

Application No: 25/3610/OUT
Application Type: Outline Planning
Location: Land At Pigginsshaw, Altrincham Road, SK9 5NW
Proposal: Outline application for the phased development of up to 4 residential self-build, custom-build or open market dwellings, all matters reserved apart from primary access point and associated infrastructure.
Applicant: Mr Richard Sidi, Planetree Properties Ltd and Bentham Grandchildren Deed of Variation Trust
Expiry Date: 16-January 2026

Summary

This application seeks outline planning permission for the phased development of up to 4 residential dwellings, the applicant states that these may be self-build, custom-build or open market dwellings and the development would be phased. All matters are reserved apart from access.

The application site comprises of a flat area of land that is approximately 0.32 hectares (0.8 acres) that historically accommodated a horticultural nursery with associated buildings, car parking and infrastructure.

The proposal would involve development of grey belt land, which accords with paragraph 155 of the NPPF, and is not inappropriate development in Green Belt. Based on illustrative plans, the scale and layout would reflect existing dwellings in the immediate area.

Subject to the consideration the full design details provided at the reserved matters, the proposal would not cause significant harm to the character of the area, local landscape or the amenity of nearby occupiers.

Matters in relation to trees, ecology, detailed drainage design could also be secured by condition and addressed in detail at the reserved matters stage.

Summary recommendation

Approve subject to following conditions

1. REASON FOR REFERRAL

1.1. The application relates to a departure from the development plan which the Head of Planning is minded to approve. Under the terms of the Constitution, the application is required to be determined by the Northern Planning Committee.

2. DESCRIPTION OF SITE AND CONTEXT

2.1. The application site comprises of a flat area of land that is approximately 0.32 hectares (0.8 acres) that historically accommodated a horticultural nursery with associated buildings, car parking and infrastructure.

- 2.2. The site is a roughly triangular area of land that now has the appearance of a vegetated field. The land is surrounded by a mature belt of trees on the northwestern and eastern sides, and the site sits between Altrincham Road and Kings Road.
- 2.3. The site lies at the end of Pigginsshaw that is a shared surface private road accessed from the A538 Altrincham Road, the main road linking Wilmslow to South Manchester and Manchester Airport.

3. DESCRIPTION OF PROPOSAL

- 3.1. This application seeks outline planning permission for the phased development of up to 4 residential dwellings, the applicant states that these may be self-build, custom-build or open market dwellings. All matters are reserved apart from access.

4. RELEVANT PLANNING HISTORY

13/1700M - Outline planning application for the erection of 7 detached dwellings, refused 20th June 2013. The subsequent appeal (APP/R0660/A/13/2206198) was dismissed on 27th November 2014.

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.

6. DEVELOPMENT PLAN POLICY

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.

6.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS)

MP 1: Presumption in Favour of Sustainable Development
PG 1: Overall Development Strategy
PG 2: Settlement Hierarchy
PG 3: Green Belt
PG 6: Open countryside
PG 7: Spatial Distribution of Development
SD 1: Sustainable Development in Cheshire East
SD 2: Sustainable Development Principles
SC 4: Residential Mix
SE 1: Design
SE 2: Efficient Use of Land
SE 3: Biodiversity and Geodiversity
SE 4: The Landscape

SE 5: Trees, Hedgerows and Woodland
SE 6: Green Infrastructure
SE 7: This Historic Environment
SE 9: Energy Efficient Development
SE 12: Pollution, Land Contamination and Land Instability
SE 13: Flood Risk Management
CO 1: Sustainable Travel and Transport
Appendix C - Parking Standards

6.3. Relevant policies of the Cheshire East Site Allocations and Development Plan Policies Document (SADPD)

PG 9: Settlement Boundaries
GEN 1: Design principles
GEN 5: Aerodrome safeguarding
ENV 1: Ecological network
ENV 2: Ecological implementation
ENV 3: Landscape character
ENV 5: Landscaping
ENV 6: Trees, hedgerows and woodland implementation
ENV 7: Climate Change
ENV 12: Air quality
ENV 14: Light pollution
ENV 16: Surface water management and flood risk
ENV 17: Protecting water resources.
HOU 1: Housing mix
HOU 3: Self and custom build dwellings
HOU 4: Houses in multiple occupation
HOU 8: Space, accessibility and wheelchair housing standards
HOU 12: Amenity
HOU 13: Residential Standards
HOU 14: Housing density
HOU 15: Housing delivery
HOU 16: Small and medium-sized sites
INF 3: Highways safety and access
INF 9: Utilities
REC 5: Community facilities

6.4. Neighbourhood Plan

Policies of the Wilmslow Neighbourhood Plan relevant to the consideration of this application are:

NE1: Countryside around the Town
A1: Countryside Stewardship
NE2: River Valley Landscapes
NE3: Green Links
NE4: Countryside Access
NE5: Biodiversity Conservation
NE6: Development in Gardens
TA1: Residential Parking Standards
H1: Approach to Housing Delivery
H2: Residential Design
H3: Housing Mix

Wilmslow's Countryside: A Landscape Character Assessment is also of relevance.

