed to provide affordable rentable units as promised. The option now being discussed is shared ownership of a high value property, which will not be within the reach of young local people.
- Consultants Resolve 106 for this application have claimed that the registered providers do not want to take on this scheme, for reasons such as, a small number of properties which are also distant from their other schemes. However, we would strongly encourage Resolve 106 to look beyond their scheme, as right next door the development for 10 houses has affordable housing and Ollerton Oak another 10 houses, is also looking for a registered provider.
- The Resolve 106 report also mentions that the developer can offer discounted properties, however they could also offer them as rentals. We request that a cascade approach is applied to the affordable houses within the 106 agreements, in order that local residents have priority during the allocation

process. Also, that any affordable units are designated as such in perpetuity to ensure their long-term availability and that permitted development rights are removed or other restrictions included keeping these properties affordable for future generations.

8.2. United Utilities:

No objections, subject to conditions.

8.3. Flood Risk Manager:

No objections, subject to conditions.

8.4. Environmental Health:

No objections, subject to conditions.

8.5. Countryside and Rights of Way:

No objections, subject to an Informative.

8.6. Cheshire East Highways:

No objections, subject to conditions.

8.7. Strategic Housing:

No objections, subject to a S106.

8.8. Education Dept:

No objections, subject to a S106.

8.9. ANSA Greenspace:

No objections, subject to on-site Greenspace and Off-site Contributions.

9. REPRESENTATIONS:

9.1. The application has been duly advertised by means of direct neighbour notification letters and site notice.

9.2. No letters of representations have been received.

10. OFFICER APPRAISAL:

The Principle of the Development:

10.1. The site is located within the Green Belt.

Whether the proposal is inappropriate development:

10.2. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the essential characteristics of the Green Belt being their openness and permanence. The Framework goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

- 10.3. The Framework further establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions as set out in paragraph 154. One such exception, criterion (g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- 10.4. Policy PG3 of the Cheshire East Local Plan Strategy 2010 – 2030 (2017) (CELPS) mirrors the wording of the Framework in respect of the construction of new buildings in the Green Belt, including the listed exceptions. As such, CELPS Policy PG3 conforms with the provisions of the Framework.

Previously Developed Land:

- 10.5. The site is currently a commercial livery and stables. There are a number of existing buildings used for accommodation, an office and tack room. The site also includes car parking, a number of stables, a manège, a horse walker and covered show arena. Having regard to the planning history, the land has a clear lawful use for equestrian purposes which would fall within the above definition. Furthermore, the buildings are of permanent and substantial construction. Thus, the site is considered previously developed land.
- 10.6. It is considered that the site meets the current and previous criterion of Previously Developed Land, in line with the first element of this exemption policy.
- 10.7. However, the development needs to qualify as an exception rather than just the site to be considered an exception in terms of being not-inappropriate development within the Green Belt, to accord with CELPS Policy PG3(3)(vi), and paragraph 154 of the NPPF.
- 10.8. Therefore, an assessment would still need to be made to ensure that the proposed would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Effect on Openness:

- 10.9. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and their permanence.
- 10.10. There is no definition of “openness” in the ‘National Planning Policy Framework’ but, in the context of Green Belt Policy, it is generally held to refer to freedom from, or the absence of, development. Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. The impact of the

development compared with the existing development therefore should be assessed in both spatial and visual terms.

- 10.11. The existing buildings on site are permanent and clearly not temporary structures which has been established in the planning history to be a commercial equestrian use. The openness of the Green Belt is affected by the existing development and built form.
- 10.12. The site layout does not form part of this submission given that layout is reserved for approval at a later stage. However, to assist in the determination process, an indicative layout has been provided to assist with demonstrating how the open space could be provided on the site and to ensure the retention of existing trees.
- 10.13. The site has five existing buildings, the largest being an indoor riding arena, with the other four being stables, storage, and ancillary accommodation. They are all served from a central southern access, with a yard between some of the small buildings to the southeast. There are storage areas to the northeast of the site, whilst fenced paddocks are to the north. Car parking areas are to the east and southeast.
- 10.14. The proposed development would utilise the existing access, to a centralised area of open space, and the housing would cover the remainder of the site. It is considered that the housing would have a spatial impact on the Green Belt, simply by building on areas currently free from development, albeit parking and hardstanding.
- 10.15. The layout of the proposed dwellings has not been arranged with minimal space between them. The proposed layout has been arranged to allow clear views from the access through the site to the grazing land beyond which could enhance openness in visual terms. Compared with the current built development.
- 10.16. In assessing the spatial effect on the openness of the Green Belt, an assessment is made in respect of the footprint, volume, and height of the existing buildings. The existing buildings have a footprint of 2,462m². The existing buildings have a volume of 12,385m³. The ridge height of the existing show arena roof is 7.9m.

