

# Northern Planning Committee

## Agenda

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<b>Date:</b>	<b>Wednesday, 11th January, 2012</b>
<b>Time:</b>	<b>2.00 pm</b>
<b>Venue:</b>	<b>Meeting Room, Macclesfield Library, Jordangate, Macclesfield</b>

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

**Please note that members of the public are requested to check the Council's website the week the Planning/Board meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.**

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

- a) **Planning Update (Pages 1 - 4)**

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For any apologies or requests for further information, or to arrange to speak at the meeting

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**NORTHERN PLANNING COMMITTEE – 11 January 2012**

**UPDATE TO AGENDA**

**APPLICATION NO.**

11/3828M

**LOCATION**

Head of Holly Grove, Tabley

**UPDATE PREPARED**

09 January 2012

**CONSULTEES**

United Utilities – No comments received

Ministry of Defence – No safeguarding objections

National Air Traffic Services – No comments received

Leisure Services - The Proposed development triggers the requirement for the provision of open space and in lieu of on site provision, which we do not feel would be appropriate, a commuted sum for off site provision will be required.

**APPLICANTS SUBMISSION**

Revised plans have been submitted to show more traditional appearance to the dwellings, and a site section illustrating the relationship with the adjacent motorway.

**REPRESENTATIONS**

No further letters of representation have been received.

**KEY ISSUES**

**Character & design**

The submitted revised plans do adopt a more traditional approach to the proposed dwellings. The rendered panels, flat roof canopies and contemporary windows have been replaced with facing brick, pitched roof canopies and relatively traditional two or four panel windows with stone sills and brick headers.



These elevational alterations are considered to be more in keeping with the rural setting of the site and are in keeping with the character of the local area, in accordance with policies BE1, H2, H13, DC1 and DC35 of the Local Plan.

### Noise

The Environmental Health Officer makes the following comments on the proposal. The M6 borders the North of the proposed residential development site and is within close proximity to Junction 19. The development site has existing residential property to the East at Holly Grove. The predominant noise source in the area is that of road traffic. A noise survey has been completed by ADC dated 8 September 2011. The author details the PPG24 categories and levels of mitigation required for compliance with BS8233.

National guidance PPG24 considers the acceptability of a noise climate for new noise sensitive developments to be situated in. As noted in the original committee report, there are no regulatory instruments available to control the noise impact of road traffic noise on the proposed residential dwellings post development. Therefore, it is essential that amenity issues are appropriately assessed and addressed at the planning stage. *Statutory noise nuisance does not apply to transportation noise.*

The Noise Exposure Category (NEC) assessment in submitted acoustic report shows that the site falls on the borderline between NEC B and NEC C. The advice is that NEC Category C is adopted as the rating for the site. PPG 24 states that Noise Exposure Categories (NEC) C: *Planning permission should not normally be granted. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise.*

### Habitable Rooms

The World Health Organisation (WHO) Guideline value for community noise stipulates that at night-time outside sound levels about 1 metre from facades of living spaces should not exceed 45dB LAeq, so that people may sleep with bedroom windows open. This value was obtained by assuming that the noise reduction from outside to inside with the window open is 15dB.

The submitted report states that “Good” conditions (LAeq 30dB) which correspond to the WHO recommendations, could be achieved by utilising glazing specification 4+16+4, this being 4mm glass with 16mm air gap followed by 4 mm glass. As long as the windows are shut and acoustic trickle vents are used. The report author states that TVALdB 450 Window Frame Vent is a fairly modestly-performing standard vent, which allows for ventilation whilst keeping windows closed. It is therefore recommended by Environmental Health that this acoustic vent is used.

The glazing standard recommended by the submitted report is more appropriate for NEC B categories. Therefore, Environmental Health recommend that all habitable rooms should have glazing with a minimum sound reduction index of R<sub>TRA</sub> 33dB, given the NEC C status of the site.



## Outdoor Living Area and Amenity Spaces

PPG24, para 17 stipulates that the sound level within a residential building is not the only consideration: most residents will also expect a reasonable degree of peaceful enjoyment of their gardens and adjacent amenity areas. The measured  $L_{Aeq}$  daytime 63 and evening 57. These levels are in excess of the WHO Guideline value for community noise in specific environments, for outdoor living areas, which is 55  $L_{Aeq}$ . However WHO also stipulates that to protect the majority of people from being moderately annoyed during the daytime, the outdoor sound level should not exceed 50 dB  $L_{Aeq}$ . Where it is practicable and feasible, the lower outdoor sound level should be considered the maximum desirable sound level for new development.

The submitted report states that the use of a 2 metre high acoustic fence will reduce outdoor noise levels to below 55  $L_{Aeq}$ .

At the time of making their comments Environmental Health had not seen the site section showing the relative heights of the motorway and the proposed acoustic fencing. Comments on this are still awaited and will now be reported to Members as a verbal update.

If minded to approve, Environmental Health recommend conditions that are listed at the end of this report.

## **Trees / landscaping**

The applicant has confirmed that it was originally intended to retain tree T3 at the rear of plot 8. The proximity of the tree to the proposed dwelling was noted at the Committee Site Visit. This issue has been revisited and in terms of the social proximity to the new dwellings it is now proposed that the tree should be removed. It is considered that its loss could be adequately mitigated for with replacement planting. Appropriate landscaping conditions have already been recommended.

## **Heads of Terms**

The tenure of the properties also needs to be included within the Heads of Terms, and was not included within the original report. Therefore the Heads of Terms should read:

- dwellings will be retained as affordable rented housing in perpetuity and that occupation is restricted to those in genuine need who are employed locally or have local connection to the parish of Tabley and then cascaded initially to adjoining parishes before being offered to residents of other areas of the Borough (it is likely that this would initially be parishes within the Knutsford rural sub area identified in the SHMA 2010), then residents of Cheshire East though the final details of this is to be agreed in consultation with Cheshire Peaks and Plains Housing Trust and the Parish Council).



- commuted sum of £24,000 to be paid to the Council to make additions, enhancements and improvements to the existing open space off Holly Grove in Tabley.

## CONCLUSIONS

Further clarification is awaited from Environmental Health regarding the noise impact upon the private outdoor amenity space of the new dwellings. However, subject to this matter being resolved, for the reasons outlined above, as in the original report a recommendation of approval is made, subject to the following additional conditions:

1. All habitable rooms shall have glazing with a minimum sound reduction index of  $R_{TRA}$  33dB. The unit shall be installed in accordance with the manufacturer's recommendations to avoid air gaps when fitting the frames. Details of the selected glazing shall be forwarded to the LPA for approval prior to its installation and shall be retained thereafter.
2. Acoustically treated passivent ventilation system as detailed in para 5.3 Mitigation of ADC, dated 8<sup>th</sup> September (TV AL 450/40) shall be installed with the units.
3. A full detailed acoustic report shall be submitted and approved in writing by the Local Planning Authority which demonstrates the effectiveness of the acoustic boundary treatment. The boundary treatment shall be completed in accordance with the approved details and shall be retained unless agreed in writing by the LPA.
4. Before the use of the development is commenced, a Validation Test of the sound attenuation works shall be completed and the results submitted to and approved by the Local Planning Authority. Such validation test shall:
  - a) Be carried out in accordance with an approved method statement.
  - b) Demonstrate that the specified noise levels have been achieved. In the event that the specified noise levels have not been achieved, then notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works capable of achieving the specified noise levels and recommended by an acoustic consultant shall be submitted to and approved by the Local Planning Authority before the use of the development is commenced.

Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the use is commenced and shall thereafter be retained unless otherwise agreed in writing with the Local Planning.