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:

- Cheshire East Design Guide

8. CONSULTATIONS (External to Planning)

Highways: No objection.

Environmental Protection: No objection, various conditions and informatives recommended in relation to noise, air quality, emissions and contaminated land.

Lead Local Flood Authority: No objection, condition recommended submission and approval of a detailed sustainable surface water management scheme.

United Utilities: No objection, informatives recommended in relation to United Utilities assets, sustainable drainage systems and efficient water usage.

Manchester Airport: No objection

Wilmslow Town Council: Wilmslow Town Council have recommended refusal on the grounds of being out of character with the area and inappropriate development in the Green Belt without exceptional circumstances.

9. REPRESENTATIONS

9.1. Eleven representations have been received objecting to this application. The points made are summarised as follows:

- Planning permission for residential development on this same site was refused in 2013 and subsequently dismissed on appeal.
- Inappropriate development in the Green Belt, and does not constitute an exception to Green Belt Policy
- Very special circumstances have not been demonstrated to outweigh the harm that would be caused to the Green Belt
- Not Grey Belt land
- Proposal would erode the Green Belt and cause urban sprawl.
- In conflict with the national planning policy framework, and policies of the Cheshire East Local Plan and the Wilmslow Neighbourhood Plan.
- Contrary to the paragraph 143 of NPPF and Cheshire East Local Plan policies PG3 (Green Belt) and SD1–SD2 (Sustainable Development).
- Harm to the openness of the countryside
- Encroaches into protected green space.
- Need to keep a gap between Wilmslow, the airport and Greater Manchester.
- Impact on character of the area
- Harm to the Character and Openness of the Area
- Impact on landscape, previous appeal dismissed as site was in Area of Special County Value
- Loss of Privacy
- Increased Noise

- Impact on the local wildlife bats, foxes and birds in the area
- Would make no meaningful difference to the local housing land supply.
- Environmental impact on trees, wildlife, and drainage
- Highway safety concerns, in that the creation of a new access to serve four family homes will increase traffic generation and create a new conflict point on the local road network, visibility concerns, raising concerns for highway and pedestrian safety.
- The extra number of vehicles entering and exiting the development both during and after the construction would cause major disruption to the traffic flow on the A538 Altrincham Road
- Impact on the residential amenity of neighbouring properties.
- Ground Conditions and Drainage Concerns
- Approving this application would set a harmful precedent for further development on protected land
- The entrance and exit road to the properties is too narrow the problems and disruption caused to Pownall Court during the construction
- Overlooking and loss to privacy to neighbouring properties
- Would appear overbearing from neighbouring properties
- Impact on outlook and loss of view from rear of properties on Kings Road

10. OFFICER APPRAISAL

Principle of the development

- 10.1. The application site is in the Green Belt. Paragraph 142 of the Framework attaches great importance to Green Belts. It states the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and identifies the essential characteristics of Green Belts are their openness and their permanence.
- 10.2. CELPS Policy PG3 of the Cheshire East Local Plan Strategy 2010-2030 (July 2017) supports the fundamental aim of keeping land permanently open and restricts inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except where very special circumstances exist. Policy PG3 reflects the provisions of paragraph 153 of the Framework which resists inappropriate development in the Green Belt.
- 10.3. Paragraph 154 of the NPPF lists certain forms of development which are not regarded as inappropriate. The CELPS Policy PG3 of the Cheshire East Local Plan Strategy 2010-2030 (July 2017) replicates the Framework approach to development within the Green Belt, listing the same exceptions to inappropriate development.
- 10.4. In addition, paragraph 155 of the Framework identifies further circumstances where development is not inappropriate in the Green Belt. Paragraph 155 states the development of homes should not be regarded as inappropriate where (a) the development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan; (b) there is a demonstrable unmet need for the type of development proposed; (c) the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework; and (d) where applicable the development proposed meets the 'Golden Rules' requirements set out in Framework paragraphs 156-157.
- 10.5. The applicant has submitted their application on the basis that they consider the site to be grey belt under paragraph 155, and the proposal are consistent with the above. These matters are addressed below.

Identifying Grey Belt

10.6. The NPPF defines grey belt as:

“For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development”.