	Existing	Proposed	% Change
Footprint	2,462m ²	1,342m ²	-45.5%
Volume	12,385m ³	7,460m ³	-39.8%

- 10.17. The proposal would result in a significant reduction compared to the existing buildings on site, both in footprint, with a reduction of over 45%, and volume, with a reduction of nearly 40%. Whilst the heights of the dwellings would not be higher than the arena, this is the tallest building, and the houses would be higher than those.

- 10.18. The proposed dwellings would be well-screened from the road and surrounding dwellings. The site would be well screened by existing mature landscaping, proposed new landscaping and existing buildings. Many mature trees will be retained along the boundary.
- 10.19. It is believed that the redevelopment of the site as shown on the indicative layout could have, albeit 'on balance', passed the 'not have greater impact' assessment. The scheme therefore would clearly pass the test of 'not causing substantial harm' assessment in the updated NPPF.
- 10.20. It is therefore considered that scheme is an exception in terms of being not-inappropriate development within the Green Belt, and it accord with paragraph 154 of the NPPF, and albite to a lesser degree, CELPS Policy PG3(3)(vi).

Housing Land Supply:

- 10.21. 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.
- 10.22. As the plan is more than five years old, deliverable housing land supply is measured using the local housing need figure (plus 5% buffer), which is currently 2,603 dwellings per year rather than the LPS figure of 1,800 dwellings per year.
- 10.23. 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 indicates that the delivery of housing was substantially below (less than 75% of) the housing required over the previous three years.
- 10.24. 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 2024) was published in April 2025. The published report identifies a deliverable five-year housing land supply of 10,011 dwellings which equates to a 3.8-year supply measured against the five-year local housing need figure of 13,015 dwellings.
- 10.25. The 2023 Housing Delivery Test Result was published by the Department for Levelling Up, Housing & Communities on the 12 December 2024 and this confirms a Housing Delivery Test Result of 262%. Housing delivery over the past three years (7,392 dwellings) has exceeded the number of homes required

(2,820). 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%.

- 10.26. In the context of five-year housing land supply, relevant policies concerning the supply of housing should be considered out-of-date and consequently the 'tilted balance' at paragraph 11 of the NPPF is engaged.
- 10.27. Cheshire East is now, therefore, not able to demonstrate a 5-year supply of deliverable housing sites. It is recognised that the provision of 10 additional houses including 3 affordable units within the site would provide some social benefits to the area. The scheme would also help to provide family housing on a 'previously developed' site within Cheshire East, which both locally and nationally is shown to be in demand.
- 10.28. The proposed development will help to maintain a flexible and responsive supply of land for housing, albeit a small addition. Some direct and indirect benefits for the local economy will also be evident, including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain could also be supported within the local area and wider Cheshire East environment. It is acknowledged that, whilst these economic benefits would exist, they are considered to be relatively minor.

Sustainable Location:

- 10.29. Paragraph 110 of the Framework seeks to actively manage patterns of growth to support the objectives in Paragraph 109 of the Framework. In this instance, the most relevant objective in Paragraph 109 (when considering whether the development would be in a sustainable location for the purposes of Paragraph 155 of the Framework) is pursuing opportunities to promote walking, cycling and public transport using a vision-led approach.
- 10.30. This objective needs to be considered in the context that Paragraph 110 also states that opportunities to maximise sustainable transport will vary between urban and rural areas.
- 10.31. In other words, some allowance should be made for a site's rural location. However, that does not mean that all sites in rural areas should be considered equally. Some will be better placed for development than others when considering access to services and facilities.
- 10.32. As Members are aware, our Development Plan sets out what can be described as a vision-led approach to the sustainable location of development through a spatial strategy. It seeks to direct development to built-up areas with the precise location depending on accessibility to facilities by suitable travel modes. Thus, the development plan identifies sustainable locations for development through Policies MP1 and PG1.
- 10.33. That said, CELPS Policy SD1 (Sustainable Development in Cheshire East) states that we should "*make best use of previously developed land where possible*". In addition, CELPS Policy SE2 (Efficient Use of Land) states that "*the*

council will encourage the redevelopment / re-use of previously developed land and buildings”.

10.34. In terms of the site sustainability assessment, CELPS Policy SD2 is supported with a guidance Table 9.1 which recommends the distances to local services and amenities. The application site performs as follows:

Criteria	Recommended	Description	Distance
Public Transport			
Bus Stop	500m	Seven Sisters Lane Request Stop	1.4km 20m
Public Right of Way	500m	Ollerton FP18	40m
Railway Station	2km	Chelford Railway St	2.7km
Open Space			
Amenity Space Open	500m	Oaklands Rd Play Area Oakwood Nursery On site	1.3km 50m 10m
Children's Playground	500m	Oaklands Rd Play Area	1.3km
Outdoor Sports	500m	The Beeches Golf	300m
Public Park/Village Green	1km	Oaklands Rd Play Area	1.3km
Services and Amenities			
Convenience Store	500m	Londis Chelford	2.5km
Supermarket	1km	Londis Chelford Aldi Knutsford	2.5km 4.2km
Post Box	500m	Ollerton Lodge Post Box	500m
Post Office	1km	Chelford	2.65km
Bank or Cash Machine	1km	Shell Chelford ATM	3.3km
Pharmacy	1km	Knutsford	4.5km
Primary School	1km	Chelford CE Primary	2.4km
Secondary School	1km	Knutsford Academy	4.7km
Medical Centre	1km	Chelford Surgery	2.5km

Leisure Facilities	1km	The Beeches Golf Village Hall (classes)	300m 1.1km
Local Meeting Place / Community Centre	1km	The Hall at Marthall	1.1km
Public House	1km	The Beeches Golf The Dun Cow Country	300m 1.6km
Child Care Facility (nursery or crèche)	1km	Chelford pre-school Kids Country Day Nursery	2.4km

PASS
FAIL
BALANCED

- 10.35. In summary, the application site is not highly sustainable in terms of its access to a range of everyday services by walking but there are some facilities nearby that pedestrians could reach. Cycling and Bus Travel are not a realistic option. Overall, there is a mixed picture regarding the ability of future occupants to pursue or prioritise sustainable transport in accordance with the vision in the development plan.
- 10.36. The site is currently a commercial livery, and although it employs only one person, it must have comings and goings for lessons and events. It is impossible for that use to function with combined public transport modal trips.
- 10.37. Further, the NPPF in dealing with the 154(g) exception anticipates that rural sites such as the application site may be brought forward, as highly accessible locations in key service centres are not always found within Green Belt locations.
- 10.38. The proposed houses could all have sufficient space for bike storage, and a condition requiring submission of a plan showing a dedicated cycle storage area within each dwelling could be secured.
- 10.39. Overall, when accounting for the type of development and as a previously developed site, Officers are satisfied that the application proposals would be in a sustainable location for the purposes of Paragraph 154 of the Framework.

Loss of employment/outdoor recreation:

- 10.40. Policy EG3 of the CELPS requires existing employment sites to be protected for employment use and sets out the scenarios where exemptions can be made. Whilst the proposal would result in a loss of employment on the site, the site is not used for any purposes falling within B1, B2 or B8 as outlined in the policy and therefore the development would not conflict with this policy. It is clear that the site has been marketed for rental, and it is understood that an equestrian use on the site is struggling due to the location of the busy main road. Whilst

Outdoor sport, leisure, and recreation uses outside of settlement boundaries have some policy support for the rural economy², they have no protection.

Design:

10.41. Policy SE1 of the CELPS refers to design and requires development to meet a list of criteria. Policy SD2 requires development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness. Policy GEN1 of the SADPD sets out design principles. Policy RUR13 requires replacement buildings to not unduly harm the rural character of the countryside, by virtue of prominence, scale, bulk, or visual intrusion.

10.42. The application seeks outline planning permission. An indicative site layout, outline elevations and landscaping have been provided. The proposed dwellings comprise a mix of detached and semi-detached dwellings, each with a private garden and private parking. The development provides scope for a landscaping scheme, which seeks to retain and enhance the existing mature landscaping on site as much as possible, whilst introducing new native trees and hedgerow along the site boundaries. The proposal should also be considered having regard to the context of the site. In this case planning permission has been approved for residential redevelopment of the adjacent site, although this has not yet commenced.

Landscape impact:

10.43. The planning application seeks outline consent with details of the layout reserved for subsequent approval. However, the indicative layout has been arranged with minimal space between them and arranged to allow clear views from the access through the site to the grazing land beyond.