10.7. The site is not previously developed land and is considered as ‘any other land’. The remaining purposes (a), (b) and (d) listed in paragraph 143 are:

- (a) to check the unrestricted sprawl of large built-up areas;
- (b) to prevent neighbouring towns merging into one another;
- (d) to preserve the setting and special character of historic towns

10.8. The determination on whether the site should be classed as ‘grey belt’ is initially a question about whether the site does not strongly contribute to either purpose (a), (b) or (d) of the Green Belt. The Cheshire East Green Belt Land Assessment Update 2015 (CEGBLA) is relevant to these considerations. The application site forms part of land identified in the CEGBLA as ‘WM43’, the summary of its contribution to the Green Belt was summarised as follows:

The parcel has a limited contribution to the Green Belt. Approximately one third of the parcel is developed and therefore it has a limited degree of openness and a limited contribution in safeguarding the countryside from encroachment. The parcel has no contribution to preventing merging, or preserving the historic setting of Wilmslow. The parcel has limited contribution to preventing urban sprawl and to assisting urban regeneration.

10.9. Each of purposes a, b and d are addressed in turn below.

a) to check the unrestricted sprawl of large built-up areas;

10.10. Paragraph 143 b) specifically relates to the unrestricted sprawl of towns and cities, National Planning Policy Guidance (NPPG), expressly states that villages are not large built-up areas.

10.11. The site is near to a large built-up area of Wilmslow, there would be countryside to the north, and the development would result in a modest encroachment into an area otherwise open, however the site is contained to the west by Altrincham Road, and by King’s Road to the east, either side by existing residential development and would not result in an incongruous feature of development.

10.12. The housing on both Altrincham Road and Kings Road extend further north, the Controlling Parameter Plan and tree reports ensure the retention of the mature tree boundaries to the north.

10.13. With regards to purposes a) the CEGBLA described is contribution as:

Contribution: The parcel is made up of strong boundaries protecting the area from further sprawl and there is already a large amount of residential development situated within the parcel so it is well connected and is also surrounded by high levels of further built development. There are green fields around the northeast of the parcel but thick woodland creates a moderate boundary in this location. The parcel could protect from sprawl but as existing development is already within the parcel then it would not impact the area greatly.

11.19. Consequently, it does not perform strongly in terms of preventing the unrestricted sprawl of large urban areas for the purposes of paragraph 143(a).

b) to prevent neighbouring towns merging into one another; and

10.14. NPPG states that paragraph 143 b) relates to the merging of towns, and not villages. The application site is located adjacent to the settlement boundary of Wilmslow which is a town, however the nearest town is a substantial distance away.

10.15. With regards to purposes b) the CEGBLA described is contribution as:

No Contribution: Does not have a role in preventing neighbouring towns merging.

10.16. Consequently, it does not form part of a gap between towns, would not cause neighbouring towns to merge, therefore its contribution to purposes of paragraph 143(b) is weak.

d) to preserve the setting and special character of historic towns;

10.17. The proposals would not affect the setting and special character of historic towns. Whilst Wilmslow is an historic town, the site is well separated from the town centre, and its historic features.

10.18. With regards to purposes c) the CEGBLA described is contribution as:

No contribution: Wilmslow is a historic town with a number of conservation areas. The conservation areas are located within the 250m buffer on the western side of Wilmslow. However, the parcel makes no contribution to this purpose as there are no conservation areas close by.

10.19. Therefore, the proposal does not strongly contribute to any of purposes, and satisfies criterion (a), (b) and (d) of paragraph 143, insofar as they relate to the definition of grey belt land.

Identifying Grey Belt – Footnote 7

10.20. Paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.'

10.21. Footnote 7 states that:

The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.

10.22. In terms of the areas or assets listed in footnote 7, none of these would provide a strong reason for refusing or restricting development in this case.

Identifying Grey Belt – Conclusions

10.23. Having regard to the above, the application proposals are considered to meet this key tests as to whether a site represents Grey Belt in that the site is not considered to 'strongly' contribute to either purposes a, b or d, and the areas and assets in footnote 7 do not provide a strong reason for refusing or restricting development.

10.24. Therefore, the land is considered to be Grey Belt.

Grey belt and fundamentally undermine purposes of Green Belt (155a)

10.25. With regards to overall purposes of the Green Belt (a, b, c, d and e - taken together) the CEGBLA described the contribution as:

The parcel has a limited contribution to the Green Belt. Approximately one third of the parcel is developed and therefore it has a limited degree of openness and a limited contribution in safeguarding the countryside from encroachment. The parcel has no contribution to preventing merging, or preserving the historic setting of Wilmslow. The parcel has limited contribution to preventing urban sprawl and to assisting urban regeneration.

10.26. Taking all the above matters into account, and given the limited scale of the application site, it is considered that the proposals would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.

Unmet Need (155b)

10.27. National planning policy requires councils to identify a supply of deliverable sites sufficient to provide a minimum of five years' worth of housing. The Housing Monitoring Update (HMU) reviews the housing delivery and supply in the borough each year, and includes information on housing completions, commitments, housing requirement, five-year supply calculation (including shortfall), relevant buffer and the number of years of supply.

10.28. The latest HMU 2023/24 provides this information at the base date of 31 March 2024, concluding that there is a 3.8-year supply of deliverable housing sites. Cheshire East is now, therefore, not able to demonstrate a 5-year supply of deliverable housing sites.

10.29. Consequently, for the purposes of criterion (b) of Framework paragraph 155, there is a demonstrable unmet need for the type of development proposed.

Sustainable location (155c)

10.30. The site is in close proximity to a bus stop on Altrincham Road just to the south of the junction with Pigginshaw, with regular services to Knutsford and Altrincham, also there is footway with street lighting along Altrincham Road into the centre of Wilmslow approximately 2km away where there is a variety of shops and services, and the train station providing links to Manchester. The Bollin Valley Cycle Trail also runs along Altrincham Road. Consequently, on balance the site is considered to be in a sustainable location, and consistent with the aims and objective of SD2 and the NPPF in this regard.

Golden Rules (155d)

- 10.31. The golden rules apply to major development involving the provision of housing. In this instance the application is for up to 4 dwellings and the site area is below 0.5 hectares, it constitutes minor development and the Golden Rules do not apply.

Green Belt Conclusion

- 10.32. The proposed development would utilise Grey Belt land, is not inappropriate development in the Green Belt and complies with paragraph 155 of the NPPF.

Design

- 10.33. Policy SD 2 of the CELPS states that all development will be expected to contribute positively an area's character and identity, creating or reinforcing local distinctiveness. Policy SE 1 of the CELPS details that development proposals should make a positive contribution to their surroundings in terms of a number of criteria. This includes ensuring design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements. SADPD policy GEN 1 expands on this, expecting all development proposals to contribute positively to the borough's quality of place and local identity through appropriate character, appearance and form. These matters are also reflected in Policy H2 of the neighbourhood plan.
- 10.34. With regards to siting and layout, the submitted illustrative site plans show that the dwellings would be located at the end of an existing private road and would not be particularly visible from public vantage points along Altrincham Road or King's Road. An existing woodland screens the site from the Jim Evison Playing Ground to the north.
- 10.35. Furthermore, the illustrative plans show the retention of a band of trees along the northwestern boundary, and the retention of a buffer adjacent to Pigginshaw Brook to the rear of properties along King's Road.
- 10.36. The illustrative layout and parameters plans show the footprints of the dwellings would be similar in area to Pigginshaw Barn and Pigginshaw Cottage, and the maximum height would be 8m. Based on this information the scale and design would be commensurate with those existing dwellings in the immediate area. Subject to the consideration the full design details provided at the reserved matters, the proposal and would not give rise to harm the character of the area.
- 10.37. It is therefore considered that the development can be accommodated on site without impacting on the wider character of the area or the prevailing landscape. The proposal would therefore be compliant with Policies SD 1 and SE 1 of the CELPS, GEN 1 of the SADPD, and H2 of the neighbourhood plan.

Amenity

- 10.38. Policies HOU 12 and HOU 13 of the SADPD collectively seek to ensure development proposals do not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of the proposed development having regard to, loss of privacy, loss of sunlight and daylight, the overbearing and dominating effect of new buildings, environmental disturbance or pollution, traffic generation, access and parking.
- 10.39. Policy HOU13 provides standards for housing allow light and privacy between buildings, with reference to Table 8.2 in the SADPD. Policy SE1 of the CELPS states that development should ensure an appropriate level of privacy for new and existing residential properties.

- 10.40. There have been concerns raised from nearby occupiers of residential properties in relation to overlooking, loss of privacy, and overbearing appearance. This application has been submitted in outline, however the applicant has provided an illustrative layout drawing which indicates that the proposed 4 dwellings could be positioned in such a way that the interface distances would significantly exceed those distances contained in policy HOU 13 and table 8.2 of the SADPD.
- 10.41. Furthermore, the future reserved matters application will need to include detailed plans and elevations, and design details that have regard to the context of neighbouring dwellings and demonstrate compliance with the relevant design, character and residential amenity policies.
- 10.42. The housing will also be expected to meet the Nationally Described Space Standards, to provide sufficient internal living accommodation, and provide suitable levels of external amenity space for new occupants.
- 10.43. In terms of the amount of development proposed it is considered 4 no. dwellings could be designed and accommodated within the site without causing significant harm to the living conditions of neighbouring occupiers, and comply with policies GEN 1, HOU 12 and HOU 13 of the SADPD.