10.44. In visual terms, the site and the wider land parcel within the applicant's ownership is enclosed by well-established landscaped boundaries, providing a very strongly defined boundary to the application site which consists of mature hedges and trees. The proposed dwellings would be well-screened from the road and surrounding dwellings. The property would be well screened by existing mature landscaping, proposed new landscaping and existing buildings. Many mature trees will be retained along the boundary.

Housing Mix:

10.45. SADPD Policy HOU1 (Housing Mix) states that, in line with CELPS Policy SC4 (Residential mix), housing developments should deliver a range *and* mix of house types, sizes and tenures, which are spread throughout the site and that *reflect* and respond to identified housing needs and demands.

	Policy	Proposals
1 bedroom	5%	0%
2 bedroom	23%	30%

² see SADPD RUR 6 and 7

3 bedroom	53%	0%
4 bedroom	15%	70%
5+ bedroom	3%	0%

10.46. As stated above, the application proposes an indicative housing mix of 9 four-bedroomed detached dwellings, and 4 semi-detached two bedroomed dwellings. Although a relatively small-scale housing scheme, the mix proposed conflicts with the Policies SC4 and HOU1, with limited justification for the house types proposed. However, given that this application is in outline form, this detail will be dealt with at the Reserved Matters stage, and this issue is purely flagged at this stage.

1. One reason to raise this is that the adjacent scheme currently being determined was submitted showing 7 four-bedroomed detached dwellings and 3 two-bedroomed detached dwellings. So, of the combined schemes, 16 units (70%) would be four bed detached large units. Collectively, this would not result in a good mix and so a condition requiring a Housing Mix Assessment to be submitted with the future reserved matters application dealing with layout and scale is recommended.

Density:

10.47. SADPD Policy HOU14 seeks new residential proposals to generally achieve a net density of at least 30 dwellings per hectare. Lower densities will only be supported where evidence is submitted which demonstrates this would be justified, such as the character of the surrounding area and wider landscape setting and site constraints. The density of the proposed development would represent 11.5 dwellings per hectare.

10.48. A more compact redevelopment, with less four bedroomed properties would limit the conflict with Policy HOU14 of the SADPD.

Affordable Housing:

10.49. SADPD Policy HOU2 (Specialist housing provision), and in the Council's recently adopted Housing SPD.

10.50. The policies state that in settlements with a population of 3,000 or more that we will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified 'windfall' sites of 15 dwellings or more or larger than 0.4 hectares in size.

10.51. The desired target percentage for affordable housing for all allocated sites will be a minimum of 30%, in accordance with the recommendations of the Strategic Housing Market Assessment carried out in 2013. This percentage relates to the provision of both social rented and/or intermediate housing, as appropriate. Normally the Council would expect a ratio of 65/35 between social rented and intermediate housing.

- 10.52. The indicative layout comprises a proposal for 13 dwellings in total. On that basis an affordable housing provision of 30% is therefore required i.e. 4 units. Plots 10-13 of the indicative layout would be the affordable housing provision.
- 10.53. The Council's Housing Team has stated that the policy requirement of 30% affordable dwellings on site as intermediate tenure is acceptable. Adherence to the policy requirement of 65% rental and 35% intermediate would not appear possible due to the registered provider communications supplied, which confirmed noninterest in any rental homes for that area at this time. This would be secured by of s106 legal agreement.

Education:

- 10.54. Cheshire East's adopted policy on education contributions is set out in CELPS Policy IN1 and IN2 and in the Council's Infrastructure Delivery Plan Update.
- 10.55. The Council's Children's Services Department have stated that the development is expected to impact on primary and secondary school places in the locality. Contributions which have been negotiated on other developments are factored into the forecasts both in terms of the increased pupil numbers and the increased capacity at schools in the area as a result of agreed financial contributions. The development of 13 dwellings on this site is expected to generate:

Stage	Calculation	Number of Children
Primary	(13 x 0.29)	Four
Secondary	(13 x 0.14)	Two
Special Educational Need	(13 x 0.51 x 0.023%)	Zero

- 10.56. The 4 primary aged children expected from the application will exacerbate the shortfall of primary places within 2 safe walking miles of the development. In light of the Cheshire East Local Plan School Organisation implemented its mitigation plan to make extra school places available to meet the needs of the new development within this area. This has seen an increase in places at Holmes Chapel Comprehensive to meet the expected need. These places have not yet been fully funded by developer contributions therefore there is a requirement for 2 secondary school places.
- 10.57. This contribution would be secured by way of a S106 Legal Agreement. As the scheme is in outline, a formula would be required. The formula for this calculation is $4 \times £19,425.00 = £77,700.00$ (Primary contribution) and $2 \times £26,717.00 = £53,434.00$ (Secondary contribution) in order for it to comply with Policy IN2 of CELPS.
- 10.58. On the scheme currently submitted, an Education Contribution totalling **£131,134.00** would be required, to alleviate forecast pressures.