Noise and Air Quality

- 10.44. Policies SE 12 of the CELPS, ENV 12, ENV 14 and ENV 15 of the SADPD set out the Council's requirements for new development with regards to air quality, lighting and existing uses. ENV 15 states that new development must effectively integrate with existing uses and existing uses must not have unreasonable restrictions placed on them because of it. Aircraft noise is also material planning consideration, and any new noise sensitive development must meet the requirements set out in ENV13.
- 10.45. The Environmental Protection team have been consulted, whilst they have no objection, they have noted that the proposal could be affected by traffic noise from Altrincham Road and aircraft noise from Manchester Airport. To ensure that future occupants of the development do not suffer a substantial loss of amenity, it is recommended that a noise impact assessment (NIA) is submitted at the reserved matters stage. Should the reserved matters applications include Air Source Heat Pumps, these will also require an acoustic assessment to be submitted.
- 10.46. A condition is also recommended for the submission and approval for the details of any external lighting to ensure that the lighting is designed to minimise the potential loss of amenity caused by light spillage onto adjoining properties.
- 10.47. Due to the proximity of existing residential dwellings to the site, the following are recommended as conditions of an approval during the construction stages. This should assist developers in the prevention, minimisation and control of noise and dust arising from the construction phases of the development for the purpose of protecting the residential amenity of occupiers of nearby dwellings.
- 10.48. A condition was also recommended by Environmental Protection for the provision of ultra-low emission boilers, however, this is not considered to be necessary or reasonable.
- 10.49. Subject to the above conditions, the proposals comply with policies ENV 12, ENV 13, ENV 14 and ENV 15 of the SADPD.

Contaminated Land

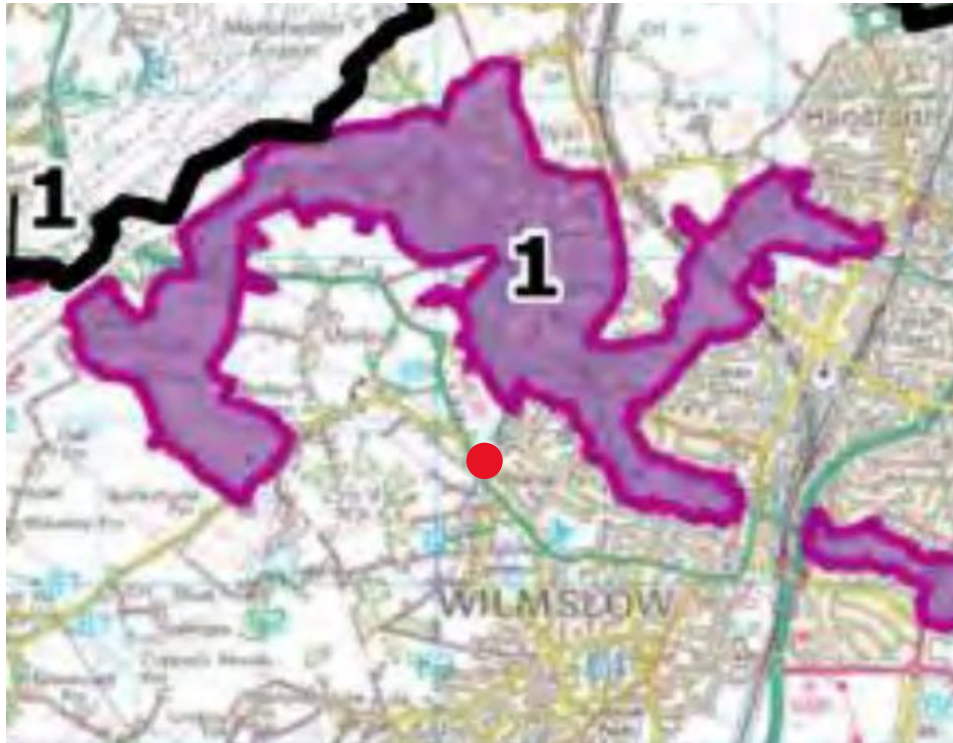
10.50. Policy SE 12 of the CELPS, seeks to ensure that sites proposed for new sensitive uses are suitably investigated and any potential impacts are mitigated. The application is for a proposed use that would be particularly vulnerable to the presence of contamination. Residential properties are a sensitive end use and could be affected by any contamination present or brought onto the site. The application area has a history of nursery use and therefore the land may be contaminated. No information relating to land contamination has been submitted in support of the application. As such, and in accordance with paragraphs 187, 196 and 197 of the NPPF 2024, conditions are recommended for site investigations, mitigation and validation. The Contaminated Land team has been consulted and has no objection. Subject to conditions, the proposals comply with policy SE 12.

Landscape

10.51. The CELPS Policy SE 4 identifies that the high quality of the built and natural environment is recognised as a significant characteristic of the borough and that all development should conserve the landscape character and quality and should where possible enhance and effectively manage the historic, natural and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes. It also indicates that development will be expected to incorporate appropriate landscaping which reflects the character of the area through appropriate design and management.

10.52. Any proposals submitted at reserved matters would need to comply with CELPS Policies SE4 as well as Policy SE 1 (Design), which indicates that development proposals should make a positive contribution to their surroundings in terms of the following: sense of place, managing design quality and sustainable urban, architectural and landscape design. Policies NE1 and NE 2 of the Neighbourhood plan are also of relevance.

10.53. It is noted that the previous appeal was dismissed as site was in Area of Special County Value (ASCVs) for being within the Bollin Valley. However, these have since been replaced in the Local Plan (July 2017) with Local Landscape Designations (LLDs), the boundaries have been revised, and the site is not within the Bollin Valley LLD area. The latest version of the Bollin Valley LDD can be seen in purple area below, the red spot showing the location of the application site.



10.54. The outline proposals seek to retain the mature planting to the northwestern boundary and provide a buffer with Pigginsshaw Brook to the east. The Council's Landscape Officer has been consulted and has no objections.

10.55. The landscape officer has noted that the application should apply a more integrated and multifunctional Sustainable Urban Drainage (SuDs) approach to this outline stage in order to deliver an acceptable design from a Landscape/Design approach. However, from a drainage perspective the details provided are considered to be acceptable for this outline application stage. As explained below the Lead Local Flood Authority have no objection, and a condition is recommended that a final detailed drainage strategy is provided at the reserved matters stage.

10.56. The proposals are considered to be consistent with policy SE 4 of the CELPS and NE1 and NE2 of the Neighbourhood Plan.

Highways

10.57. Policy INF 3 (Highway Safety and Access) of the SADPD states that development proposals should:

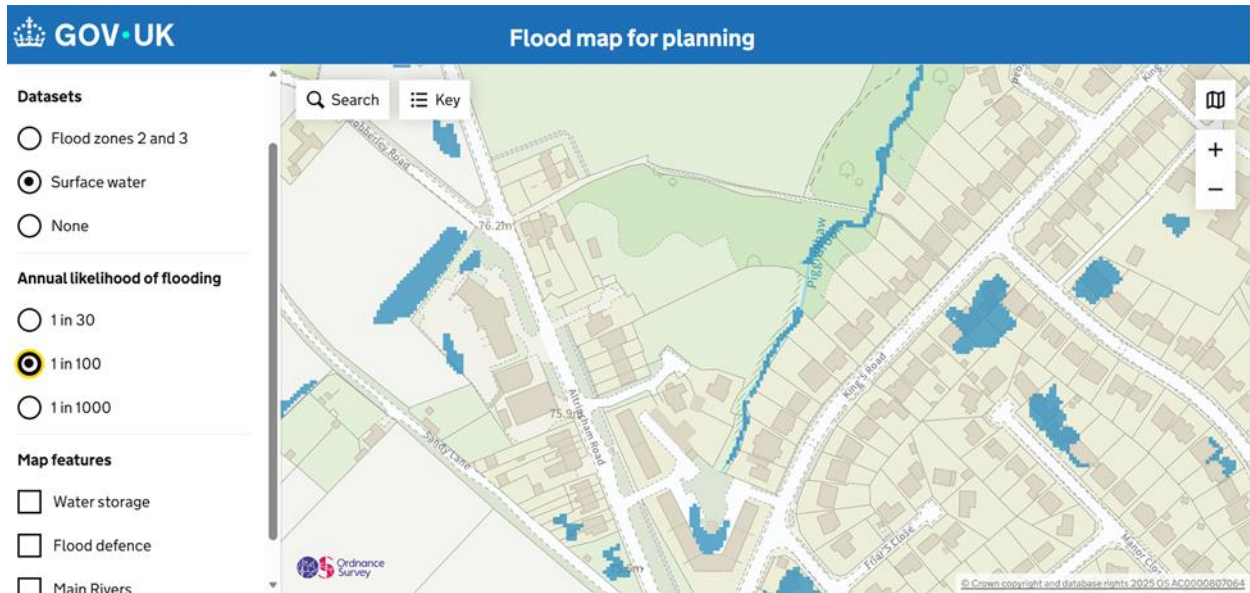
- i. Comply with the relevant Highway Authority's and other highway design guidance;
- ii. provide safe access to and from the site for all highway users and incorporate safe internal movement in the site to meet the requirements of servicing and emergency vehicles;
- iii. make sure that development traffic can be satisfactorily assimilated into the operation of the existing highway network so that it would not have an unacceptable impact on highway safety, or result in severe residual cumulative impacts on the road network;
- iv. incorporate measures to assist access to, from and within the site by pedestrians, cyclists and public transport users and meets the needs of people with disabilities; and
- v. not generate movements of heavy goods vehicles on unsuitable roads, or on roads without suitable access to the classified highway network.