Public Open Space:

- 10.59. CELPS Policy SE6 and SADPD Policy REC3 set out the Council's adopted standards for open space and play provision. The mechanisms for delivery are expanded upon with a Planning Obligations SPG document, which expects off-site provision to be funded by means of a planning obligation.
- 10.60. Each application and/or development site is considered individually, and the most appropriate option identified. The Council's Greenspace Team have stated that on this occasion, play and amenity open space is required on site as the nearest facility is too far away to practically relate it to the development as it is over 1.75km away. The requirement is for 40 sqm per family dwelling. As part of the open space, some form of community gardening opportunity would be required which should cover the allotments requirement of 5sqm per family dwelling.
- 10.61. The play element should be provided by way of a Local Area of Play (LAP), aimed at toddlers, and focus on imaginative and social play, embedded in a communal amenity area with communal gardening / productive planting. This amenity area should be seen as a way of creating identity and individuality for the site. Detailed design should be submitted as part of any subsequent application and prior to commencement alongside details of future management and maintenance, in perpetuity.
- 10.62. A Recreation and Outdoor Sport (ROS) commuted sum would be required for offsite provision. This would be calculated in line with the Council's SPD on Developer Contributions, based on dwelling / bedroom numbers. The commuted sum would be used in line with the councils adopted Playing Pitch and Outdoor Sports Strategy. The commuted sum would be required on commencement of development and would have a spend period of 20 years.
- 10.63. Although the detailed design would be submitted as part of any subsequent application and prior to commencement alongside details of future management and maintenance, (in perpetuity), the layout has been updated to show how an amenity space could work, located centrally and in one location.

Highways access, parking, and pedestrian safety:

- 10.64. CELPS Policy CO1 deals with Sustainable Travel and Transport. It seeks to encourage a shift away from car travel to public transport, cycling and walking. SADPD Policy INF3 relates to highway safety and access. It sets out the circulation and access criteria for new development. This includes amongst other matters, the provision of adequate visibility splays, manoeuvring vehicles, and emergency vehicles.
- 10.65. As stated above, the accessibility of the site for residential development could be better. Although the site is linked to an existing footway on the development side of the A537, the site is not close to existing services and schools. In addition, there is no current bus services available on this section of the A537, and it is therefore likely that almost all trips would be car-based trips to and from the site.

- 10.66. A revised access is proposed to the site, the internal road width is 5.5m with a 2m footway on both sides. The entry radius is improved to 6m. The available visibility is shown on the submit plans, and splays of 2.4m x 120m in both directions is provided. These are acceptable levels of visibility.
- 10.67. In consideration of the traffic impact of the site, there is an existing equestrian use that generates trips which needs to be considered when assessing the residential impact. The net traffic impact of the site is very small arising from 13 dwellings and is not a concern in regard to any capacity problems on the local road network.
- 10.68. There is sufficient space remaining within the site for off-street parking provision to be in accordance with CEC parking standards.
- 10.69. Overall, the access and internal site layout is acceptable, and the level of parking is sufficient to meet standards. There is no significant additional traffic generation from the residential proposals. The accessibility of the site is a concern although the level of development is low and also the approval of residential development on the adjacent site is a material consideration. Additionally, there is benefit in redeveloping previously developed sites. Therefore, there are no material highway implications associated with the proposals.

Ecology:

- 10.70. CELPS Policy SE3 requires all (including conversions and that on brownfield and greenfield sites) to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests. When appropriate, conditions will be put in place to make sure appropriate monitoring is undertaken and make sure mitigation, compensation and offsetting is effective.