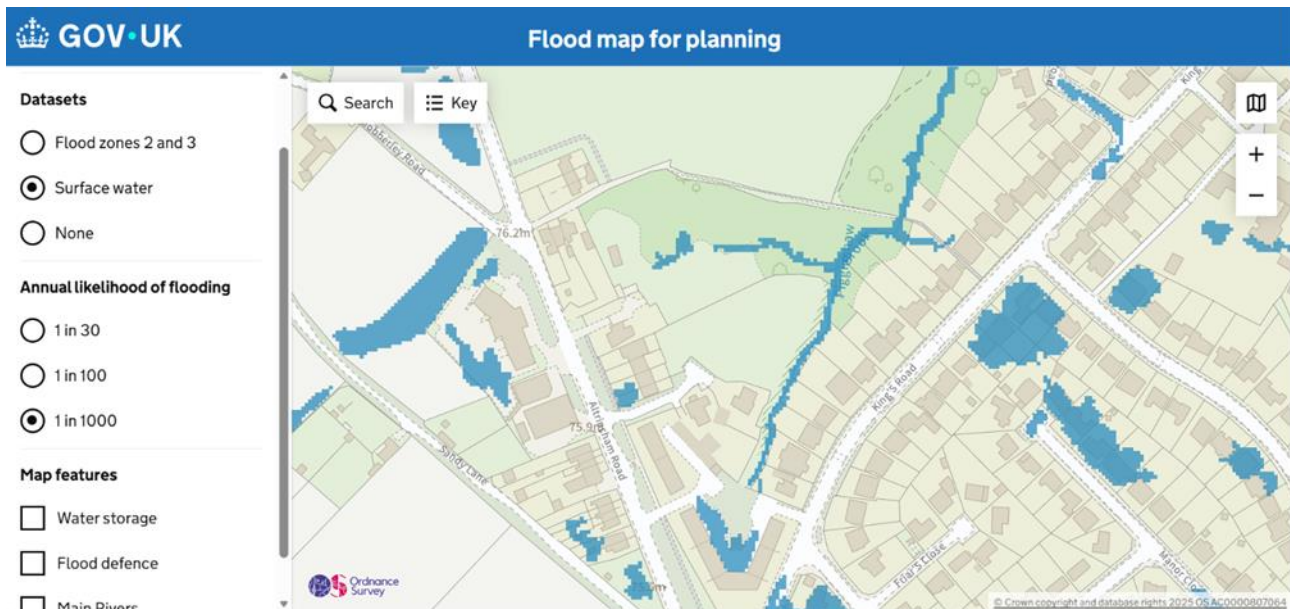
10.58. Whilst appendix C (Parking Standards) and policy TA1 of the neighbourhood plan set out the relevant parking standards.

- 10.59. The application seeks detailed permission for the means of access. The proposal is to utilise Piggishaw which is an existing private road, no alterations are proposed to the public highway.
- 10.60. The road currently serves Piggishaw Barn and Piggishaw Cottage, the number of dwellings it serves would increase by up to 4 with this application. The width of the access is sufficient for the proposal, and a turning head is being provided at the end of Piggishaw for refuse collection. The Highways Officer has been consulted and has no objections.
- 10.61. With regards to parking, the illustrative layout plan demonstrates that sufficient off-street car parking can be provided in line with the Cheshire East Local Plan Strategy in Appendix C: Parking Standards. And that parking can be provided so as to avoid impacting or protruding onto surrounding streets and pavements, in accordance with TA1 of the neighbourhood plan.
- 10.62. The proposals do not raise any highway safety concerns and subject to the consideration of reserved matters comply with policy INF 3 of the SADPD.

Flooding and Drainage

- 10.63. Policy SE 13 of the CELPS states that new development must integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity.
- 10.64. The application site is located within Flood Zone 1 (low probability of river/tidal flooding) according to the Environment Agency Flood Maps. There is a small pocket of 1 in 100 chance or 1 in 1000 chance of Surface Water Flooding along the brook to the southeast.





10.65. The applicant has submitted a flood risk assessment and a preliminary drainage strategy. Following initial comments from the Lead Local Flood Authority, and amended preliminary drainage strategy was provided, which has now addressed their concerns satisfactory for this outline stage.

10.66. Subject to a condition for the submission and approval of the final drainage strategy, the proposals are considered to comply with Policy SE 13 of the CELPS.

Ecology

10.67. Policies SE 3 of the CELPS, ENV 1 of the SADPD and policy NE5 of the Neighbourhood Plan collectively seek to ensure that areas of high biodiversity and geodiversity value will be protected and enhanced, as well as recognising the importance of ecological networks.

10.68. The site is not covered by a statutory or non-statutory nature conservation designation. The proposed works are unlikely to have an impact on any statutory nature designated sites, including SSSI's and Ramsar Sites. The application site falls within the CEC ecological network. A preliminary ecological appraisal and biodiversity net gain report has been submitted with the application.