Biodiversity Net Gain:

- 10.71. The mandatory Biodiversity Gain Condition / Informative applies to this application.
- 10.72. A Biodiversity Metric has been submitted in support of the proposed works, and a habitat net loss of -14.5% (-0.48 units) and a hedgerow net gain of +613.2% (+0.59 units) has been predicted.
- 10.73. The assessment of existing habitats on site appears suitable, both within the metric and the Biodiversity Net Gain Assessment. However, the metric is calculating a net loss for habitats, and the trading rules have not been met due to the loss of '*Other Woodland; Broadleaved*' without like-for-like (or higher habitat distinctiveness) compensation. It should be noted that an application cannot be considered to achieve a net gain if trading rules are not met.
- 10.74. It is important to consider the Biodiversity Gain Hierarchy which sets out a list of priority actions, with the top priority being retention of medium or higher

distinctiveness habitat on site, and where this is unavoidable, mitigation for impacts to these habitats onsite. In the event that neither option is feasible, offsite compensation can then be considered. Under current proposals, the works will result in the loss of 0.05ha of other broadleaved woodland, which is a medium distinctiveness habitat.

- 10.75. Resultantly, in order to be in line with the requirements of the Biodiversity Gain Hierarchy, the possibility of retaining the existing broadleaved woodland must be explored, or at a minimum, retaining as much broadleaved woodland as possible. It is therefore advised that the site is redesigned to safeguard the existing woodland, in accordance with the net gain hierarchy. By intention and design, Biodiversity Net Gain is a post consent matter. Whilst issues with the Biodiversity Gain Hierarchy cannot be a reason for planning refusal, the PPG advises that decision makers consider whether the mandatory biodiversity gain condition can be met, which will include the requirement to adhere to the biodiversity gain hierarchy. It is considered that the Condition could be met in this case.

Protected Species (Bats):

- 10.76. The existing stables and barns were determined to offer low potential to support roosting bats. Subsequently, a single nocturnal survey was undertaken in July 2024. No bats were observed to emerge from the existing buildings or containers on site and as result, bat should not present a constraint on this development.
- 10.77. The Council's Ecologist has confirmed that sufficient information regarding bats has been submitted to enable the Local Planning Authority to reach an informed decision in accordance with Circular 06/2005 and to discharge its duty in respect of the requirements of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.
- 10.78. Commuting and foraging bat activity was recorded on site, with the proposed development adjacent to favourable bat foraging areas. It is therefore recommended that a sensitive lighting scheme is secured to safeguard any nocturnal wildlife utilising the adjacent trees and waterbodies.

Great Crested Newts (GCN):

- 10.79. A pond is located within the redline boundary, with an additional pond immediately adjacent to the site. These ponds were surveyed for GCN and a survey of these ponds yielded negative results for the presence of GCN. There are additional ponds located within 250m of development; however, there are significant barriers that would limit the dispersal of GCN from these ponds (if present) to the proposed site. Furthermore, the existing habitats on site are sub-optimal for GCN. It is therefore advised that GCN are unlikely to be impacted by the proposed works.

Birds:

- 10.80. Historic evidence of nesting birds was recorded on site. Nesting birds are protected under the Wildlife and Countryside Act 1981 and subsequently, a breeding birds' condition is recommended with any planning approval.

Ecological Enhancements:

- 10.81. The site falls within Cheshire East Council's ecological network core and restoration areas, which forms part of the SADPD. Therefore, a condition is suggested to secure the submission of an Ecological Enhancement Plan. Such a plan would include (but are not limited to), hedgehog gaps in new fencing, 13 Universal Nest Bricks or Sparrow Terraces, and 6 Bat Bricks or Bat Boxes.
- 10.82. Therefore, subject to condition the application proposals do not cause any conflict with CELPS Policy SE3 nor SADPD Policy ENV1 or ENV2.

Arboricultural impacts:

- 10.83. CELPS Policy SE5 relates to Trees, Hedgerows and Woodland. It seeks to protect trees, hedgerows, and woodlands, that provide a significant contribution to the amenity, biodiversity, landscape character of historic character of the surrounding area. SADPD Policy ENV6 seeks to protect trees and woodlands, worthy of formal protection, from development unless certain circumstances apply.
- 10.84. An Arboricultural Statement has been submitted in support of the application which identifies four individual and four groups of moderate quality trees, four individual and three groups of low-quality 'C Category' trees, one poor quality 'U Category' tree and a section of hedgerow. The Statement identifies tree removals necessary to widen the access to the site, and specific tree losses internal to the site. The Council's Tree Officer has stated that the loss of these trees are acceptable and will not have a significant impact on the wider visual amenity of the area, subject to appropriate mitigation being provided elsewhere within the site. Therefore, the application proposals do not cause any conflict with CELPS Policy SE5 nor SADPD Policy ENV6.

Living Conditions:

- 10.85. SADPD Policy HOU12 states that development proposals should not significantly injure the amenities of adjoining or nearby residential properties through loss of privacy, loss of sunlight/daylight, visual intrusion, noise and disturbance and traffic generation. SADPD Policy HOU13 sets out guidelines of space between buildings.

Residential Amenity:

- 10.86. The amenity of the new occupiers of the properties would not be injured due to the size of the plots and the layout of the development. Specific details and impacts would be considered at the reserved matters stage. As indicatively shown, there would be no loss of privacy, overbearing effect, loss of sunlight and daylight, noise or pollution impacts, hazardous industrial processes, or any

impacts on traffic generation and access. As such the proposal complies with SADPD Policies HOU12 and HOU13.

Air Quality:

- 10.87. Whilst this scheme itself is of a small scale, and as such would not require an Air Quality Impact Assessment, there is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on local air quality would require a condition regarding Electric Vehicle Infrastructure. The use of ultra-low emission boilers could also assist.

Noise:

- 10.88. Informatives are suggested to deal with noise generating activities, such as hours of construction and the use of pile foundations (if required). In order to minimise dust emissions arising during the development, including site preparations / demolition / construction activities at the site, a Dust Management Plan is also suggested. In terms of the new residents, a Noise Survey was submitted with the application. This report included a 24hr Noise Survey. This concluded that some modest noise mitigation measure may be necessary for the bedrooms in dwellings most exposed to road traffic noise.

Contamination:

- 10.89. The application is for a proposed use that would be particularly vulnerable to the presence of contamination. Residential properties are a sensitive end use and could be affected by any contamination present or brought onto the site. The application area has a history of agricultural and equestrian use, and the land may be contaminated. Therefore, a Preliminary Risk Assessment was submitted in support of the application.
- 10.90. Following a review of the assessment, no objections have been raised to the scheme by Environmental Protection, subject to conditions requiring the submission of an updated risk assessment, further investigation, and remediation, if required. Additional conditions are also suggested to ensure that contaminated land verification of the site is submitted prior to the first occupation of the dwelling.

Public Rights of Way (PROW):

- 10.91. The proposed development is adjacent to Public Footpath 'Ollerton No.22'. It is considered unlikely that the proposal would directly affect the Public Right of Way. An Informative is suggested to be imposed to the planning consent, to ensure that developers are aware of their obligations in relation to Public Footpaths.

Drainage:

- 10.92. A Flood Risk Assessment and surface water drainage strategy have been submitted in support of the application. These reports have stated that the application site is safe from fluvial flooding up to and including a 1000yr event, and there is minimal surface water flooding in the local area. Buildings will remain safe, and access/egress routes are free from flooding. Drainage proposals will give a reduction in surface water discharge from the pre-development brownfield flows, which should reduce flood risk downstream.
- 10.93. Although a detailed drainage plan is not required for an outline planning permission, further information on how surface water will be managed, (so as to not cause any flood risk to the proposed development and cause any increase in flood risk off-site), has been requested and supplied.
- 10.94. Following these discussions, both United Utilities and the Lead Local Flood Authority are satisfied that the application can proceed subject to conditions to secure the detailed design once the layout is fixed. The application is acceptable in this regard.

11. HEADS OF TERMS:

- 11.1. If the application is approved a Section 106 Agreement will be required to secure the following:
- Affordable Housing comprising 30% (4 units as proposed), as intermediate tenure;
 - An Education Contribution (Based on a formula of £19,425.00 per child for Primary, and £26,717.00 per child for Secondary);
 - Public Open Space including play space provision comprising of a LAP;
 - A Recreation and Outdoor Sport commuted sum for offsite provision; and
 - Management Plan for the on-site public open space.

CIL Regulations

- 11.2. 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.
- 11.3. The development would result in increased demand for primary secondary school places within the catchment area which currently have a shortfall of school places. In order to increase the capacity of the schools which would support the proposed development, a contribution towards primary and secondary 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.

- 11.4. As explained within the main report, ROS and children's play space is a requirement of Planning Policy. It is directly related to the development and is fair and reasonable. On this basis, the S106 recommendation is compliant with the CIL Regulations 2010.