10.69. There is an area of priority woodland to the north of the application site, the ecologist has advised that the reserved matters should include an undeveloped buffer between the proposed dwellings and the woodland.

10.70. The submitted surveys show evidence of badger activity on site in the form of foraging activity and an outlying sett. The outlying sett is likely to be affected by the proposed development. In order to minimise the risk of badgers being harmed during site clearance and construction works the appellant's ecological consultant has recommend that the sett be closed under the terms of a Natural England license. The Council's ecologist has advised advise that this approach is acceptable in the event that consent was granted.

10.71. The precise impacts of the proposed development would depend upon both the layout proposed, a condition is therefore recommended requiring the reserved matters application to be supported by an updated badger survey, impact assessment and mitigation strategy.

10.72. The submitted BNG metric indicates that the proposed development would result in a net loss of -66.66% in respect of area-based habitats and fail to deliver a net gain in respect

of hedgerows. Additional off site habitat creation measures would therefore be required to achieve the required net gain. The Council's ecologist advises that in this instance this approach is in accordance with the Biodiversity Gain Hierarchy. The delivery of offsite habitat creation is a post decision matter secured by a statutory condition, and any habitat provided onsite can also be secured by way of condition.

10.73. Further conditions are recommended in relation to bats and lighting, ecological enhancements for hedgehog, and due to the site's location within an ecological network, a condition is recommended that any reserved matters application to be supported by a strategy for the incorporation of features to enhance the biodiversity value of the proposed development.

10.74. The ecology report notes that invasive plant species include Japanese knotweed outside the development boundary, near the site edge, and Himalayan balsam along the Brook corridor and in scattered patches within the site itself. This is controlled under the Environmental Protection Act 1990, and informative is recommended.

10.75. For the reasons outlined above and subject to conditions the application complies with policies SE 3 of the CELPS, ENV 1 of the SADPD and policy NE5 of the Neighbourhood Plan.

Trees

10.76. Policy SE 5 of the CELPS requires that all developments should ensure the sustainable management of trees, woodlands and hedgerows including the provision of new planting within new development to retain and improve canopy cover, enable climate adaptation resilience and support biodiversity.

10.77. There are mature trees and woodland to the northwest of the application site that are protected by a Tree Preservation Order, and numerous trees to the east. The application is supported by an Arboricultural Impact Assessment and Method Statement based on the submitted illustrative site plan.

10.78. The above information indicates a way in which the site may be developed having regard to existing tree constraints within and adjacent to the site. However, aside from the access, at this stage the detailed design and layout is not currently under consideration.

10.79. The tree officer has been consulted, and has no objections, although has noted various limitations with the reports with regards to detailed analysis. He also notes that the position of the proposed access into the site presents no significant implications for trees.

10.80. The tree officer has advised that should planning consent be granted, a condition should be attached requiring a revised Arboricultural Impact Assessment and Method Statement to be submitted with the reserved matters.

10.81. Subject to the above, and consideration of the future reserved matters, the proposals are consistent with Policy SE 5 of the CELPS.

11. PLANNING BALANCE/CONCLUSION

11.1. The proposal would involve development of grey belt land, which accords with paragraph 155 of the NPPF, and is not inappropriate development in Green Belt. Based on illustrative plans, the scale and layout would reflect existing dwellings in the immediate area. Subject to the consideration the full design details provided at the reserved matters, the proposal would not cause significant harm to the character of the area, local landscape or the amenity of

nearby occupiers. Matters in relation to trees, ecology, detailed drainage design could also be secured by condition and addressed in detail at the reserved matter stage.

12. RECOMMENDATION

Approve subject to following conditions.

1. Time limits for commencement
2. Application for approval of reserved matters within three years of the date of this permission
3. Approval of reserved matters prior to commencement
4. Approved plans
5. Phasing plan
6. Submission of drainage strategy with reserved matters
7. Submission of levels with reserved matters
8. Submission of boundary treatments with reserved matters
9. Submission of Arboricultural Impact Assessment and Method Statement with reserved matters
10. Submission of updated badger survey, impact assessment and mitigation strategy with reserved matters
11. Submission of a strategy to enhance the biodiversity value of the proposed development with the reserved matters
12. Submission of landscaping scheme with reserved matters
13. Submission of Noise Impact Assessment with reserved matters application
14. Piling method statement to be submitted
15. Dust management plan during construction to be submitted
16. Hours of construction
17. Nesting bird survey to be submitted
18. Submission and approval of materials
19. Provision of parking prior to occupation
20. Submission and approval of external lighting scheme
21. Contaminated Land: Submission/approval of Phase I report
22. Contaminated Land: Submission/approval of verification report
23. Contaminated Land: Submission/approval of SOIL verification report
24. Ecological enhancements for hedgehog to be submitted
25. BNG condition

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