12. PLANNING BALANCE:

- 12.1. A Planning Authority must exercise its judgement and consider many (sometimes) conflicting issues to decide whether planning permission should be granted. This will mean examining the Development Plan and taking material considerations which apply to the proposal into account. These things must be properly considered otherwise the decision of whether to grant permission may be unlawful.
- 12.2. Outline planning permission is sought for the demolition of the existing equestrian buildings, construction of dwellings and alterations to access on land at New Barn Farm.
- 12.3. This outline application provides details of the means of access and scale. Other matters including appearance, layout and landscaping are reserved for later approval. Notwithstanding this, indicative details are provided for a site layout comprising 13 dwellings.
- 12.4. The site is located within the Green Belt and has been historically used for equestrian purposes and is therefore previously developed land. The redevelopment of the site is acceptable provided there is no greater impact on the openness of the Green Belt than the existing development.
- 12.5. The benefits of the scheme also include investment in the local economy and the creation of jobs during the construction phase, increased support for local shops and businesses by the future occupants of the development and the provision of inexpensive market houses in a sustainable location. The scheme would generate Council Tax income, which could provide a source of revenue funding for the Local Authority in delivering services as well as investing in the locality.

13. CONCLUSIONS:

- 13.1. For the reasons set out above, and having taken account of all matters raised, it is recommended that this application is approved, subject to conditions and a S106 legal agreement to mitigate impacts on matters relating to affordable housing, education, open space and sport and recreation. Subject to this, the scheme is found to be acceptable.

14. RECOMMENDATION:

14.1. APPROVE subject to a s106 legal agreement to secure the following:

S106	Amount	Trigger
Affordable Housing	30% (4 units as proposed) as intermediate tenure	Not more than of 50% of open market dwellings shall be occupied until all affordable units within have completed and made ready for occupation
Education (primary/secondary)	Formula of £19,425.00 per child for Primary, and £26,717.00 per child for Secondary	Prior to first occupation of the development
POS – Arrangements for transfer to management company of all areas of planting /landscaping, POS/incidental open space, Children's play space, allotments/orchards, and ecological areas		Prior to first occupation of the development
Contribution to outdoor sports facilities	TBC	Prior to first occupation of the development

and the following conditions / informatives:

Outline:

1. Outline – commencement of development.
2. Outline – approval of details (*access*)
3. Outline – time limit for reserved matters (*appearance, landscaping, layout, and scale*)
4. Accordance with Approved Plans (*access to be built in accordance with the plans in the highways statement*)
5. Removal of Permitted Development rights (*Class A, B and E*)
6. Notwithstanding Submission – Public Open Space scheme
7. Dwellings no higher than two-storey with a max ridge of 7.8 metres.

Reserved Matters:

8. Notwithstanding Submission – Housing Mix Assessment
9. Notwithstanding Submission – Affordable Housing scheme
10. Details of Cycle and Bin Storage

11. Details of Boundary Treatments
12. Submission of Samples of Materials
13. Provision for Parking

Sustainability:

14. Residents Sustainable Travel Information Pack
15. Electric Vehicle Infrastructure
16. Low Emission Boilers

Living Conditions:

17. Submission of a Construction Management Plan (*prior to commencement*)
18. Implementation of Noise Survey

Highways:

19. Access to be constructed in accordance with approved plan (*prior to first occupation*)
20. A 2m footway be provided along the site frontage to the A537 (*prior to first occupation*)

Drainage:

21. Flood Risk Assessment and detailed Drainage Strategy (*prior to commencement*)
22. Sustainable Surface Water Drainage, Management and Maintenance (*prior to commencement*)
23. Surface Water Flooding Drainage Strategy (*prior to commencement*)
24. CCTV Survey (remediation, repair, and maintenance strategy) (*prior to commencement*)

Ecology:

25. Biodiversity Net Gain (*prior to commencement*)
26. Protection of Nesting and Breeding Birds (*compliance condition*)
27. Ecologically Sensitive Lighting Scheme (*prior to first occupation*)
28. Biodiversity Enhancement Plan (*prior to first occupation*)

Contamination:

29. Contaminated Land Assessment, Investigation and Remediation (*prior to commencement*)
30. Verification of Contaminated Land (*prior to first occupation*)
31. Unexpected Contamination (*compliance condition*)
32. Importation of Soil (*compliance condition*)

Trees:

33. Tree Protection (*prior to commencement*)
34. Retention of retained trees (*compliance condition*)
35. In accordance with Arboricultural Impact Assessment/Method Statement (*compliance condition*)

- 14.2. In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning in

consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

- 14.3. Should this application be the subject of an appeal, authority be delegated to the Planning and Place Shaping Manager in consultation with the Chairman of the Strategic Planning Board 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.

